

Mohave County Sheriff's Office

Mohave County SO Policy Manual

LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

MOHAVE COUNTY SHERIFF'S OFFICE MISSION STATEMENT

Mission Statement

To enhance public safety and insure a quality of life, safety and welfare for the citizens of Mohave County. To wisely use the resources which have been entrusted to us. To maintain public trust through open, honest and ethical behavior; exercising integrity in the use of power and authority. To perform all duties with the highest level of personal and professional principles. To create positive relationships with the public by treating all with fairness, dignity and compassion.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Table of Contents

Law Enforcement Code of Ethics	1
MOHAVE COUNTY SHERIFF'S OFFICE MISSION STATEMENT	2
Chapter 1 - Law Enforcement Role and Authority	7
100 - Law Enforcement Authority	8
101 - Chief Executive Officer	10
102 - Oath of Office	11
103 - Policy Manual	12
Chapter 2 - Organization and Administration	15
200 - Organizational Structure and Responsibility	16
201 - Departmental Directive and Special Orders	18
202 - Emergency Operations Plan	19
203 - Training	20
204 - Electronic Mail	22
205 - Administrative Communications	24
206 - Retired Deputy Carrying Concealed Weapons	25
Chapter 3 - General Operations	27
300 - Use of Force	28
301 - Handcuffing and Restraints	35
302 - Control Devices and Techniques	40
303 - Conducted Electrical Weapon	45
304 - Officer-Involved Shootings and Deaths	51
305 - Firearms	60
306 - Corrections Officer Handguns	70
307 - Vehicle Pursuits	72
308 - Deputy Response to Calls	84
309 - Canines	87
310 - Domestic Violence	96
311 - Search and Seizure	102
312 - Diminished Probable Cause after Arrest	104
313 - Temporary Custody of Juveniles	105
314 - Adult Abuse	112
315 - Discriminatory Harassment	117
316 - Child Abuse	118
317 - Missing Persons	123
318 - Public Alerts	129
319 - Victim and Witness Assistance	133
320 - Hate or Prejudice Crimes	136
321 - Standards of Conduct	139
322 - Information Technology Use	146
323 - Report Preparation	150

Mohave County Sheriff's Office

Mohave County SO Policy Manual

324 - Media Relations	154
325 - Subpoenas and Court Appearances	157
326 - Reserve Deputies	159
327 - Outside Agency Assistance	163
328 - Registered Offender Information	165
329 - Major Incident Notification	170
330 - Death Investigation	172
331 - Identity Theft	176
332 - Limited English Proficiency Services	178
333 - Communications with Persons with Disabilities	179
334 - School Employee Arrest Reporting	186
335 - Pupil Arrest Reporting	187
336 - Biological Samples	188
337 - Child and Dependent Adult Safety	190
338 - Service Animals	194
339 - Volunteer Program	196
340 - Cross Certification of Federal Officers	203
341 - Native American Graves Protection and Repatriation	204
342 - Off-Duty Law Enforcement Actions	206
343 - SEARCH WARRANTS	209
344 - High Risk Search Warrant Service	210
345 - Detainee Health Care (Pre-Incarceration)	215
346 - Emergency Jail Evacuation and Relocation	216
347 - Mine Site Incidents	221
348 - D.A.R.E. Program	222
349 - Office Use of Social Media	227
Chapter 4 - Patrol Operations	230
400 - Patrol Function	231
401 - High Risk	233
402 - Bias-Based Policing	235
403 - Crime and Disaster Scene Integrity	237
404 - Special Weapons and Tactics Team	239
405 - Ride-Along Policy	250
406 - Hazardous Material Response	253
407 - Hostage and Barricade Incidents	256
408 - Response to Bomb Calls	261
409 - Civil Commitments	266
410 - Citation Releases	270
411 - Diplomatic and Consular Contacts	271
412 - Rapid Response and Deployment	275
413 - Immigration Violations	278
414 - Emergency Utility Service	283
415 - Aircraft Accidents	284
416 - Field Training Officer Program	288
417 - Obtaining Air Support Assistance	291
418 - Contacts and Temporary Detentions	292

Mohave County Sheriff's Office

Mohave County SO Policy Manual

419 - Mobile Data Computer Use	296
420 - Portable Audio/Video Recorders	299
421 - Medical Marijuana	305
422 - Foot Pursuits	310
423 - Homeless Persons	311
424 - Civil Matters	314
425 - Child Custody Orders	316
426 - Search and Rescue	318
427 - Public Recording of Law Enforcement Activity	321
428 - Crisis Intervention Incidents	324
429 - Suspicious Activity Reporting	328
430 - First Amendment Assemblies	330
431 - Medical Aid and Response	336
Chapter 5 - Traffic Operations	339
500 - Traffic Function and Responsibility	340
501 - Traffic Collision Response and Reporting	343
502 - Fatal Traffic Accidents	346
503 - Accidents Involving County Vehicles	349
504 - Vehicle Towing and Release Policy	354
505 - Vehicle Impound Hearings	358
506 - Impaired Driving	361
507 - Traffic Citations	367
508 - Disabled Vehicles	369
509 - Abandoned Vehicle Violations	370
Chapter 6 - Investigation Operations	371
600 - Investigation and Prosecution	372
601 - Sexual Assault Investigations	376
602 - Asset Forfeiture	381
603 - Informants	387
604 - Eyewitness Identification	393
605 - Brady Material Disclosure	397
606 - Unmanned Aerial System (UAS) Operations	399
Chapter 7 - Equipment	401
700 - Office-Owned and Personal Property	402
701 - Personal Communication Devices	405
702 - Vehicle Maintenance	408
703 - Vehicle Use	411
704 - Cash Handling, Security and Management	416
Chapter 8 - Support Services	418
800 - Communication Operations	419
801 - Dispatching 911 Calls for Service	426
802 - Evidence Room	430
803 - ID and Records	438

Mohave County Sheriff's Office

Mohave County SO Policy Manual

804 - Records Maintenance and Release	440
805 - Protected Information	444
806 - Computers and Digital Evidence	447
807 - Animal Control	451
808 - Noncriminal Use of Criminal Justice Information or Criminal History Record Information	456
Chapter 9 - Custody	461
900 - Temporary Custody of Adults	462
901 - Custodial Searches	465
902 - Prison Rape Elimination	470
Chapter 10 - Personnel	480
1000 - Recruitment and Selection	481
1001 - Evaluations, Personnel Performance Records	485
1002 - Conduct, Specific Rules for Employee	487
1003 - Special Assignments and Promotions	491
1004 - Grievances	493
1005 - Reporting of Employee Convictions	494
1006 - Drug- and Alcohol-Free Workplace	496
1007 - Sick Leave	497
1008 - Communicable Diseases	500
1009 - Smoking and Tobacco Use	504
1010 - Personnel Complaints	505
1011 - Seat Belts	517
1012 - Body Armor	519
1013 - Personnel Files	521
1014 - Civil Litigation	522
1015 - Fitness for Duty	523
1016 - Commendations and Awards	524
1017 - Meal Periods and Breaks	526
1018 - Payroll Records	527
1019 - Overtime Compensation Requests	528
1020 - Expenditure of Funds	529
1021 - Outside Employment	530
1022 - Occupational Disease and Work-Related Injury Reporting	534
1023 - Personal Appearance Standards	536
1024 - Clothing/Uniform Regulations	539
1025 - Sheriff's Explorers	545
1026 - Nepotism and Conflicting Relationships	547
1027 - Office Badges	550
1028 - Temporary Modified-Duty Assignments	552
1029 - Employee Speech, Expression and Social Networking	555
1030 - Arizona Peace Officer Standards and Training Board (AZPOST) Certification	559
Attachments	560

Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of members of the Mohave County Sheriff's Office to perform their function based on established legal authority.

100.2 PEACE OFFICER POWERS

Certified members of this office are authorized to exercise peace officer powers pursuant to applicable state law (AAC § R13-4-103; ARS § 1-215(27); ARS § 13-105(29); ARS § 41-1823).

The authority of a certified peace officer extends to any place in the State of Arizona (ARS § 13-3871 et seq.) as follows:

- (a) Where he/she has the prior consent of the Chief of Police, Marshal, Sheriff, other department or agency head or a duly authorized representative having responsibility for law enforcement within the jurisdiction or territory.
- (b) Where he/she has probable cause to believe (ARS § 13-3883):
 - 1. A felony has been committed and probable cause to believe the person to be arrested has committed the felony.
 - 2. A misdemeanor has been committed in his/her presence and there is probable cause to believe the person committed the offense.
 - 3. A person was involved in a traffic accident and committed a criminal traffic violation pursuant to ARS § 28-121 immediately prior to or following the traffic accident.
 - 4. A misdemeanor or a petty offense has been committed and probable cause to believe the person to be arrested has committed the offense.
- (c) A peace officer may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of any traffic law committed in the officer's presence and may serve a copy of the traffic complaint for any alleged civil or criminal traffic violation.

An Indian law enforcement officer appointed by the Bureau of Indian Affairs or the governing body of an Indian tribe who meets the qualifications and training standards of the Arizona Peace Officer Standards and Training Board (AZPOST) possesses peace officer powers while engaged in the conduct of his/her employment in this state (ARS § 13-3874).

A federal peace officer who has been cross certified pursuant to ARS § 13-3875 is authorized to enforce Arizona criminal laws in counties in which the Sheriff has adopted a policy allowing cross certification.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Law Enforcement Authority

100.3 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other states as applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state, including the interstate compact for jurisdiction on the Colorado River (ARS § 37-620.11; California Penal Code § 853.1; California Penal Code § 853.2; Nevada Revised Statutes § 171.079 et seq.). Peace officer powers may also be extended when an officer enters another state in fresh pursuit of a felony subject (ARS § 13-3831 et seq.; California Penal Code § 852 et seq.; New Mexico Code § 31-2-1 et seq.; Nevada Revised Statutes § 171.154 et seq.; Utah Code § 77-9-1 et seq.).

100.4 FEDERAL RESERVATIONS

Any federal peace officer has jurisdiction regarding federal buildings, grounds and property pursuant to 18 USC § 13 and 40 USC § 1315.

Peace officer powers extend to Indian reservations pursuant to 18 USC § 1152 except in the following circumstances:

- (a) A crime was committed by an Indian against the person or property of another Indian.
- (b) An Indian who committed an offense has been punished by the local law of the tribe.
- (c) An Indian tribe has been granted exclusive jurisdiction by stipulation of a treaty.

A deputy of the Mohave County Sheriff's Office has exclusive jurisdiction over a crime committed on Indian reservations by a non-Indian against another non-Indian absent treaty provisions to the contrary.

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Arizona Constitutions.

100.6 POLICY

It is the policy of the Mohave County Sheriff's Office to limit its members to only exercise the authority granted to them by law.

While this office recognizes the power of peace officers to make arrests and take other enforcement action, deputies are encouraged to use sound discretion in the enforcement of the law. This office does not tolerate abuse of law enforcement authority.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Arizona are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Office, who is required to exercise the powers and duties of the office as prescribed by state law (ARS § 9-240 or ARS § 11-441).

101.1.1 SHERIFF CANDIDATE REQUIREMENTS

Prior to filing for the office of Sheriff, any candidate shall meet the requirements of ARS § 11-402. Sheriff candidates are exempt from AZPOST certification requirements pursuant to AAC § R13-4-103(B).

Following election, the Sheriff shall reside within the county in which he/she was elected (ARS § 11-404).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to office members.

102.2 POLICY

It is the policy of the Mohave County Sheriff's Office that, when appropriate, office members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Office and the dedication of its members to their duties.

102.3 OATH OF OFFICE

At or before appointment or election, all employees of this office shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging their duties (ARS § 38-232).

Before any office employee begins his/her duties, the deputy or employee shall take and subscribe the following oath or affirmation in addition to any other form of oath or affirmation required (ARS § 38-231):

State of Arizona, County of _____ I, (employee name) do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of (name of office) according to the best of my ability, so help me God (or so I do affirm).

102.3.1 CODE OF ETHICS

AZ R13-4-105(e) requires a peace officer to commit to the following Code of Ethics and affirm the peace officer's commitment by signing the code:

I will exercise self-restraint and be constantly mindful of the welfare of others. I will be exemplary in obeying the laws of the land and loyal to the State of Arizona and my agency and its objectives and regulations. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty.

I will never take selfish advantage of my position and will not allow my personal feelings, animosities or friendships to influence my actions or decisions. I will exercise the authority of my office to the best of my ability, with courtesy and vigilance, and without favor, malice, ill will or compromise. I am a servant of the people and I recognize my position as a symbol of public faith. I accept it as a public trust to be held so long as I am true to the law and serve the people of Arizona.

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed in ARS § 38-233.

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Mohave County Sheriff's Office is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this office. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Mohave County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the County, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training or discipline. The Mohave County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Sheriff shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Sheriff or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

ADOT - Arizona Department of Transportation.

AZPOST - Arizona Peace Officer Standards and Training Board.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Policy Manual

Adult - Any person 18 years of age or older.

CFR - Code of Federal Regulations.

Child - Any person under the age of 18 years.

County - The County of Mohave County Sheriff's Office.

Civilian - Employees and volunteers who are not certified peace officers.

DPS - The Arizona Department of Public Safety.

Office/MCSO - The Mohave County Sheriff's Office.

Employee/personnel - Any person employed by the Office.

Manual - The Mohave County Sheriff's Office Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Mohave County Sheriff's Office, including:

- Full- and part-time employees
- Certified peace officers
- Reserve, auxiliary deputies
- Civilian employees
- Volunteers

Deputy - Those employees, regardless of rank, who are certified peace officer employees of the Mohave County Sheriff's Office.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Peace officer - An employee of the Office who is required to be certified by AZPOST pursuant to ARS § 41-1823(B) and AAC § R13-4-103. The term includes certified full-time and part-time officers who perform the duties of a peace officer.

Rank - The title of the classification held by a deputy.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other office members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Policy Manual

The term "supervisor" may also include any person (e.g., deputy-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one office member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the office network for viewing and printing. No changes shall be made to the manual without authorization from the Sheriff or the authorized designee.

Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Sheriff will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All office members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of the Office is designed to create an efficient means to accomplish the mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS

The Sheriff is responsible for administering and managing the Mohave County Sheriff's Office. There are three divisions in the Sheriff's Office as follows:

- Administration Division
- Patrol Division
- Detectives Division

200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Undersheriff whose primary responsibility is to provide general management, direction and control for the Administration Division.. The Administration Division consists of Administrative Support Staff, Dispatch, Civil, Records, Evidence, MediaSpecialist, Administrative Lieutenant, and Search & Rescue/Animal Control.

200.2.2 PATROL DIVISION

The Patrol Division is commanded by the Undersheriff whose primary responsibility is to provide general management, direction and control for the Patrol Division. The Patrol Division consists of Uniformed Patrol.. The Patrol Division consists of three districts; District One-Kingman area and Arizona Strip area, District Two-Bullhead City area, District Three-Lake Havasu City area. Each district is commanded by a Lieutenant who is the District Commander of his/her assigned district.

200.2.3 DETECTIVES DIVISION

The Detectives Division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control for the Detective Division. The Detective Division is overseen by the Detective Lieutenant. The Detectives Division consists of the Detectives, Crime Lab and Sex Offender Registration.

The Narcotics Division is also commanded by the Chief Deputy and overseen by the Narcotics Sergeant.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Sheriff exercises command over all personnel in the Office. During absences, the Chief Deputy shall act with the authority of the Sheriff.

Except when designated as above, the order of command authority in the absence or unavailability of the Sheriff or Chief Deputy is as follows:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Organizational Structure and Responsibility

- (a) Undersheriff.
- (b) Patrol District Commander.
- (c) Detective Division Commander.
- (d) Administrative Lieutenant.
- (e) Shift Sergeant.

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Office. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

200.3.4 UNLAWFUL AND CONFLICTING ORDERS

No member is required to obey any order that outwardly appears to be in direct conflict with any federal law, state law or local ordinance. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with an order that is in conflict with a previous order, office policy or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the order is intended to countermand the previous order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting order after having given the issuing supervisor the opportunity to correct the conflict are not held accountable for disobedience of the order or directive that was initially issued.

The person issuing the countermanded order shall be notified in writing by the person issuing the second command of the action taken and the reason therefore.

Departmental Directive and Special Orders

201.1 PURPOSE AND SCOPE

Departmental Directives and Special Orders establish interdepartment communications that may be used by the Sheriff to make immediate changes to policy and procedure. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon staff approval. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the revision date shown.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 10-01 signifies the first Departmental Directive for the year 2010.

201.1.2 SPECIAL ORDERS PROTOCOL

Special Orders establish a temporary policy or procedure on a given subject for a specific length of time. Special Orders are issued to the organization as a whole, to a division, to a unit or to an individual thereof and are temporary in nature. Special Orders become inoperative with the passing of the incident or situation that caused the order to be issued.

201.2 RESPONSIBILITIES

201.2.1 STAFF

The staff shall review revisions of the Policy Manual and will incorporate changes originally made by Departmental Directive.

201.2.2 SHERIFF

The Sheriff or a designee shall issue all Departmental Directives and Special Orders. Departmental Directives and Special Orders shall be retained and archived pursuant to state law (ARS § 39-101, et seq.), the retention schedule adopted by the County and under the direction of the Office custodian of records.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVE

All employees are required to read and obtain any necessary clarification of all Departmental Directives. All employees are required to acknowledge in writing the receipt and review of any new Departmental Directive. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Training Coordinator.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

The County has prepared, in compliance with the State Comprehensive Emergency Response and Recovery Plan (SERRP) (ARS § 26-307 et seq.), an Emergency Operations Plan (EOP). The EOP is for the guidance and use by all members in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all members and assigns specific responsibilities in the event the plan is activated.

202.2 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The EOP can be activated in a number of ways. Within the Sheriff's Office, the Sheriff, the highest ranking official on-duty or an on-scene responder may activate the EOP in response to a major emergency.

202.2.1 RECALL OF PERSONNEL

In the event that the EOP is activated, all members of the Mohave County Sheriff's Office are subject to immediate recall. Members may also be subject to recall during extraordinary circumstances as deemed necessary by the Sheriff or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 LOCATION OF EMERGENCY OPERATIONS PLAN

The EOP for members is available in Administration, the District Commander's office and in Dispatch.

202.4 PLAN REVIEW

At least once every two years the Office should conduct a review of the EOP, incorporating a full or partial exercise, tabletop or command staff discussion.

202.5 PLAN TRAINING

The Office shall provide training in the EOP for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the EOP and the roles sheriff's personnel will play when the plan is implemented.

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The office shall administer a training program that will meet the standards of federal, state, local and the Arizona Peace Officers Standard and Training Board (AZPOST) training requirements. It is a priority of this office to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of Office personnel.
- (c) Provide for continued professional development of Office personnel.
- (d) Assist in compliance with AZPOST rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

It is the responsibility of the Command Staff to ensure that mandated basic, in-service and Office required training is completed by all employees. The Training Coordinator shall develop a systematic and detailed method for recording and logging of all training for all personnel.

The Command Staff is responsible for ensuring members of the Office have been trained as required.

203.4.1 STATE MANDATED TRAINING

State training requirements include, but are not limited to:

- (a) Basic training:
 - 1. Certified members of the Office must successfully complete basic training pursuant to AAC § R13-4-110.
 - 2. The basic training requirement may be waived when this office utilizes an individual under exigent circumstances, under the direct supervision of a certified peace officer as part of the field training program or the individual has otherwise received an AZPOST waiver.
- (b) Certification retention:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Training

1. All certified members of the Office shall receive continuing training, proficiency training and firearms qualification courses as required by AAC § R13-4-111.
2. A deputy who fails to satisfy AZPOST required continuing or proficiency training, shall not engage in enforcement duties, carry or use a firearm on-duty, wear or display a badge, wear a uniform, make arrests, perform patrol functions or operate a marked vehicle (AAC § R13-4-109.01(C)).

203.5 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Mohave County Sheriff's Office policy manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTB's may be adjusted by the system administrator. Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the system administrator.

Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Office.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

203.6 TRAINING RECORDS

The Training Coordinator is responsible for the creation, filing and storage of all training records in compliance with AZPOST (AAC § R13-4-108(B)(6) and AAC § R13-4-111(A) and (B)). Training records shall be retained as long as the employee's personnel file is retained. If a deputy satisfies the requirements for certification retention training from an outside provider, he/she shall provide the Training Coordinator with attendance verification and information that documents that the training meets AZPOST standards.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Office. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Arizona Public Records Law). Messages transmitted over the email system must only be those that involve official business activities or that contain information essential to employees for the accomplishment of business-related tasks and/or communications directly related to the business, administration or practices of the Office.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including attachments, transmitted over the Office computer network or accessed through a web browser accessing the Office system are considered Office records and, therefore, are the property of the Office. The Office has the right to access, audit and disclose for whatever reason, all messages, including attachments, transmitted or received through its email system or placed into its storage.

Unless it is encrypted, the email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Office. Therefore, the email system is not appropriate for confidential or personal communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Office email system shall have no expectation of privacy concerning communications utilizing the system.

204.3 PROHIBITED USE OF EMAIL

The Office email system shall not be used for personal purposes unless that use is authorized in writing by the Sheriff.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited, will constitute just cause for discipline, and will result in discipline, up to and including termination of employment.

Email messages addressed to the entire office are only to be used for official business-related items that are of particular interest to all users and must be approved by the Sheriff or a Division Commander. Personal advertisements or announcements are not permitted.

It is a violation of this policy to transmit a message under another user's name or email address or to use the password of another to log onto the system. Users are required to log off the network or lock the workstation when their computer is unattended. This added security measure would minimize the misuse of an individual's e-mail, name and/or password.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Electronic Mail

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under Arizona Public Records Law and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained pursuant to the Arizona Public Records Law as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this office are governed by the following policies.

205.2 DEPARTMENT E-MAILS

Department e-mails may be issued periodically by the Sheriff or a designee, to announce and document all promotions, transfers, hiring of new personnel, separations, individual and group awards and commendations or other changes in status.

205.3 CORRESPONDENCE

To ensure that the letterhead and name of the Office are not misused, all official external correspondence shall be on Office letterhead. Office letterhead may not be used for personal use or purposes.

205.4 OTHER COMMUNICATIONS

Departmental Directives and other communications necessary to ensure the effective operation of the Office shall be promulgated by the Sheriff or a designee or Division Commanders.

Retired Deputy Carrying Concealed Weapons

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Mohave County Sheriff's Office identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

206.2 POLICY

It is the policy of the Mohave County Sheriff's Office to provide identification cards to qualified former or retired deputies as provided in this policy.

206.3 LEOSA

The Sheriff may issue an identification card for LEOSA purposes to any qualified former deputy of this office who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this office as a deputy.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this office.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this office where the deputy acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former deputy and identify him/her as having been employed as a deputy.

If the Mohave County Sheriff's Office qualifies the former deputy, the LEOSA identification card or separate certification should indicate the date the former deputy was tested or otherwise found by the Office to meet the active duty standards for qualification to carry a firearm.

206.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former deputy of this office may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Retired Deputy Carrying Concealed Weapons

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
 - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by Arizona law or by a private person or entity on his/her property if such prohibition is permitted by Arizona law.

206.4 FORMER DEPUTY RESPONSIBILITIES

A former deputy with a card issued under this policy shall immediately notify the District Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

206.4.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former deputy shall:

- (a) Sign a waiver of liability of the Office for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Office.
- (b) Remain subject to all applicable office policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

206.5 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Office. In the event that an identification card is denied, suspended or revoked, the former deputy may request a review by the Sheriff. The decision of the Sheriff is final.

206.6 FIREARM QUALIFICATIONS

The Rangemaster may provide former deputies from this office an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the deputy or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the deputy at the time, taken as a whole, including the conduct of the deputy and the subject leading up to the use of force.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Deputies are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Deputies must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Mohave County Sheriff's Office recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting deputies with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

300.2.1 DUTY TO INTERCEDE AND REPORT

Any deputy present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any deputy who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each deputy should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

A deputy is justified in threatening or using force against another if, in making or assisting in making an arrest or detention or in preventing or assisting in preventing an escape after arrest or detention, such person uses or threatens to use physical force and all of the following exist (ARS § 13-409):

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

- (a) A reasonable person would believe that such force is immediately necessary to effect the arrest or detention or prevent the escape.
- (b) The deputy makes known the purpose of the arrest or detention or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested or detained.
- (c) A reasonable person would believe the arrest or detention to be lawful.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to deputies or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
- (c) Deputy/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with deputy commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the deputy.
- (l) Potential for injury to deputies, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Deputies may only apply those pain compliance techniques for which they have successfully completed office-approved training. Deputies utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the deputy.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the deputy determines that compliance has been achieved.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, deputies may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, deputies are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, deputies should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Deputies are encouraged to use techniques and methods taught by the Mohave County Sheriff's Office for this specific purpose.

300.3.5 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the deputy shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the deputy has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) A deputy may use deadly force to stop a fleeing subject when the deputy has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the deputy reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if a deputy reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the deputy or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the deputy believes the individual intends to do so.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, deputies should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

A deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others.

Deputies should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this office shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The deputy should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, this Office requires the completion of the department's Use of Force Report in Blue Team following any application of force specified in section 300.5.1 of this manual.

300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable deputy to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

300.5.2 REPORTING TO ARIZONA CRIMINAL JUSTICE COMMISSION

Use of force incident data regarding deputy use of force incidents (e.g., use of force connected to an individual's death or receiving a serious physical injury, discharge of a firearm at or in the direction of an individual) should be reported to the Arizona Criminal Justice Commission (AZCJC) as required by AZCJC (ARS § 38-1118). See the ID and Records Policy.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the deputy's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another deputy and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling deputy shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the deputy reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple deputies to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Deputies who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away. See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved deputies. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Use of Force

- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
 - 1. Ensure that the supervisor section of the Use of Force Report in Blue Team is completed.
 - 2. Ensure the Blue Team entry contains all reports and photographs and is forwarded to the Chief Deputy, via the chain of command.
- (g) Determine if there is any indication that the subject may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

Handcuffing and Restraints

301.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

301.2 POLICY

The Mohave County Sheriff's Office authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and office training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

301.3 USE OF RESTRAINTS

Only members who have successfully completed Mohave County Sheriff's Office-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

301.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the deputy has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Handcuffing and Restraints

determination that such restraints are necessary for the safety of the arrestee, deputies, or others (ARS § 31-601).

301.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the deputy or damage property.

301.3.4 NOTIFICATIONS

Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Office. Deputies should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, deputies should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

301.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the deputy reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Deputies utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Deputies should provide assistance during the movement of a restrained person due to the potential for impairing or

Handcuffing and Restraints

distorting that person's vision. Deputies should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

301.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

Only office-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

301.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Office shall be used.

In determining whether to use the leg restraint, deputies should consider:

- (a) Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting deputy while handcuffed, kicking at objects or deputies).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

301.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, deputies should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the deputy arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Handcuffing and Restraints

- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by a deputy while in the leg restraint. The deputy should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The deputy should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by a deputy when requested by medical personnel. The transporting deputy should describe to medical personnel any unusual behaviors or other circumstances the deputy reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

301.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the deputy shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Deputies should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

301.9 TRAINING

Subject to available resources, the Training Coordinator should ensure that deputies receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Office.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Handcuffing and Restraints

Control Devices and Techniques

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Mohave County Sheriff's Office authorizes deputies to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this office only if the device has been issued by the Office or approved by the Sheriff or the authorized designee.

Only deputies who have successfully completed office-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, deputies should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

302.4 RESPONSIBILITIES

302.4.1 DISTRICT COMMANDER RESPONSIBILITIES

The District Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

302.4.2 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster or designated instructor for a particular control device, for disposition.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted

Control Devices and Techniques

except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

302.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. The District Commander, Incident Commander or SWAT Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

302.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

302.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

302.7.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

Deputies encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used.

Control Devices and Techniques

Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

302.7.3 TREATMENT FOR OC EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

302.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, deputies should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

302.9 KINETIC ENERGY PROJECTILE GUIDELINES

This office is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

302.9.1 DEPLOYMENT AND USE

Only office-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Deputies are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved deputy determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and deputies takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or deputies.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

Control Devices and Techniques

302.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the deputy should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other deputies and individuals that the device is being deployed.

Deputies should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, deputies are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the deputy reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the deputy or others.

302.9.3 SAFETY PROCEDURES

Absent compelling circumstances, deputies who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second deputy watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

302.10 TRAINING FOR CONTROL DEVICES

The Training Coordinator shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the deputy's training file.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Control Devices and Techniques

- (c) Deputies who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an deputy cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the deputy will be restricted from carrying the control device and may be subject to discipline.

302.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Electrical Weapon

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASERs.

303.2 POLICY

The TASER is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to deputy and suspects.

303.3 ISSUANCE AND CARRYING OF TASER (TM)

Only members who have successfully completed office-approved training may be issued and carry a TASER.

Office-issued TASERs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the office's inventory.

Deputies shall only use the TASER and cartridges that have been issued by the Office. Uniformed deputies who have been issued the TASER shall wear the device in an approved holster on their person. Non-uniformed deputies may secure the TASER in the driver's compartment of their vehicle.

Members carrying a TASER should perform a spark test on the unit prior to every shift.

When carried while in uniform, deputies shall carry the TASER in a weak-side holster on the side opposite the duty weapon.

- (a) All TASERs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, deputies should carry two or more cartridges on their person when carrying the TASER.
- (c) Deputies shall be responsible for ensuring that their issued TASER is properly maintained and in good working order.
- (d) Deputies should not hold both a firearm and the TASER at the same time.

303.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER should precede its application, unless it would otherwise endanger the safety of deputies or when it is not practicable due to the circumstances.

The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other deputies and individuals with a warning that the TASER may be deployed.

Conducted Electrical Weapon

If, after a verbal warning, an individual is unwilling to voluntarily comply with a deputy's lawful orders and it appears both reasonable and feasible under the circumstances, the deputy may, but is not required to, display the electrical arc, or the laser in a further attempt to gain compliance prior to the application of the TASER. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the deputy deploying the TASER in the related report.

303.5 USE OF THE TASER

The TASER has limitations and restrictions requiring consideration before its use. The TASER should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER is generally effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options.

303.5.1 APPLICATION OF THE TASER

The TASER may be used in any of the following circumstances, when the circumstances perceived by the deputy at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm deputies, him/herself or others.

Mere flight from a pursuing deputy, without other known circumstances or factors, is not good cause for the use of the TASER to apprehend an individual.

303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conducted Electrical Weapon

- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between deputies and the subject, thereby giving deputies time and distance to consider other force options or actions.

The TASER shall not be used to psychologically torment, elicit statements or to punish any individual.

303.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the TASER probes to a precise target area, deputies should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

303.5.4 MULTIPLE APPLICATIONS OF THE TASER

Deputies should apply the TASER for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER against a single individual are generally not recommended and should be avoided unless the deputy reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER appears to be ineffective in gaining control of an individual, the deputy should consider certain factors before additional applications of the TASER, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Deputies should generally not intentionally apply more than one TASER at a time against a single subject.

303.5.5 ACTIONS FOLLOWING DEPLOYMENT

Deputies shall notify a supervisor of all TASER discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conducted Electrical Weapon

303.5.6 DANGEROUS ANIMALS

The TASER may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

303.5.7 OFF-DUTY CONSIDERATIONS

Deputies are not authorized to carry Office TASERs while off-duty.

Deputies shall ensure that TASERs are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

303.6 DOCUMENTATION

Deputies shall document all TASER discharges in the related arrest/crime report and the Use of Force Report in Blue Team. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented in the Use of Force Report in Blue Team.

Photographs of probe sites should be taken and submitted per the Use of Force Policy in Blue Team.

303.6.1 REPORTS

The deputy should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASERs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

303.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel, or employees who are trained to perform this medical procedure, should remove TASER probes from a person's body. Used TASER probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conducted Electrical Weapon

- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another deputy and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting deputy shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER.

303.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER may be used. A supervisor should respond to all incidents where an TASER was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER. Photographs of probe sites should be taken and witnesses interviewed.

303.9 TRAINING

Personnel who are authorized to carry the TASER shall be permitted to do so only after successfully completing the initial office-approved training. Any personnel who have not carried the TASER as a part of their assignment for a period of six months or more shall be recertified by a office-approved TASER instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASERs should occur every year. A reassessment of a deputy's knowledge and/or practical skill may be required at any time if deemed appropriate. All training and proficiency for TASERs will be documented in the deputy's training file.

Command staff, supervisors and investigators should receive TASER training as appropriate for the investigations they conduct and review.

Application of TASERs during training could result in injury to personnel and should not be mandatory for certification.

The TASER Instructor should ensure that all training includes:

- (a) A review of this policy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conducted Electrical Weapon

- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER.

Officer-Involved Shootings and Deaths

304.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured as the result of an officer-involved shooting or dies as a result of other action of a deputy.

In other incidents not covered by this policy, the Sheriff may decide that the investigation will follow the process provided in this policy.

304.2 POLICY

The policy of the Mohave County Sheriff's Office is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

304.3 TYPES OF INVESTIGATIONS

Officer-involved shootings involve several separate investigations. The investigations may include:

- (a) A criminal investigation of the suspect's actions.
- (b) A criminal investigation of the involved officer's actions.
- (c) An administrative investigation as to policy compliance by involved deputies.
- (d) A civil investigation to determine potential liability.

304.4 JURISDICTION

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths:

304.4.1 MOHAVE COUNTY SHERIFF'S OFFICE DEPUTY WITHIN THIS JURISDICTION

The Mohave County Sheriff's Office is responsible for the criminal investigation of the suspect's actions, the civil investigation and the administrative investigation. The criminal investigation of the officer-involved shooting or death will be conducted by this office or an outside law enforcement agency asked to conduct the investigation, determined by the Sheriff.

304.4.2 OUTSIDE AGENCY'S OFFICER WITHIN THIS JURISDICTION

The Mohave County Sheriff's Office is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer-involved shooting will be conducted by this office or an outside agency. The officer's employing agency will be responsible for any civil and/or administrative investigation.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

304.4.3 MOHAVE COUNTY SHERIFF'S OFFICE DEPUTY IN ANOTHER JURISDICTION

The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect to another agency. The Mohave County Sheriff's Office will conduct timely civil and/or administrative investigations of its own personnel.

304.5 THE INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death:

304.5.1 UNINVOLVED DEPUTY RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved MCSO deputy will be the deputy-in-charge and will assume the responsibilities of a supervisor until properly relieved. This deputy should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Office or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

304.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved MCSO supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any MCSO deputy to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the District Commander and Dispatch. If feasible, sensitive information should be communicated over secure networks.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

- (d) Take command of and secure the incident scene with additional MCSO members until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - 1. Each involved MCSO deputy should be given an administrative order not to discuss the incident with other involved officers or MCSO members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other deputies.

304.5.3 SHIFT SERGEANT DUTIES

Upon learning of an officer-involved shooting or death, the District Commander shall be responsible for coordinating all aspects of the incident until relieved by the Sheriff or a designee.

304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Sheriff
- Chief Deputy
- Undersheriff
- Detectives Division Commander
- [OIS protocol] rollout team
- Outside agency investigators (if appropriate)
- Internal Affairs Unit supervisor
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

304.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 - 1. Involved MCSO deputies shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

2. Requests from involved non-MCSO officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Office to each involved MCSO deputy. A licensed psychotherapist may also be provided to any other affected MCSO members, upon request (ARS § 38-673).
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved deputy and a peer support member or a critical incident stress management team member is addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved MCSO deputy shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the District Commander to make schedule adjustments to accommodate such leave.

304.6 CRIMINAL INVESTIGATION

An outside law enforcement agency is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this office may be assigned to partner with investigators from outside agencies or the County Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) MCSO supervisors and Internal Affairs Unit personnel should not participate directly in any voluntary interview of MCSO deputies. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved deputies shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

304.6.1 INVESTIGATIVE PERSONNEL

Once notified of officer-involved shooting or death, it shall be the responsibility of the Detective Division supervisor to assign appropriate personnel to handle the investigation of related crimes. Investigators will be assigned to work with those from an outside agency should the investigation be assumed by another agency, and may be assigned to separately handle the investigation of any related crimes that are not being investigated by the outside agency.

All related reports, except reports deemed confidential and/or administrative, will be forwarded to the designated supervisor for approval. Confidential reports shall be maintained exclusively by personnel who are authorized for such access. Administrative reports will be forwarded to the appropriate Division Commander.

304.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Office.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

304.6.3 REPORTS BY INVOLVED DEPUTIES

In the event that suspects remain outstanding or are subject to prosecution for related offenses, this office shall retain the authority to require involved deputies to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved deputy may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview the involved deputies as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved deputies should focus on evidence to establish the elements of criminal activities by the involved suspects. Care should be taken not to duplicate information provided by involved deputies in other reports.

Nothing in this section shall be construed to deprive an involved deputy of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures and should also be included for reference in the investigation of the officer-involved shooting.

304.7 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may be lost or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

- (a) Identify all persons present at the scene and in the immediate area.
 1. When feasible, a recorded statement should be obtained from persons who claim they did not witness the incident but were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Office personnel.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a Office vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Assign available personnel to promptly contact the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to contact with officers.

304.8 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with officer-involved shooting or death, this office will conduct an internal administrative investigation of the involved MCSO deputies to determine conformance with office policy. This investigation will be conducted under the supervision of the Internal Affairs Unit and will be considered a confidential deputy personnel file until the investigation is complete or the investigation has been discontinued (ARS § 38-1109).

Interviews of members shall be subject to office policies and applicable laws (see the Personnel Complaints Policy).

- (a) Any deputy involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the deputy, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any deputy has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved deputy.
 1. If a further interview of the deputy is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved deputy shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved deputy has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - (a) Although this interview should not be unreasonably delayed, care should be taken to ensure that the deputy's physical and psychological needs have been addressed before commencing the interview.
 - (b) If requested, the deputy shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual deputy's statement, involved deputies shall not consult or meet with a representative collectively or in groups prior to being interviewed.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

- (c) Administrative interviews should be recorded by the investigator. The deputy may also record the interview.
- (d) The deputy shall be informed of the nature of the investigation. If a deputy refuses to answer questions, he/she should be given his/her *Garrity* rights, and ordered to provide full and truthful answers to all questions. The deputy shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally (ARS § 38-1104).
- (e) The Internal Affairs Unit shall compile all relevant information and reports necessary for the Office to determine compliance with applicable policies.
- (f)
- (g) Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.
- (h) The administrative investigation may require a polygraph examination, but only when a statement is made by the involved employee that differs from other information relating to the investigation, and reconciling the differences is necessary to complete the investigation (ARS 38-1101(A)(3)).
- (i) Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Sheriff or Chief Deputy who will convene a review panel.
 - (a) The review panel shall consist of three departmental personnel as designated by the Sheriff or Chief Deputy.
 - (b) The review panel shall, in memorandum form, notify the Sheriff or Chief Deputy as to whether disciplinary or remedial action is warranted.

304.9 CIVIL LIABILITY RESPONSE

A member of this office may be assigned to work exclusively under the direction of the legal counsel for the Office to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work-product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation. However, persons preparing the response shall be given reasonable access to all other investigations.

304.9 REPORTING

If the death of an individual occurs in the Mohave County Sheriff's Office jurisdiction and qualifies to be reported to the Department of Public Safety, the Patrol Division Commander will ensure that the Records Manager is provided with enough information to meet the reporting requirements (ARS § 41-1750; AAC § R13-1-302).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Officer-Involved Shootings and Deaths

304.10 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports (see the Personnel Complaints Policy).

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or County Attorney's Office, as appropriate.

Firearms

305.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

305.1.1 AUTHORIZATION TO CARRY FIREARMS

Only certified members who have met all state standards and have been authorized by the Sheriff shall have the peace officer privilege to carry a firearm both on- and off-duty (ARS § 38-1113).

An active duty county detention officer, who has been weapons certified by this office and authorized by the Sheriff, may carry a firearm both on- and off-duty (AAC § R13-9-201(B)(3)).

The Sheriff may authorize members of the Sheriff's volunteer posse who have received and passed approved firearms training to carry a firearm while on-duty (ARS § 11-441(H)).

The Sheriff or the authorized designee may deny the peace officer privilege to carry a firearm as provided in ARS § 38-1113, including:

- (a) When the deputy is relieved of duty and is under a criminal or administrative investigation.
- (b) When, in the judgment of the Sheriff or the authorized designee, the deputy exhibits any impairment, including any physical or mental impairment that would cause concern for the well-being of the deputy, fellow members, this office, or the public.

305.2 POLICY

The Mohave County Sheriff's Office will equip its members with firearms to address the risks posed to the public and office members by violent and sometimes well-armed persons. The Office will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

305.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Office and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized office range.

All other weapons not provided by the office, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by office policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Commander. This

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

exclusion does not apply to the carrying of a concealed folding pocketknife or fixed blade knives that are not otherwise prohibited by law.

305.3.1 HANDGUNS

The authorized office-issued handgun is the Glock 17 9mm, Glock 26 9mm, Glock 43 9mm and the Glock 34 9mm. The Glock 17 will be issued to all patrol personnel. The Glock 34 will be issued to SWAT team members and Firearms Staff at the request of the Sheriff or his designee. The Glock 43 will be reserved for Administrative Staff at the request of the Sheriff or his designee.

305.3.2 SHOTGUNS

The authorized office-issued shotgun is the Remington 870.

When not deployed, the shotgun shall be properly secured consistent with office training in a locking weapons rack in the patrol vehicle.

305.3.3 PATROL RIFLES

The authorized office-issued patrol rifle is the Colt AR-15 5.56 Caliber.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with office training in a locking weapons rack in the patrol vehicle.

Deputies whom are assigned a department issued patrol rifle will also be issued a suppressor for noise dampening and hearing protection. The suppressor shall remain attached to the firearm at all times, except as follows:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

- (a) Specifically directed to remove the suppressor by a Sergeant or above.
- (b) To clean the suppressor and/or the rifle.
- (c) For inspection by the Rangemaster or his designee.

The suppressor shall not be modified in any manner without the consent of the Rangemaster prior to such action. The suppressor shall not be mounted on any other weapons system other than the patrol rifle to which it is assigned. Any violation of these standards shall result in disciplinary action up to and including termination.

305.3.4 PERSONALLY OWNED DUTY FIREARMS

Employees wishing to carry a personally owned duty firearm may do so under the following circumstances. The employee must first receive written approval from the Sheriff or his authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and meet the following requirements:
 - 1. Shall be a Glock model 17, 19 or 34, chambered in 9mm
 - 2. Must be able to accept the standard Glock 17 magazine
 - 3. Employees choosing to carry a Glock model 19, must carry Glock model 17 standard magazines on their person.
 - 4. Any exceptions to this policy must be approved in writing by the Sheriff of his designee.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the office qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

305.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry office or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the office list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Office.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

- (f) Ammunition shall be the same as office-issue. If the caliber of the handgun is other than office issue, the Sheriff or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the office qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

305.3.6 AMMUNITION

Members shall carry only office-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all office-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Office shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from office-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

305.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

305.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Office or personally owned firearms that are approved for office use may be repaired or modified only by a person who is office-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

305.4.2 HOLSTERS

Only office-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

305.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

305.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Employees wishing to utilize an optical sight on their handgun may do so. The current approved optics to be utilized are:

- (a) Trijicon RMR
- (b) Vortex Razor, Viper or Venom

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

305.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Office, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on office premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Office to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Office or a Rangemaster approved by the Office for inspection and repair. Any firearm deemed in need of repair or service by the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

305.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. All firearms shall be pointed in a safe direction or into clearing barrels.

305.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit office-issued firearms to be handled by anyone not authorized by the Office to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

305.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage (unless authorized as part of the deputy's duties), taken any drugs or medication, has taken any combination thereof that would tend to adversely affect the member's senses or judgment (ARS § 38-1113).

305.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to qualify at least annually with each firearm he/she is authorized to use. Members will qualify with off-duty and secondary firearms annually. Training and qualifications must be on an approved range course (AAC § R13-4-111).

Each firearms instructor shall meet the proficiency requirements in AAC § R13-6-701.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

305.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify after two attempts in the same day shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

1. Unauthorized range make-up
2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action (AAC § R13-4-109.01).

305.6.2 CONTINUED NON-CERTIFICATION OR NON-QUALIFICATION

Members whom have not qualified on two or more attempts, have been given remedial training and fail to meet the AZPOST minimum score of 210 will be subject to the following:

- (a) The member will have his/her firearm removed from service.
- (b) The member will be mandated to seek additional training with firearms staff. Scheduling shall be at the discretion of the Sheriff or his designee.
- (c) The member shall not operate any marked unit or wear any attire which would designate or show the member as a law enforcement officer.
- (d) The member shall be placed on administrative leave or given an assignment in which no enforcement action is to be taken at the discretion of the Sheriff or his designee.
- (e) The member will be required to complete two consecutive AZPOST minimum scores of 210 or higher, to show proficiency prior to returning to his/her normal assignment. This shall be done with one or more Firearms Staff members present.
- (f) Members whom fail to meet the above standard will face disciplinary action up to and including termination.

305.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written and Blue Team reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written and Blue Team report with his/her Division Commander and provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written and Blue Team report shall be submitted and a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

305.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, office members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

305.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

305.7.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

305.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Coordinator after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-qualification.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this office to verify proper operation. The Rangemaster has the authority to deem any office-issued or privately owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Coordinator documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Office, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Coordinator.

305.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

- (a) Deputies wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Office based on the law and published TSA rules.
- (b) Deputies must carry their Mohave County Sheriff's Office identification card, bearing the deputy's name, a full-face photograph, identification number, the deputy's signature and the signature of the Sheriff or the official seal of the Office and must present this identification to airline officials when requested. The deputy should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Mohave County Sheriff's Office must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the deputy's travel. If approved, TSA will send the Mohave County Sheriff's Office an NLETS message containing a unique alphanumeric identifier. The deputy must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Sheriff authorizing armed travel may also accompany the deputy. The letter should outline the deputy's need to fly armed, must detail his/her itinerary and include that the deputy has completed the mandatory TSA training for law enforcement officers flying while armed.
- (e) Deputies must have completed the mandated TSA security training covering deputies flying while armed. The training shall be given by the office-appointed instructor.
- (f) It is the deputy's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any deputy flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The deputy must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Deputies should try to resolve any problems associated with flying armed through the flight captain, ground security manager or other management representative of the air carrier.
- (j) Deputies shall not consume alcoholic beverages while aboard an aircraft or within eight hours prior to boarding an aircraft.

305.10 CARRYING FIREARMS OUT OF STATE

Qualified active full-time deputies of this office are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Firearms

- (a) The deputy shall carry his/her Mohave County Sheriff's Office identification card whenever carrying such firearm.
- (b) The deputy is not the subject of any current disciplinary action.
- (c) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The deputy will remain subject to this and all other Office policies (including qualifying and training).

Deputies are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield a deputy from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

Corrections Officer Handguns

306.1 PURPOSE AND SCOPE

The purpose of this policy is to define the approval process for corrections officers to carry handguns as a part of their uniforms. Furthermore to designate conditions under which authorized corrections officers are permitted to carry handguns as a part of their uniforms.

306.2 AUTHORIZATION CONSIDERATIONS

Corrections officers are restricted from carrying handguns as a part of their uniforms without having first obtained written authorization from the Sheriff.

- The following factors may be among those considered when granting authorization for corrections officers to carry handguns as a part of the corrections uniform:
 - The needs of the department as to the movement, management and/or control of an inmate(s) outside of a Mohave County Sheriff's Office Correctional Facility.
 - The recommendation of the Mohave County Sheriff's Office Correctional Facility Administrator, or that supervisor of the unit to which the corrections officer is assigned.
 - The principle and regularly assigned duty which will be performed by the corrections officer.
 - The completion and satisfactory of departmental standards as to firing range qualification.

The authorization to carry a handgun as a part of the corrections uniform shall only be extended to those corrections officers who are assigned to a function which regularly required the officers to transport an inmate(s) from a Mohave County Sheriff's Office Correctional Facility, or point of pick-up, or a destination other than another Mohave County Sheriff's Office Correctional Facility (e.g. courts, medical facilities, etc.)

A corrections officer, who has been authorized to carry a handgun as a part of his/her uniform, shall only be authorized to carry a departmentally issued handgun, which has been issued to that officer.

- (a) Departmentally issued handguns shall only be carried in departmentally issued holsters.
- (b) Issued handguns shall be double action revolvers or double-action only semi-automatic handguns.

Corrections officers shall not be authorized to carry concealed handguns, nor any handguns, in a manner contrary to law.

The authorization to carry a handgun as a part of the corrections Uniform is automatically terminated when the authorized corrections officer is no longer assigned to duties which regularly

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Corrections Officer Handguns

requires the officer to transport, manage or control an inmate (s) outside of a Mohave County Sheriff's Office Correctional Facility.

- When authorized to carry a handgun as a part of the Corrections Uniform is terminated, the affected corrections officer shall immediately return any departmentally issued handgun and holster to the armory officer.

306.3 LIMITATIONS ON CARRYING HANDGUNS

Direct non-stop transports between one Mohave County Sheriff's Office Correctional Facility, or point of pick-up, and another Mohave County Sheriff's Office Correctional Facility may be made by unarmed corrections officers.

When more than one corrections officer is involved in the movement, management or control of an inmate(s), not all corrections officers so involved shall be required to be armed.

When necessary for the safe transport, movement or management of potentially violent or high-risk inmates, a patrol supervisor will be notified and the assistance of deputies or reserve deputies may be authorized by the patrol supervisor.

Corrections officers shall not carry a handgun as a part of their uniforms when not actually engaged in the movement, management or control of an inmate(s) outside of a Mohave County Sheriff's Office Correctional Facility, UNLESS:

- (a) Responding to duty at the start of shift.
- (b) Returning to home after completion of shift.
- (c) Responding to, or returning from, the movement, management or control of an inmate(s), or arrestee(s), or
- (d) Performing duties directly related to the essential services of inmate movement, management or control.

Corrections officer are strictly prohibited from conducting personal business while carrying a handgun as a part of their uniform.

- Coffee breaks, lunch breaks and other necessary stops are not considered a violation of this policy when responding to, or returning from, the movement, management or control of an inmate(s).

Corrections officers authorized to carry handguns, as a part of their uniforms shall not carry a handgun or firearm into any secured area of a correctional facility.

306.4 TRAINING AND PROFICIENCY

All Corrections officers who have been authorized to carry handguns as a part of their uniforms shall be required to meet the same proficiency and other continuing training standards as required of Deputy Sheriff's

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide deputies with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require deputies to exhibit a high degree of common sense and sound judgment. Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing deputies (ARS § 28-624(A)).

307.1.1 PHILOSOPHY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no deputy or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where Office policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Deputies must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Deputies conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable deputy would do under the circumstances. An individual's unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

307.2 DEFINITIONS

Definitions related to this policy include:

Vehicle Pursuit - An event involving one or more peace officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high speed or other evasive tactics, such as disregarding traffic warning signs, stop signs, red lights, driving off a roadway, turning suddenly or driving in a legal manner but willfully failing to yield to a deputy's signal to stop.

Blocking or Vehicle Intercept - A slow-speed coordinated maneuver where two or more law enforcement vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing In - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver intended to terminate the pursuit by causing the violator's vehicle to spin out and come to a stop.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

Ramming - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Roadblocks - A tactic designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle.

Tire Deflation Device, Spikes or Tack Strips - A device that extends across the roadway and is designed to puncture the tires of the pursued vehicle.

307.3 DEPUTY RESPONSIBILITIES

It is the policy of this office that a vehicle pursuit shall be conducted with at least one flashing red or red and blue warning lamp visible from the front and an audible siren activated on an authorized emergency vehicle (ARS § 28-624(C)).

The following policy is established to provide deputies with guidelines for driving with due regard and caution for the safety of all persons using the highway (ARS § 28-624(D)).

307.3.1 WHEN TO INITIATE A PURSUIT

Deputies are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer.

The following factors individually and collectively shall be considered in deciding whether to initiate or continue a pursuit:

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to deputies, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
- (d) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (f) Pursuing deputy's familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor, and the driving capabilities of the pursuing deputies under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) Availability of other resources, such as aircraft assistance.
- (l) The sheriff's unit is carrying passengers other than on-duty sheriff's deputies. Pursuits should not be undertaken with a prisoner in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the prisoner in transport. A unit containing more than a single prisoner should not participate in a pursuit.
- (m) No deputy shall pursue a fleeing vehicle solely for a traffic violation or non-violent misdemeanor. Flight from a deputy during an attempt to make a traffic stop will not justify high speed pursuit on its own merit.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

Operating an emergency vehicle in a pursuit with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (ARS § 28-624(D)).

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Deputies and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit:

- (a) The distance between the pursuing deputies and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

- (c) The deputy's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuit vehicle suffers an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use (ARS § 28-624(B)(4)).
- (e) Extended pursuits of violators for misdemeanors not involving abuse or risk of serious harm (independent of the pursuit) are discouraged.
- (f) The hazards to uninvolved bystanders or motorists
- (g) When the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, deputies should strongly consider discontinuing the pursuit and apprehending the offender at a later time.
- (h) When directed to terminate the pursuit by a supervisor.

307.3.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the deputy and supervisor. Vehicle speeds shall be taken into consideration to prevent endangering public safety, officer safety and the safety of the occupants of the fleeing vehicle (ARS § 28-624(B)(3)).

Should high vehicle speeds be reached during a pursuit, deputies and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the deputy.
- (c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

307.4 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor). However, the number of units involved will vary with the circumstances.

A deputy or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of deputies involved would be insufficient to safely arrest the suspect. All other deputies shall stay out of the pursuit but should remain alert to its progress and location. Any deputy who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

Distinctively marked patrol vehicles should replace unmarked vehicles involved in a pursuit whenever practicable.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

307.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit. The Deputy in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws.

307.4.2 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing deputy will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

The primary unit should notify Dispatch, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) Reason for the pursuit.
- (b) Location and direction of travel.
- (c) Speed of the fleeing vehicle.
- (d) Description of the fleeing vehicle and license number, if known.
- (e) Number of occupants.
- (f) The identity or description of the known occupants.
- (g) Weather, road and traffic conditions.
- (h) Identity of other agencies involved in the pursuit.
- (i) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the deputy in the primary unit shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

307.4.3 SECONDARY UNIT RESPONSIBILITIES

The second deputy in the pursuit is responsible for the following:

- (a) Immediately notifying the dispatcher of entry into the pursuit.
- (b) Remaining at a safe distance behind the primary unit unless directed to assume the role of primary deputy, or if the primary unit is unable to continue the pursuit.
- (c) Broadcasting the progress of the pursuit unless the situation indicates otherwise.
- (d) Serving as backup to the primary unit once the subject has been stopped.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

307.4.4 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

- (a) Deputies, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Deputies may proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation (ARS § 28-624(B)(2)).
- (c) As a general rule, deputies should not pursue a vehicle driving the wrong way on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from an available air unit.
 - 2. Maintaining visual contact with the pursued vehicle by paralleling on the correct side of the roadway.
 - 3. Requesting other units to observe exits available to the suspect.
- (d) Notify the Arizona Highway Patrol or other law enforcement agency if it appears the pursuit may enter their jurisdiction.
- (e) Deputies involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit and a clear understanding of the maneuver process exists between the involved deputies.

307.4.5 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Deputies are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Deputies should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

The primary unit, secondary unit and supervisor should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit.

307.4.6 PURSUIT TRAILING

In the event that the initiating unit from this agency relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspect.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

The term "trail" means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units to clearly indicate an absence of participation in the pursuit.

307.4.7 AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider whether the participation of an aircraft warrants their continued involvement in the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide deputies and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend terminating the pursuit.

307.5 SUPERVISORY CONTROL AND RESPONSIBILITIES

It is the policy of this office that available supervisory and management control will be exercised over all motor vehicle pursuits involving deputies from this office.

The field supervisor of the deputy initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

- (a) Upon becoming aware of a pursuit, immediately notify involved deputies and Dispatch of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established Office guidelines.
- (b) Engage in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercise management and control of the pursuit even if not engaged in it.
- (d) Ensure that no more than the number of required law enforcement units needed are involved in the pursuit under the guidelines set forth in this policy.
- (e) Direct that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensure that aircraft assistance is requested if available.
- (g) Ensure that the proper radio channel is being used.
- (h) Ensure the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
- (i) Control and manage MCSO units when a pursuit enters another jurisdiction.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

- (j) Shall review all pertinent reports for content and forward them to the Pursuit Review Board via chain of command.

307.6 COMMUNICATIONS

If the pursuit is confined within the County limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this office or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

307.6.1 DISPATCH RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Dispatch will be responsible for the following:

- (a) Coordinating pursuit communications of the involved units and personnel.
- (b) Notifying and coordinating with other involved or affected agencies as practicable.
- (c) Ensuring that a field supervisor is notified of the pursuit.
- (d) Assigning an incident number and log all pursuit activities.
- (e) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (f) Notifying the District Commander as soon as practicable.

307.6.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating the vehicle. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.7 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary deputy or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary deputy or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

307.7.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Mohave County Sheriff's Office deputies will discontinue the pursuit when another agency has assumed the pursuit unless continued assistance of the Mohave County Sheriff's Office is requested by the agency assuming the pursuit. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of deputies at the termination of a pursuit initiated by this office shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies, a request for another agency's assistance will mean that its personnel will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this office, the other agency should relinquish control.

307.7.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this office should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this office may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this office to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional factors:

- (a) Ability to maintain the pursuit.
- (b) Circumstances serious enough to continue the pursuit.
- (c) Adequate staffing to continue the pursuit.
- (d) The public's safety within this jurisdiction.
- (e) Safety of the pursuing deputies.

As soon as practicable, a supervisor or the District Commander should review a request for assistance from another agency. The District Commander or supervisor, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing outside agency by deputies of this office will terminate at the County limits provided that the pursuing peace officers have sufficient assistance from other sources. Ongoing participation from this office may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, deputies shall provide appropriate assistance to peace officers from the outside agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.8 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, tire deflation devices, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures.

307.8.1 WHEN USE IS AUTHORIZED

Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, deputies/supervisors should balance the risks of

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the deputies and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the deputy at the time of the decision.

It is imperative that deputies act within legal bounds using good judgment and accepted practices.

307.8.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Deputies should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any deputy from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.8.3 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the deputies, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to Office policies guiding such use. Deputies shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when deputies reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by deputies who have received training in such tactics and after giving consideration to the following:
 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, deputies or other members of the public.
 2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
 3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
 4. The target vehicle is stopped or traveling at a low speed.
 5. At no time should civilian vehicles be used to deploy this technique.
- (b) Only those deputies trained in the use of the PIT will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to deputies, the public and occupants of the pursued vehicle.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the deputy's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct deputies in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:
 - 1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.
 - 2. The suspect is driving in willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.
 - 3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.
- (d) As with all intervention techniques, pursuing deputies should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to deputies, the public and occupants of the pursued vehicle.
- (e) Tire deflation devices should be deployed only when it is reasonably apparent that only the pursued vehicle will be affected by their use. Prior to the deployment of spike strips, the deputy shall notify pursuing units and the supervisor of the intent and location. Deputies should carefully consider the limitations of such devices as well as the potential risks to deputies, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children, deputies and supervisors should weigh the potential consequences against the need to immediately stop the vehicle. Only those deputies trained in the use of tire deflation devices will be authorized to use the procedure and only then with approval of a supervisor.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor, and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, deputies or other members of the public.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Pursuits

307.8.4 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Deputies shall use only that amount of force that reasonably appears necessary under the circumstances to properly perform their lawful duties.

Unless relieved by a supervisor, the primary deputy should coordinate efforts to apprehend the suspect following the pursuit. Deputies should consider safety of the public and the involved deputies when formulating plans to contain and capture the suspect.

307.9 REPORTING AND REVIEW REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate local and state regulations. All pursuits wherein Sheriff's Office personnel are involved shall require the filing of a written offense report.

- (a) After first obtaining available information, the on-duty field supervisor who monitors a pursuit or reviews and approves a report concerning a pursuit shall promptly assemble a review file in Blue Team. The review file should minimally contain the following information:
 1. Copies of any and all reports or records related to the occurrence.
 2. The supervisor shall forward the review file, as soon as practicable, through his/her chain of command to the pursuit review committee chairperson.
- (b) A committee of three peace officer will be impaneled by the Sheriff or Chief Deputy to evaluate the actions of involved personnel.
 1. The review panel shall, in memorandum form, notify the Chief Deputy as to the result of their evaluation and possible personnel actions recommended.
 2. The pursuit review package shall be presented to the Chief Deputy via chain of command within 45 days of the date of the pursuit unless extenuation circumstances exist.

307.9.1 POLICY REVIEW

Certified members of this office shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

Deputy Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations.

308.2 RESPONSE TO CALLS

Deputies responding to an emergency call shall proceed immediately. Deputies responding to an emergency call shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (ARS § 28-624(B)).

Responding with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (ARS § 28-624(B)). The use of any other warning equipment without emergency lights and siren does not provide any exemption from the Arizona motor vehicle laws.

Deputies should only respond as an emergency call response when so dispatched or when circumstances reasonably indicate an emergency response is required. Deputies not responding as an emergency call response shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe there is an imminent threat to the safety of deputies, or assistance is needed to prevent imminent serious harm to a citizen. Where a situation has stabilized and emergency response is not required, the requesting deputy shall promptly notify Dispatch.

If circumstances permit, the requesting deputy should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

308.3.1 NUMBER OF UNITS PARTICIPATING

Normally, only those units reasonably necessary should respond to an emergency as an emergency call response. The District Commander or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

308.4 INITIATING EMERGENCY CALL RESPONSE

If a deputy believes an emergency call response to any call is appropriate, the deputy shall immediately notify Dispatch.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Deputy Response to Calls

308.5 RESPONSIBILITIES OF RESPONDING DEPUTY

Deputies shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. During a response to an emergency call deputies may (ARS § 28-624(B)):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the prima facie speed limits if the driver does not endanger life or property.
- (c) Disregard laws or rules governing the direction of movement or turning in specified directions.
- (d) Disregard regulations governing parking or standing when using a warning lamp.

Continuing an emergency call response is at the discretion of the deputy. If, in the deputy's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the deputy may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the deputy should immediately notify Dispatch. A deputy shall also discontinue an emergency call response when directed by a supervisor or as otherwise appropriate.

Upon determining that an emergency call response is appropriate, a deputy shall immediately give the location from which he/she is responding.

308.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall ensure acknowledgment and response of assisting units when a deputy requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed. The dispatcher shall:

- (a) Attempt to assign the closest available unit to the location requiring assistance.
- (b) Immediately notify the District Commander.
- (c) Confirm the location from which the unit is responding.
- (d) Notify and coordinate outside emergency services (e.g., fire and ambulance).
- (e) Continue to obtain and broadcast information as necessary concerning the response, and monitor the situation until it is stabilized or terminated.
- (f) Control all radio communications during the emergency and coordinate assistance under the direction of the District Commander or field supervisor.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Deputy Response to Calls

308.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that an emergency response has been initiated, the District Commander or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency call response, the District Commander or the field supervisor should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

308.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the deputy must terminate the emergency call response and respond accordingly (ARS § 28-624(C)).

The deputy shall notify the District Commander, field supervisor or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community including but not limited to locating individuals and contraband and apprehending criminal offenders (ARS § 11-1025).

309.2 POLICY

It is the policy of the Mohave County Sheriff's Office that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Division to function primarily in assist or cover assignments. However, they may be assigned by the District Commander to other functions, such as routine calls for service, based on the current operational needs.

309.4 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from office units outside of the Patrol Division shall be reviewed by the Canine Unit Commander, Canine Unit Sergeant or the Canine Handler.

309.4.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Canine Unit Commander, Canine Unit Sergeant or the Canine Handler and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams is allowable if an on-duty Canine is not available.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.4.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety

Canines

protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

309.5 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any deputy, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of deputies or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing deputy, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the District Commander. Absent a change in circumstances that presents an imminent threat to deputies, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.5.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

- (e) The potential for injury to deputies or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other deputies at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.5.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.5.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report in Blue Team. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use or Blue Team report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in

Canines

accordance with current office evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements, however the county enforcement agent shall be notified if the canine exhibits any abnormal behavior and will be made available for an examination (ARS § 11-1014(J)).

309.6 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to deputies, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

309.6.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.6.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

309.6.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and deputies when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

309.7 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) A deputy who is currently off probation.
- (b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
- (c) Agreeing to be assigned to the position for a minimum of three years.

309.8 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all office equipment under his/her control in a clean and serviceable condition.
- (c) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Mohave County Sheriff's Office facility.
- (d) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (f) When off-duty, the canine shall be in a kennel provided by the County at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or District Commander.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or District Commander.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

309.8.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

309.9 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or District Commander as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

309.10 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

The canine coordinator shall be responsible for scheduling periodic training for all office members in order to familiarize them with how to conduct themselves in the presence of office canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or District Commander.

309.10.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Mohave County Sheriff's Office canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Office.

309.10.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.10.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's training file.

309.10.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Deputies possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Mohave County Sheriff's Office may work with outside trainers with the applicable licenses or permits.

309.10.5 CONTROLLED SUBSTANCE TRAINING AIDS

Deputies acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with the Arizona Controlled Substances Act and federal laws (21 USC § 823(f); ARS § 36-2522(C)).

The Sheriff or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Mohave County Sheriff's Office to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this office for training purposes, provided the controlled substances are no longer needed as criminal evidence.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

As an alternative, the Sheriff or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.10.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this office.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.10.7 EXPLOSIVE TRAINING AIDS

Deputies may possess, transport, store or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; ARS § 13-3103).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Canines

- (c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Domestic Violence

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this office to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

310.2 POLICY

The Mohave County Sheriff's Office's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this office to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 OFFICER SAFETY

The investigation of domestic violence cases often places deputies in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all deputies to exercise due caution and reasonable care in providing for the safety of any deputies and parties involved.

310.4 INVESTIGATIONS

The following guidelines should be followed by deputies when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, deputies should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Deputies should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Domestic Violence

- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Division in the event that the injuries later become visible.
- (f) Deputies should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, deputies should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) When appropriate, deputies should question involved parties and witnesses regarding the presence of firearms. Any firearms discovered in plain view or pursuant to a consent to search should be temporarily seized for safekeeping if the deputy reasonably believes that the firearm presents a risk of serious bodily injury or death if left on the premises (ARS § 13-3601).
 - 1. A firearm that is owned or possessed by the victim shall not be seized unless there is probable cause to believe that both parties have independently committed an act of domestic violence.
- (i) When completing an incident or arrest report for violation of a court order, deputies should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting deputy should attach a copy of the order to the incident or arrest report.
- (j) Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Domestic Violence

10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
11. The social status, community status, or professional position of the victim or suspect.

310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, deputies should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

310.4.2 IF NO ARREST IS MADE

If no arrest is made, the deputy should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Deputies should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the office's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (c) Alert the victim to any available victim advocates, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the deputy determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Domestic Violence

310.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Deputies should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by deputies as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, deputies should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Deputies should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Deputies should contact a supervisor for clarification when needed.

310.9 LEGAL MANDATES AND RELEVANT LAWS

Arizona law provides for the following:

310.9.1 STANDARDS FOR ARRESTS

Deputies investigating a domestic violence report should consider the following:

- (a) A deputy should arrest a person if the deputy has probable cause to believe that the person to be arrested has committed an act of domestic violence, whether or not the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Domestic Violence

offense was committed in the presence of the deputy (ARS § 13-3601(B)). A decision to not make an arrest requires the review and authorization of a supervisor.

- (b) An arrest of a person who is 15 years of age or older shall be made in a domestic violence incident involving the infliction of physical injury or involving the discharge, use, or threatened exhibition of a deadly weapon or dangerous instrument unless the deputy has reasonable grounds to believe that the circumstances at the time are such that the victim will be protected from further injury (ARS § 13-3601(B)). A decision to not make an arrest in these circumstances requires the review and authorization of a supervisor.
- (c) In order to arrest both parties, a deputy must have probable cause to believe that both parties independently have committed an act of domestic violence (ARS § 13-3601(B)).
- (d) Deputies should not arrest a person for domestic violence when there is reason to believe the act in question qualifies as self-defense and is justified under Chapter 4 of Title 13 of the Arizona Revised Code (ARS § 13-3601(B); ARS § 13-401 et seq.).
- (e) A person arrested for domestic violence or a violation of a court order shall not be released in the field by citation. A physical arrest and booking is required (ARS § 13-3601(B); ARS § 13-3602(R); ARS § 25-808(I)).
- (f) A deputy should arrest a person if there is probable cause to believe the person has disobeyed or resisted an order issued in any jurisdiction in this state pursuant to ARS § 13-3602(R) or ARS § 25-808(I) whether or not such violation occurred in the deputy's presence.
- (g) Emergency Orders of Protection issued under ARS § 13-3624 shall be enforced (ARS § 13-3624(H)).
- (h) Whenever a defendant arrested for violating a court order is released from the custody of this office, the releasing deputy shall make reasonable efforts to contact the victim or others listed in an order of protection who requested notification upon release of the defendant (ARS § 13-3602(S)).

310.9.2 REPORTS AND RECORDS

- (a) If a firearm is seized, the deputy shall give the owner or possessor of the firearm a receipt for each seized firearm, which indicates the identification or serial number or other identifying characteristic of each seized firearm (ARS § 13-3601).
 - 1. The deputy should also ensure notification is made to the Evidence Room Supervisor to ensure that any firearm seized for safekeeping is held for at least 72 hours.

310.9.3 SERVICE OF COURT ORDERS

- (a) A deputy should serve orders for protection issued under ARS § 13-3602 and give it priority over other calls for service that do not involve an immediate threat to a person's safety (ARS § 13-3602(K)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Domestic Violence

1. The deputy serving the order should ensure that any proof of service is provided to the crime victim liaison for notification to the victim as provided by ARS § 13-3602(I) (see the Victim and Witness Assistance Policy).
- (b) When a deputy has reasonable grounds to believe that a victim is in immediate and present danger of domestic violence, the deputy should seek and serve an emergency protective order (ARS § 13-3624).
 1. For any emergency protective order obtained, the deputy should ensure that a copy of the order and a certificate of service are forwarded to the crime victim liaison for filing and registering as required by ARS § 13-3624(F) (see the ID and Records Policy).

Search and Seizure

311.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Mohave County Sheriff's Office personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the Mohave County Sheriff's Office to respect the fundamental privacy rights of individuals. Members of this office will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this office will comply with relevant federal and state law governing the seizure of persons and property.

The Office will provide relevant and current training to deputies as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

311.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this office is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, deputies are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Search and Seizure

311.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this office will strive to conduct searches with dignity and courtesy.
- (b) Deputies should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching deputy, a reasonable effort should be made to summon a deputy of the same sex as the subject to conduct the search. When it is not practicable to summon a deputy of the same sex as the subject, the following guidelines should be followed:
 1. Another deputy or a supervisor should witness the search.
 2. The deputy should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

311.5 DOCUMENTATION

Deputies are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon a deputy of the same sex as the person being searched and the identification of any witness deputy

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and office policy have been met.

Diminished Probable Cause after Arrest

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to deputies of the Mohave County Sheriff's Office when an arrest has been made and further investigation reveals probable cause for the arrest has diminished and no longer exists.

312.2 POLICY

If probable cause diminishes and no longer exists after an arrest is made, the arresting deputy shall notify a supervisor immediately. The supervisor shall review the circumstances of the case and determine if probable cause exists. If the supervisor determines that probable cause no longer exists and the arrestee has not been seen by a judge for his/her initial appearance, the arrestee shall be released from custody immediately.

If the arrestee has already appeared in front of a judge for his/her initial appearance, the supervisor shall consult with the Mohave County Attorney's Office immediately to seek assistance in release of the arrestee through the judicial system.

312.3 REPORTING

A detailed report shall be completed outlining the actions taken by the deputy and supervisor.

Temporary Custody of Juveniles

313.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Mohave County Sheriff's Office (34 USC § 11133).

313.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense), or a juvenile who has violated ARS § 13-3111 by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of a deputy or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecured booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

313.2 POLICY

The Mohave County Sheriff's Office is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Mohave County Sheriff's Office. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

313.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Mohave County Sheriff's Office:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Deputies taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Mohave County Sheriff's Office unless they have been evaluated by a qualified medical and/or mental health professional.

If the deputy taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

313.4 CUSTODY OF JUVENILES

Deputies should take custody of a juvenile and temporarily hold the juvenile at the Mohave County Sheriff's Office when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Mohave County Sheriff's Office without authorization of the arresting deputy's supervisor or the District Commander.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Mohave County Sheriff's Office (34 USC § 11133; ARS § 8-305).

313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Mohave County Sheriff's Office. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure detention (34 USC § 11133).

313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, deputies may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

313.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Mohave County Sheriff's Office unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Juvenile offenders shall be taken into custody:

- (a) Upon an order of the juvenile court (ARS § 8-303(B)(1)).
- (b) Pursuant to a warrant (ARS § 8-303(B)(2)).
- (c) When the deputy has reasonable grounds to believe a juvenile has committed a criminal act or a delinquent act, which, if committed by an adult, would be a felony or breach of the peace (ARS § 8-303(D)(1)).
- (d) When a juvenile has been apprehended in the commission of a criminal act or a delinquent act, which if committed by an adult would be a felony, or who was apprehended in fresh pursuit (ARS § 8-303(D)(2)).

Juveniles taken into custody pursuant to ARS § 8-303(D) may only be released to the parents, guardian, custodian, or the juvenile court (ARS § 8-303(F)). Juveniles who are going to be transported to the juvenile court or a designated juvenile detention facility must be transported without delay.

313.5 ADVISEMENTS

Whenever a juvenile is taken into custody, [an officer-deputy] shall advise the juvenile before questioning of their Juvenile *Miranda* rights in a language that is comprehensible to the juvenile (ARS 8-303).

Deputies taking a juvenile into custody shall, as soon as practicable, make a good-faith effort to notify the juvenile's parent, guardian, or custodian of the following (ARS § 8-803):

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

- (a) That the juvenile is in custody, unless doing so would pose a risk to the juvenile. If the juvenile is a ward of the state, the Department of Child Safety shall be notified.
- (b) The juvenile's Juvenile *Miranda* rights
- (c) Whether a complaint will be sent to the juvenile court (ARS § 8-307)

313.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Office, the detention shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Mohave County Sheriff's Office.
- (c) Shift Sergeant notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure detention.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Shift Sergeant shall initial the log to approve the detention, including any secure detention, and shall also initial the log when the juvenile is released.

313.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Office (34 USC § 11133; ARS § 8-305). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Mohave County Sheriff's Office shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

313.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Mohave County Sheriff's Office shall ensure the following:

- (a) The District Commander should be notified if it is anticipated that a juvenile may need to remain at the Mohave County Sheriff's Office more than four hours. This will enable

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

the District Commander to ensure no juvenile is held at the Mohave County Sheriff's Office more than six hours.

- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Juveniles shall have reasonable access to a drinking fountain or water.
- (g) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (h) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (i) Blankets should be provided as reasonably necessary.
- (j) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (k) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (l) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (m) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

313.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Mohave County Sheriff's Office when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the District Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

313.10 PERSONAL PROPERTY

The deputy taking custody of a juvenile offender or status offender at the Mohave County Sheriff's Office shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Mohave County Sheriff's Office.

313.11 SECURE CUSTODY

Only juvenile offenders 14 years or older may be placed in secure custody. District Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this office should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

313.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire detention.
- (b) Juveniles shall have constant auditory access to office members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Random personal visual checks of the juvenile by staff member, no less than every 15 minutes, shall occur.
 1. All checks shall be logged.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Juveniles

2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room.
 - (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
 - (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

313.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The District Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Mohave County Sheriff's Office. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Sheriff, and Detective Division supervisor.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the County Attorney.
- (e) Evidence preservation.

313.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

Adult Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Mohave County Sheriff's Office members as required by law.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

314.2 POLICY

The Mohave County Sheriff's Office will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Mohave County Sheriff's Office shall notify Adult Protective Services (APS) when there is a reasonable basis to believe that abuse, neglect, or exploitation of a vulnerable adult has occurred. Members shall also notify APS when a member receives a report of vulnerable adult abuse (ARS § 46-454).

For purposes of notification, abuse includes intentional infliction of physical harm, injuries caused by negligent acts or omissions, unreasonable confinement, sexual abuse, sexual assault, or emotional abuse. Neglect is the deprivation of food, water, medication, medical services, shelter, supervision, cooling, heating, or other services necessary to maintain a vulnerable adult's minimum physical or mental health. Exploitation is the illegal or improper use of a vulnerable adult or the vulnerable adult's resources for another's profit or advantage (ARS § 46-451).

A vulnerable adult is an individual who is 18 years or older and unable to protect themselves from abuse, neglect, or exploitation by others because of a physical or mental impairment. Vulnerable adult includes an incapacitated person as defined in ARS § 14-5101 (ARS § 46-451).

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (ARS § 46-454):

- (a) All notifications to APS shall be made as soon as practicable in person or by telephone.
- (b) Information provided to APS shall include, if known:
 1. The names and addresses of the adult and any persons having control or custody of the adult, if known.
 2. The adult's age and the nature and extent of the adult's vulnerability.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Adult Abuse

3. The nature and the extent of the adult's injuries or physical neglect or the exploitation of the adult's property.
4. Any other information that may be helpful in establishing the cause of the adult's injuries or physical neglect or of the exploitation of the adult's property.

314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

314.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable (ARS § 46-454).
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.

Adult Abuse

- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the deputy should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this office should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the deputy should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the deputy shall ensure that the adult is delivered to APS.

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, deputies should audio record the preliminary interview with a suspected adult abuse victim. Deputies should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available.

314.7.2 DETAINING VICTIMS FOR INTERVIEWS

A deputy should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Adult Abuse

1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating deputy should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The deputy should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when a deputy notifies the Detective Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when deputies respond to drug labs or other narcotics crime scenes. The checklist will help deputies document the environmental, medical, social and other conditions that may affect the adult.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Adult Abuse

314.9.2 DEPUTY RESPONSIBILITIES

Deputies responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Division supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Arizona requires or permits the following:

314.10.1 ID AND RECORDS RESPONSIBILITIES

The ID and Records is responsible for:

- (a) Providing a copy of the adult abuse report to the APS as required by law (ARS § 46-454).
- (b) Retaining the original adult abuse report with the initial case file.

314.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

314.11 TRAINING

The Office should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

315.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent office members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

315.2 POLICY

The Mohave County Sheriff's Office is committed to creating and maintaining a work environment that is free of all forms of discrimination and intimidation, including sexual harassment. The Office will take preventive, corrective and disciplinary action for any behavior that violates this policy or the rights and privileges it is designed to protect. The reporting procedures, investigation of allegations and disciplinary option are outlined in the Mohave County Personnel Policies and Procedures. This Office uses the Mohave County Personnel Policies and Procedures regarding any work place harassment rather than drafting additional policies and procedures.

Child Abuse

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Mohave County Sheriff's Office members are required to notify the Arizona Department of Child Safety (DCS) of suspected child abuse.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service or law enforcement agency (ARS § 13-3620(A)).

316.2 POLICY

The Mohave County Sheriff's Office will investigate all reported incidents of alleged criminal child abuse and ensure DCS is notified as required by law.

316.3 MANDATORY NOTIFICATION

Members of the Mohave County Sheriff's Office shall notify DCS when they reasonably believe that a child is or has been the victim of abuse or neglect by a person with care, custody, or control of the child (ARS § 13-3620(A) and (H)).

Any supervisor who reasonably believes that reportable abuse has occurred and has not been reported shall ensure that a report is made (ARS § 13-3620(A)).

For purposes of notification, abuse or neglect includes physical abuse, sexual abuse, sexual exploitation, and other criminal sexual offenses, criminal child abuse under ARS § 13-3623, denial of necessary care or nourishment, or a child found in any structure or vehicle where volatile, toxic, or flammable chemicals or equipment is present with the intent and for the purpose of manufacturing dangerous drugs (ARS § 13-3620; ARS § 8-201).

A notification to DCS is not required under this section for sexual abuse (ARS § 13-1404) and sexual conduct with a child (ARS § 13-1405) if the conduct only involves those who are 14, 15, 16, or 17 years of age and there is nothing to indicate that the conduct is other than consensual.

316.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (ARS § 13-3620(D)):

- (a) Notification shall be made immediately by telephone or electronically to DCS.
- (b) Notification shall contain at a minimum:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child Abuse

1. The names and addresses of the child and the child's parents or the person or persons having custody.
2. The child's age and the nature and extent of the child abuse, physical injury or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
3. Any other information that the person believes might be helpful in establishing the cause of the child abuse, physical injury or neglect.

316.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

316.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Deputies shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating deputy in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if deputies interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

Child Abuse

- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

316.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the deputy should make reasonable attempts to contact DCS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this office should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the deputy should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the deputy shall ensure that the child is delivered to DCS.

Whenever practicable, the deputy should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, deputies should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (ARS § 8-821):

- (a) With a court order authorizing the removal of a child
- (b) The consent of the child's parent or guardian
- (c) Without a court order if temporary custody is clearly necessary to protect the child because exigent circumstances exist. Exigent circumstances means there is probable cause to believe:
 - 1. The child is likely to suffer serious harm in the time it would take to obtain a court order for removal and either of the following is true:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child Abuse

- (a) There is no less intrusive alternative to taking temporary custody of the child that would reasonably and sufficiently protect the child's health or safety.
- (b) Probable cause exists to believe that the child is a victim of sexual abuse or abuse involving serious physical injury that can be diagnosed only by a licensed physician or a licensed health care provider who has specific training in evaluations of child abuse.

316.6.1 SAFE HAVEN LAW PROVISIONS

A person is not guilty of abuse of a child pursuant to ARS § 13-3623(B) solely for leaving an unharmed newborn infant with a safe haven provider, such as hospital staff and firefighters (ARS § 13-3623.01). The law requires the safe haven provider to notify DCS.

316.6.2 NOTICE OF TAKING A CHILD INTO TEMPORARY CUSTODY

When a deputy takes a child into temporary custody, the deputy shall provide written notice within six hours to the parent or guardian as required by ARS § 8-823 unless notification is being provided to the parent or guardian by DCS.

316.7 INTERVIEWS

316.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, deputies should record the preliminary interview with suspected child abuse victims. Deputies should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating deputies should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

A deputy should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

Child Abuse

316.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating deputy should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The deputy should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, deputies should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for deputies to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

316.8.1 MEDICAL EXAMINATION PURSUANT TO EXIGENT CIRCUMSTANCES

When a child is taken into protective custody because of exigent circumstances, the deputy shall immediately have the child examined by a licensed physician or licensed health care provider with the required specific training for evaluations of child abuse (ARS § 8-821).

- (a) After the examination, the deputy shall release the child to the parent or guardian unless the examination reveals abuse or neglect.

316.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

316.10 STATE MANDATES AND OTHER RELEVANT LAWS

Arizona law permits the following:

316.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

316.10.2 CHILD FATALITY REVIEW

This office will cooperate with any interagency child fatality review team investigation. Records in a pending criminal investigation may be withheld from the team with prosecution approval (ARS § 36-3503).

Missing Persons

317.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

317.1.1 DEFINITIONS

Definitions related to this policy include:

At-risk - Includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
 1. Out of the zone of safety for his/her chronological age and developmental stage.
 2. Mentally or behaviorally disabled.
 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
 5. In a life-threatening situation.
 6. In the company of others who could endanger his/her welfare.
 7. Absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
 8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
- (c) Qualify for a state AMBER Alert™.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18 whose location has not been determined and who has been reported missing, abducted, lost, or is a runaway (ARS § 15-829; ARS § 36-339).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs), and the Arizona Crime Information Center (ACIC).

317.2 POLICY

The Mohave County Sheriff's Office does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Mohave County Sheriff's Office gives missing person cases priority over

Missing Persons

property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

317.3 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

317.4 INITIAL INVESTIGATION

Deputies or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at-risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be at-risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 1. Immediately when the missing person is at-risk.
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
 3. For missing children entries include a photograph if available, and all necessary and available information as prescribed in ARS § 8-901.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
 1. A photograph and fingerprint card of the missing person, if available.
 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Missing Persons

4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

317.5 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

317.5.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 1. The reports should be promptly sent to the ID and Records.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

317.5.2 ID AND RECORDS RESPONSIBILITIES

The responsibilities of the ID and Records receiving member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Division.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Missing Persons

- (e) Coordinating with the NCIC Terminal Contractor for Arizona to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

317.6 DETECTIVE DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that the missing person's school is notified as soon as practicable if the missing person is a juvenile (ARS § 15-829).
 1. The notice shall be in writing and should also include a photograph.
 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Shall notify the state registrar in the state of the child's birth. This notification shall include the child's name, date of birth, and county of birth (ARS § 36-339).
- (c) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (e) Shall verify and update ACIC, the NCIC, NamUs, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
 1. Updates should include any additional information, including, where available, medical and dental records, and a photograph taken during the previous 180 days (ARS § 8-901).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308; ARS § 8-901).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Department of Public Safety (DPS) and enter the photograph into applicable missing person networks (34 USC § 41308).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Missing Persons

- (k) Notify the National Center for Missing and Exploited Children when a report is received of a missing child who is in the foster care system (ARS §8-901).
- (l) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

317.7 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to NCIC, NamUs, ACIC, and DPS.
- (b) A missing child's school is notified.
- (c) The state registrar in the state of the child's birth is notified (ARS § 36-339).
- (d) Entries are made in the applicable missing person networks.
- (e) When a person is at risk the fact that the person has been found shall be reported within 24 hours to NCIC, NamUs, ACIC, and DPS.
- (f) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

317.7.1 UNIDENTIFIED PERSONS

Office members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

317.8 CASE CLOSURE

The Detective Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Mohave County Sheriff's Office or this office is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Missing Persons

- (c) If this office is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

Public Alerts

318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

318.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television, and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

318.3 RESPONSIBILITIES

318.3.1 MEMBER RESPONSIBILITIES

Members of the Mohave County Sheriff's Office should notify their supervisor, District Commander, or Detective Division supervisor as soon as practicable upon learning of a situation where public notification, a warning, or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

318.3.2 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES

The Sheriff shall designate a Public Alert Reporting Officer who is responsible for:

- (a) Remaining familiar with the protocols for activating, maintaining, and canceling all applicable public alerts.
- (b) Activating, maintaining, and canceling all public alerts.
- (c) Being the point of contact with the Arizona AMBER Alert Oversight Committee.
- (d) Ensuring the Office has AMBER Alert plan representatives who have completed appropriate training. Training may be provided by the Arizona Department of Public Safety (DPS) or suggested by the Arizona AMBER Alert Oversight Committee.
- (e) Presenting a briefing to the Arizona AMBER Alert Oversight Committee at the next scheduled meeting following the activation of an Arizona AMBER Alert.

318.4 AMBER ALERTS

The Arizona AMBER Alert is a voluntary partnership between law enforcement agencies and local broadcasters to rapidly disseminate an emergency alert to the public when a child is abducted or missing under emergency circumstances and the child may be in danger of serious bodily harm or death.

318.4.1 CRITERIA

Certain criteria must exist before an AMBER Alert™ will be issued:

- (a) An abduction of a child (under 18) has occurred.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Public Alerts

- (b) The abduction poses a credible threat of immediate danger of serious bodily injury or death to the child.
- (c) The child is not a runaway and has not been abducted as a result of a child custody dispute, unless the dispute poses a credible or specific threat of serious bodily injury or death to the child.
- (d) There is sufficient descriptive information about the child, abductor, and the circumstances surrounding the abduction to indicate that an AMBER Alert will locate the child and/or suspect.
- (e) There is information available to disseminate to the general public, which could assist in the safe recovery of the child and/or the apprehension of the suspect.

318.4.2 PROCEDURE

A member who receives a report of an abduction of a child should advise the Public Alert Reporting Officer or the authorized designee without delay. The Public Alert Reporting Officer will review the information to ensure that alert criteria are met and will be responsible for:

- (a) Calling the AMBER Alert Hotline at the Arizona DPS Duty Office.
- (b) Calling the appropriate AMBER Alert broadcast station and providing the necessary information to activate the EAS.
- (c) Entering the appropriate information into the AMBER Alert system.
 - 1. The information entered into the system may be updated by DPS or the Public Alert Reporting Officer.
- (d) Promptly entering the missing child and crucial information surrounding the AMBER Alert and an AMBER Alert flag into the National Crime Information Center (NCIC) system.
- (e) Promptly forwarding the alert information to all Arizona law enforcement agencies through the Arizona Law Enforcement Telecommunications System (ALETS) or other appropriate database.
- (f) Ensuring that the appropriate telephone numbers for contact and follow-up are entered, including:
 - 1. A telephone number for the public to provide tips and information on the missing child.
 - 2. A confidential number restricted to other law enforcement agencies and the media to contact the Public Information Officer for follow-up and updates as an alternative to the 9-1-1 system.
 - 3. A confidential number restricted to other law enforcement agencies to quickly provide information that could be crucial to the investigation or the safety of the victim.
- (g) Obtaining a photograph of the missing person and/or suspect as soon as practicable and disseminating it to the appropriate entities.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Public Alerts

The Public Information Officer should be constantly updated in order to utilize the media as much as possible and obtain the maximum exposure for the case.

Involved personnel will continually provide the Public Alert Reporting Officer or the authorized designee and the Public Information Officer with any updated information.

318.5 BLUE ALERTS

Blue Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a local, state, or federal law enforcement officer (ARS § 41-1726).

318.5.1 CRITERIA

The following criteria are utilized to determine if a Blue Alert should be issued:

- (a) A law enforcement officer has been killed or seriously injured by an offender.
- (b) The investigating law enforcement agency has determined that the offender poses a serious risk or threat to the public and other law enforcement personnel.
- (c) A detailed description of the offender's vehicle, vehicle tag, or partial tag is available for broadcast to the public.
- (d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

318.5.2 PROCEDURE

The following is the procedure for initiating a Blue Alert:

- (a) Upon confirmation of the Blue Alert criteria, the Public Alert Reporting Officer shall ensure that procedures consistent with the DPS guidelines for activation and cancellation are followed.

318.6 SILVER ALERTS

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing person who is 65 years of age or older or who has a developmental disability, Alzheimer's disease, or dementia (ARS § 41-1728).

318.6.1 CRITERIA

The following criteria are utilized to determine if a Silver Alert should be issued:

- (a) The missing person is 65 years of age or older or has a developmental disability, Alzheimer's disease, or dementia.
- (b) All available local resources have been utilized.
- (c) A determination has been made that the person has gone missing under unexplained or suspicious circumstances.
- (d) The missing person is in danger because of age, health, mental or physical disability, or environment or weather conditions.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Public Alerts

- (e) The missing person is in the company of a potentially dangerous person or there are other factors indicating the missing person may be in peril.
- (f) Public dissemination of available information could assist in the safe recovery of the missing person.

318.6.2 PROCEDURE

The following is the procedure for initiating a Silver Alert:

- (a) Upon confirmation of the Silver Alert criteria, the Public Alert Reporting Officer shall ensure that procedures consistent with the DPS guidelines for activation and cancellation are followed.

Victim and Witness Assistance

319.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

319.2 POLICY

The Mohave County Sheriff's Office is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Mohave County Sheriff's Office will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

319.3 DEFINITIONS

Victim's Rights Compliance Officer will be referred to here after as the VRC. As used in this policy statement.

Victim is defined by the Arizona Revised Statutes 13-4401.19 as a person whom the criminal offense has been committed, including a minor, or if the person is killed or incapacitated, the person's spouse, parent, child, grandparent or sibling, another person related to the person by consanguinity or affinity to the second degree or any other lawful representative of the person except if the person or person's spouse, parent, child, grandparent, sibling, other person related to the person by consanguinity or affinity to the second degree or other lawful representative is in custody for an offense or is the accused.

319.4 VICTIM'S RIGHTS COMPLIANCE OFFICER

The Sheriff may appoint a member of the Office to serve as the Victim's Rights Compliance Officer (VRC). The VRC will be the point of contact for individuals requiring further assistance or information from the Mohave County Sheriff's Office regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

319.4.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison should ensure that a victim is notified when service is made of an order of protection for domestic violence as provided in ARS § 13-3602(I).

319.5 CRIME VICTIMS

Deputies should provide all victims with the applicable victim information handouts.

Deputies should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Deputies should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written office material or available victim resources.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Victim and Witness Assistance

319.6 VICTIM INFORMATION

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained.
- (e) Information regarding available compensation for qualifying victims of crime.
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U-Visa and T-Visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the deputy's name, badge number, and any applicable case or incident number.
- (j) Information regarding the rights of victims as contained in Crime Victims' Rights (ARS § 13-4401 et seq.) and the Victims' Rights for Juvenile Offenses (ARS § 8-381 et seq.).
- (k) Information mandated in ARS § 13-4405 and ARS § 8-386, which includes, in part:
 1. The Victims' Bill of Rights under Ariz. Const. Art. 2 § 2.1.
 2. The procedures and resources available for the protection of a victim of domestic violence specifically set forth in ARS § 13-3601.
 3. The availability, if any, of crisis intervention services and emergency and medical services and, where applicable, that medical expenses arising out of the need to secure evidence may be reimbursed pursuant to ARS § 13-1414.
 4. Names and telephone numbers of public and private victim assistance programs, including the county victim compensation program.
- (l) Information for domestic violence victims as to where the victim may verify the registration and conditions of a release order of the arrestee (ARS § 13-3624).
- (m) Information for alleged victims or potential victims of harassment (including an act of sexual violence as defined by ARS § 23-371), to include procedures and resources available for protection including (ARS § 12-1809(O)).
 1. An injunction under ARS § 12-1809.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Victim and Witness Assistance

2. The emergency telephone number for the Mohave County Sheriff's Office.
 3. Telephone numbers for emergency services in the local community.
- (n) An explanation of court-ordered victim restitution.
- (o) Contact information for the Arizona Attorney General's Office of Victim Services.

319.7 VICTIM NOTIFICATION

Victim notifications shall be accomplished in accordance with ARS 13-4405 A thru F, 13-4407, 13-4412(A)(B), and 13-4413(B) and other state statutes and regulations. All involved staff shall meet the requirements involved with Victims Rights as outlined in the procedural guidelines as maintained pursuant to the Victim Rights Compliance program. These references provide mandated guidance for law enforcement and custodial agencies regarding initial arrest, court ordered release conditions, pre-conviction, post-conviction, death, escape or re-arrest victim notification procedures.

319.8 WITNESSES

Deputies should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Hate or Prejudice Crimes

320.1 PURPOSE AND SCOPE

The Mohave County Sheriff's Office recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this State. When such rights are infringed upon by violence, threats or other harassment, this office will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this office with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

320.1.1 FEDERAL JURISDICTION

The federal government has the power to investigate and prosecute bias-motivated violence by providing the U.S. Department of Justice (DOJ) with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

320.2 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim.

320.3 PREVENTING AND PREPARING FOR LIKELY HATE OR PREJUDICE CRIMES

While it is recognized that not all crime can be prevented, this office is committed to taking a proactive approach to preventing and preparing for likely hate or prejudice crimes by among other things:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups relating to hate crime laws.

320.4 PROCEDURE FOR INVESTIGATING HATE OR PREJUDICE CRIMES

Whenever any member of this office receives a report of a suspected hate or prejudice crime or other activity that reasonably appears to involve a potential hate or prejudice crime, the following should occur:

- (a) Deputies will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hate or Prejudice Crimes

- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned deputies will take all reasonable steps to preserve available evidence that may tend to establish that a hate or prejudice crime was involved.
- (d) The assigned deputies will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate or prejudice crime.
- (e) Depending on the situation, the assigned deputies or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned deputies will include all available evidence indicating the likelihood of a hate or prejudice crime in the relevant reports. All related reports will be clearly marked as “Hate or Prejudice Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned deputies before the end of the shift.
- (g) The assigned deputies should also make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.
- (h) The assigned deputies and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (e.g., a possible Temporary Restraining Order through the courts or County Attorney or County Attorney).

320.5 DETECTIVE DIVISION RESPONSIBILITIES

If a case is assigned to the Detective Division, the assigned investigator will be responsible for following up on the reported hate or prejudice crime as follows:

- (a) Coordinating further investigation with the County Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals as needed.
- (c) Maintaining statistical data and tracking of suspected hate or prejudice crimes as indicated or required by state law.

320.5.1 STATE HATE CRIME REPORTING

This office shall submit hate crime information and offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Arizona Department of Public Safety (DPS). This shall be conducted by the Records Manager or assigned to the Detective Division (AAC § R13-1-301(A)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hate or Prejudice Crimes

320.5.2 FEDERAL HATE CRIME REPORTING

The Records Manager should include hate crime data reporting within the National Incident-Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to ID and Records procedures and in compliance with (28 USC § 534 (a)).

Standards of Conduct

321.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Mohave County Sheriff's Office and are expected of all office members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this office or a member's supervisors. This policy should be used in conjunction with the Mohave County Personnel Policies and Procedures.

321.2 POLICY

The continued employment or appointment of every member of the Mohave County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

321.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any office supervisor or person in a position of authority, absent a reasonable and bona fide justification.

321.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or office policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, office policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

The person countermanning the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

321.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

321.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Arizona constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

321.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient office service:

321.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in office or County manuals.
- (b) Disobedience of any legal directive or order issued by any office member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

321.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Mohave County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-office business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this office and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

321.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

321.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this office.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this office.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

321.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this office.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this office for personal or financial gain or without the express authorization of the Sheriff or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any office property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using office resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

321.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Office within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

321.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any office record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this office or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on office premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any office equipment or system.
 - 3. Gambling activity undertaken as part of a deputy's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on office property except as expressly authorized by County policy, the collective bargaining agreement or the Sheriff.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by County policy, the collective bargaining agreement or the Sheriff.
- (i) Any act on- or off-duty that brings discredit to this office.

321.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this office or the County.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this office.
- (i) Unauthorized possession of, loss of, or damage to office property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of office property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of office property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Sheriff of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members

321.5.10 SAFETY

- (a) Failure to observe or violating office safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Standards of Conduct

- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

321.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of office information technology resources, including computers, electronic devices, hardware, software and systems.

322.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Mohave County Sheriff's Office that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Office or office funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

322.2 POLICY

It is the policy of the Mohave County Sheriff's Office that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Office in a professional manner and in accordance with this policy.

322.3 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure office computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

Information Technology Use

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

322.4 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any office computer system.

The Office reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Office, including the office email system, computer network and/or any information placed into storage on any office system or device. This includes records of all keystrokes or Web-browsing history made at any office computer or over any office network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through office computers, electronic devices or networks.

322.5 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or District Commanders.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

322.5.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any office computer. Members shall not install personal copies of any software onto any office computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Sheriff or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Office while on office premises, computer systems or electronic devices. Such unauthorized use of software exposes the Office and involved members to severe civil and criminal penalties.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Information Technology Use

Introduction of software by members should only occur as part of the automated maintenance or update process of office- or County-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

322.5.2 HARDWARE

Access to technology resources provided by or through the Office shall be strictly limited to office-related activities. Data stored on or available through office computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or office-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

322.5.3 INTERNET USE

Internet access provided by or through the Office shall be strictly limited to office-related activities. Internet sites containing information that is not appropriate or applicable to office use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

322.5.4 OFF-DUTY USE

Members shall only use technology resources provided by the Office while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access office resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

322.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Office involving one of its members or a member's duties, an alleged or suspected violation of any office policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the office computer system when requested by a supervisor or during the course of regular duties that require such information.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Information Technology Use

Report Preparation

323.1 PURPOSE AND SCOPE

Report preparation is a major part of each employee's job. The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized and on-the-job training.

323.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports as follows:

- (a) Felony in-custody arrest reports: end of shift.
- (b) Cases referred to detectives for case assignment, or follow-up: end of shift, first draft immediately forwarded by case officer to detectives prior to supervisor review via email, Spillman messaging, delivery or faxing a copy of the report.
- (c) Cases referred to detectives for information only: Three calendar days, first draft forwarded by case officer to detectives prior to supervisor review via email, Spillman messaging, delivery or faxing a copy of the report.
- (d) Misdemeanor in-custody arrest reports: three calendar days.
- (e) All other initial police reports: Ten calendar days.
- (f) Supplemental reports: ten calendar days from receipt of information, action, etc.
- (g) All Victim's Rights Forms, Admin Per Se, and citations associated with arrests are to be submitted by the end of the shift on which the arrest/incident occurred.
- (h) When officers take any PTO time or attend training where they will be away from their normal duty post for four consecutive days, including regular days off, all reports will be completed prior to leaving work.

A supervisor may require that a particular case be submitted sooner, due to operational needs.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Report Preparation

323.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate Office-approved form unless otherwise approved by a supervisor.

323.2.1 CRIMINAL ACTIVITY

When an member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by a separate policy. These include:
 - 1. Use of Force Policy
 - 2. Domestic Violence Policy
 - 3. Child Abuse Policy
 - 4. Adult Abuse Policy
 - 5. Hate or Prejudice Crimes Policy
 - 6. Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes

323.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

- (a) Any time a deputy points a firearm at any person
- (b) Any use of force against any person by a member of this office (see the Use of Force Policy)
- (c) Anytime a person is restrained by handcuffs or other restraints (see the Handcuffing and Restraints Policy)
- (d) Any firearm discharge (see the Firearms Policy)
- (e) Anytime a person is reported missing (regardless of jurisdiction) (see the Missing Persons Policy)
- (f) Any found property or found evidence
- (g) Any traffic collisions above the minimum reporting level (see the Traffic Collision Response and Reporting Policy)
- (h) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Report Preparation

- (i) All protective custody detentions
- (j) Suspicious incidents that may place the public or others at risk
- (k) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

323.2.3 DEATH REPORTS

Reports shall be completed by the handling employee. All deaths shall be handled in compliance with the Death Investigations Policy.

323.2.4 INJURY OR DAMAGE BY COUNTY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a County employee. Additionally, reports shall be taken involving damage to County property or County equipment.

323.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this office shall require a report when:

- (a) The injury is a result of a drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

323.2.6 ALTERNATE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
 - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.

Report Preparation

- (i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.
- (j) Supplemental property lists.

Members at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

323.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

323.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for Office consistency.

323.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

323.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should "work flow" the report in back to the original employee via Spillman messaging, stating the reasons for rejection. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner.

323.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the ID and Records for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the ID and Records may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.

Media Relations

324.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

324.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Sheriff. However, in situations not warranting immediate notice to the Sheriff and in situations where the Sheriff has given prior approval, Division Commanders, District Commanders and designated Public Information Officers may prepare and release information to the media in accordance with this policy and the applicable law.

324.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Office media representative, or, if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this office make any comment or release any official information to the media without prior approval from a supervisor or the designated Office media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this office.
- (c) Under no circumstance should any member of this office make any comments to the media regarding any law enforcement incident not involving this office without prior approval of the Sheriff.

324.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Media Relations

be coordinated through the Office Public Information Officer or other designated spokesperson.

- (c) No member of this office shall be required to submit to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Sheriff and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Office members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

324.3.1 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the District Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137). All requests for TFR should be routed through the District Commander.

324.3.2 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of deputies and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Sheriff.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Sheriff will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

324.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

Media releases shall be completed for investigations of the following incidents:

- (a) All felony arrests
- (b) All motor vehicle accidents which results in death or serious injury
- (c) Any unusual or newsworthy events (missing aircraft, search and rescue operations, etc.)

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Media Relations

Media releases shall be forwarded to the Media Spokesperson via email or voice mail. Media releases will consist of data classified as public and should generally contain the following information:

- (a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this office, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or the notification is otherwise cleared through the Medical Examiner.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the District Commander. Such requests will generally be processed in accordance with the provisions of the Arizona Public Records Law (ARS § 39-101, et seq.).

324.4.1 STATE RESTRICTED INFORMATION

It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this office (see the Records Maintenance and Release and Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained.

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for office members who must appear in court. It will allow the Mohave County Sheriff's Office to cover any related work absences and keep the Office informed about relevant legal matters.

325.2 POLICY

Mohave County Sheriff's Office members will respond appropriately to all subpoenas and any other court-ordered appearances.

325.3 SUBPOENAS

Only office members authorized to receive a subpoena on behalf of this office or any of its members may do so.

A civil subpoena may be served upon the named member in the subpoena in accordance with RCP Rule 45. Prior to accepting service, witness fees shall be demanded as allowed by law (RCP Rule 45).

A criminal subpoena may be served upon a member by one of the following (ARS § 13-4072):

- (a) Personal service
 - 1. Only the member named in a subpoena may accept service.
- (b) Certified mail for delivery to the member only
- (c) First-class mail accompanied by a certificate of service and return card

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the County Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the County or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Mohave County Sheriff's Office.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Mohave County Sheriff's Office.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Subpoenas and Court Appearances

The supervisor will then notify the Sheriff's legal counsel immediately. The Sheriff should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.3.2 CIVIL SUBPOENA

The Office will compensate members who appear in their official capacities on civil matters arising out of their official duties.

The Office should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

325.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

325.4 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the office class A uniform or business attire. Suitable business attire for men would consist of a coat, tie and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse and skirt or slacks.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

325.4.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

325.5 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current Sheriff's directive.

Reserve Deputies

326.1 PURPOSE AND SCOPE

The Mohave County Sheriff's Office Reserve Unit was established to supplement and assist certified sheriff's deputies in their duties. This unit provides professional, certified reserve deputies who can augment regular staffing levels.

Reserve deputies work part-time and shall hold certification by the Arizona Peace Officer Standards and Training Board (AZPOST) (AAC § R13-4-103).

326.2 SELECTION AND APPOINTMENT OF SHERIFF'S RESERVE DEPUTIES

The Mohave County Sheriff's Office shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this office.

326.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as certified sheriff's deputies before appointment (AAC § R13-4-110).

Before appointment as a reserve deputy, an applicant must have completed, or be in the process of completing, a state-approved basic academy or extended basic academy unless granted a waiver pursuant to state law (AAC § R13-4-110(D)).

326.2.2 APPOINTMENT

Applicants who are selected for appointment as a reserve deputy shall, on the recommendation of the Sheriff, be sworn in by the Sheriff and take the Oath of Office as required for regular deputies. Members of the reserve unit serve at the Sheriff's discretion.

A reserve deputy may not perform any law enforcement function without completing the training required by AAC § R13-4-110, and without the AZPOST certification pursuant to AAC § R13-4-103.

326.2.3 COMPENSATION FOR RESERVE DEPUTIES

Compensation for reserve deputies is provided as follows:

- (a) All reserve deputy appointees are issued one set of uniforms and all designated attire and safety equipment. All property issued to the reserve deputy shall be returned to the Office upon termination or resignation.
- (b) The Office may provide hospital and medical assistance to a member of the reserve force who sustains injury in the course of performing official duties.

326.2.4 EMPLOYEES WORKING AS RESERVE DEPUTIES

Qualified employees of this office, when authorized, may also serve as reserve deputies. However, the Office shall not utilize the services of a reserve or volunteer in such a way that it would violate employment laws or labor agreements (e.g., a detention deputy working as a reserve deputy).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Reserve Deputies

for reduced or no pay). Therefore, the Reserve Coordinator should consult with the Department of Human Resources prior to an employee serving in a reserve or volunteer capacity (29 CFR 553.30).

326.3 DUTIES OF RESERVE DEPUTIES

Reserve deputies assist regular deputies in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve deputies will usually be to augment the Patrol Division. Reserve deputies may be assigned to other areas within the Office as needed. Reserve deputies are required to work a minimum of 24 hours per month.

326.3.1 POLICY COMPLIANCE

Sheriff's reserve deputies shall be required to adhere to all Office policies and procedures. A copy of the policies and procedures will be made available to each reserve deputy upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this manual refers to a certified full-time deputy, it shall also apply to a certified reserve deputy, unless by its nature it is inapplicable.

326.3.2 RESERVE DEPUTY ASSIGNMENTS

All reserve deputies will be assigned to duties by the Reserve Coordinator or a designee.

326.3.3 RESERVE COORDINATOR

The Sheriff shall delegate the responsibility for administering the Reserve Deputy Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

- (a) Assigning reserve personnel.
- (b) Conducting reserve meetings.
- (c) Establishing and maintaining a reserve call-out roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring individual reserve deputy performance.
- (f) Monitoring the overall Reserve Program.
- (g) Maintaining liaison with other agency Reserve Coordinators.

326.4 FIELD TRAINING

All reserve deputies are required to complete the same field training program as a regular full-time deputy.

326.5 SUPERVISION

Reserve deputies perform some of the duties of a peace officer and shall be under the immediate supervision of a certified peace officer and may not be employed as a full-time deputy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Reserve Deputies

326.5.1 RESERVE DEPUTY MEETINGS

All reserve deputy meetings will be scheduled and conducted by the Reserve Coordinator. All reserve deputies are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

326.5.2 IDENTIFICATION OF DEPUTIES

All reserve deputies will be issued a uniform badge and a Office identification card. The uniform badge shall be the same as that worn by a regular full-time deputy. The identification card will be the standard identification card.

326.5.3 UNIFORM

Reserve deputies shall conform to all uniform regulation and appearance standards of this office.

326.5.4 INVESTIGATIONS AND COMPLAINTS

If a reserve deputy has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Patrol Division Commander in compliance with the Personnel Complaint Policy.

Reserve deputies are considered at-will employees. Any disciplinary action that may have to be administered to a reserve deputy shall be accomplished as outlined in the Policy Manual with the exception that the right to hearing is limited to the opportunity to clear his/her name.

326.5.5 RESERVE DEPUTY EVALUATIONS

While in training, reserve deputies will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserve deputies having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve deputy.

326.6 TRAINING REQUIREMENTS

Reserve deputies are required to meet the training requirements applicable to full-time certified deputies, pursuant to AAC § R13-4-110 and AAC § R13-4-111 as outlined in the Training Policy.

326.7 FIREARMS

Reserve deputies shall successfully complete both AZPOST firearms training, pursuant to AAC § R13-4-110(C), and Office-authorized training in the use of firearms. Their appointment must be approved by the County prior to being issued a Office firearm or otherwise acting as a deputy on behalf of the Mohave County Sheriff's Office.

Reserve deputies will be issued a duty firearm as specified in the Firearms Policy. Any reserve deputy who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Reserve Deputies

326.7.1 CONCEALED FIREARMS

An instance may arise where a reserve deputy is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve deputy may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve deputy who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to Office standards. The weapon must be registered by the reserve deputy and be inspected and certified as fit for service by a Office Rangemaster.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve deputy shall have demonstrated his/her proficiency with said weapon.

326.7.2 RESERVE DEPUTY FIREARM TRAINING

Reserve deputies are required to maintain proficiency with firearms used in the course of their assignments pursuant to AAC § R13-4-111(C). Reserve deputies shall comply with all areas of the firearms training section of the Policy Manual.

326.8 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL

The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.

Outside Agency Assistance

327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

327.2 POLICY

It is the policy of the Mohave County Sheriff's Office to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this office.

327.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the on-duty supervisor for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests (ARS § 13-3872).

When another law enforcement agency requests assistance from this office, the on-duty supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this office.

Deputies may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this office until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to supervisor approval, will this office provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

327.3.1 AGREEMENTS

The Office may establish a mutual aid agreement with another law enforcement agency by action of the County to (ARS § 13-3872):

- (a) Assist other peace officers in the line of their duty and within the course of their employment.
- (b) Exchange office peace officers with peace officers of another agency on a temporary basis.

327.3.2 INITIATED ACTIVITY

Any on-duty deputy who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Mohave County Sheriff's Office shall notify his/her supervisor or the on-duty supervisor as soon as practicable. This requirement

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Outside Agency Assistance

does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

327.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

327.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the District Commander.

Registered Offender Information

328.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Mohave County Sheriff's Office will address issues associated with certain offenders who are residing in the jurisdiction and how the Office will disseminate information and respond to public inquiries for information about registered sex offenders.

328.2 POLICY

It is the policy of the Mohave County Sheriff's Office to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

328.3 REGISTRATION

The Detective Division supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Arizona Department of Public Safety (DPS) and the Chief of Police, if any, of the place where the person resides, within three days in accordance with ARS §13-3821.

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register (ARS § 13-3824).

328.3.1 CONTENTS OF REGISTRATION

The registration of offenders and duties of the Office shall be performed in compliance with ARS § 13-3821 and in accordance with any office procedures for registrations.

- (a) The steps to process a registrant include:
 1. Fingerprinting the registrant.
 2. Photographing the registrant.
 3. Registrant must sign or affix his/her electronic fingerprint to a statement containing information required by DPS, including (ARS § 13-3821):
 - (a) All names by which the person is known.
 - (b) Any required online identifier and the name of any website or Internet communication service where the identifier is being used.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Registered Offender Information

- (c) The physical location of the person's residence and the person's address, including a post office box number and location, if used.
 - (d) If the address and physical location are not the same, the registrant shall also provide the name of the owner of the residence if the residence is privately owned and not offered for rent or lease.
 - (e) If the person does not have an address or a permanent residence or has more than one residence, the registrant shall provide a description and physical location of any temporary residence and shall register as a transient not less than every 90 days with the Sheriff in whose jurisdiction he/she is physically present.
- 4. If the registrant has been convicted of an offense in another jurisdiction that would require registration if committed in this state, the registrant is required to provide a sufficient sample of blood or other bodily substance for DNA testing (ARS § 13-3821).
 - 5. Within three days of registration, the employee processing the registrant will ensure that copies of the statement, fingerprints and photographs are sent to DPS and the appropriate Chief of Police if the person resides within the jurisdiction of a local police department. If a blood sample has been obtained, the blood sample will also be transferred to DPS.
- (b) Processing a change in registration requires the following steps be taken within three days of a change in registration, excluding weekends and holidays.
 - 1. For a change of name or residence:
 - (a) Forward the change to the Arizona DPS and the appropriate law enforcement agency for the jurisdiction from which the registrant has moved (ARS § 13-3822).
 - (b) Forward a copy of the statement, fingerprints and photograph of the registrant to the local law enforcement agency in whose jurisdiction the registrant now resides.
 - (c) If the registrant is subject to community notification requirements, notify the local law enforcement agency of the county where the registrant now resides (ARS § 13-3822).
 - 2. For a change of online identifier, forward the new identifier to the Arizona DPS (ARS § 13-3822).

328.4 RISK ASSESSMENT

The Detective Division supervisor shall categorize each registered sex offender into an appropriate notification level (I, II or III) based on a risk assessment of the registrant (ARS § 13-3825). The supervisor shall submit a report through the chain of command to the Sheriff or the authorized designee that includes a synopsis of the risk assessment. The Sheriff or the authorized designee shall make the final determination regarding an offender's risk level and may choose a different level than the one recommended.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Registered Offender Information

- (a) The following steps shall be taken when determining the notification level of a registrant:
 - 1. Review items such as the sex offender registration form, parole and corrections materials, the risk assessment completed by the agency that had custody or responsibility for supervising the person, and Arizona Criminal Justice Information System information.
 - 2. Interview the offender.
 - 3. Assemble and review any other relevant resources or reports.

The Detective Division supervisor shall ensure that the registrant is notified, either in person or in writing, of his/her notification level.

328.5 MONITORING OF REGISTERED OFFENDERS

The Detective Division supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the Arizona DPS website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Arizona DPS. Verification of a registrant's address will be provided to Arizona DPS, upon request.

The Detective Division supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Mohave County Sheriff's Office personnel, including timely updates regarding new or relocated registrants.

328.6 COMMUNITY NOTIFICATIONS

The Office shall disseminate sex offender information in accordance with the following guidelines (ARS § 13-3825):

- (a) Community notification of Level II and Level III registrants shall be made in a non-electronic format to the surrounding neighborhood, area schools, appropriate community groups and prospective employers within 45 days and shall include:
 - 1. The offender's photograph and exact address.
 - 2. A summary of the offender's status and criminal background.
- (b) Campus notification and notification to the administration of an institution of post-secondary education shall be made that an individual required to register as a sex

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Registered Offender Information

offender is enrolled as a student or is employed or carries on a vocation within the institution.

Electronic notification may be used to comply with the requirements above only for persons who have affirmatively chosen to receive notification in that manner. Electronic notification may also be used as an additional method of disseminating information.

A press release with the above information should be sent to the local media for registrants categorized as Level II or Level III offenders.

Employees will not unilaterally make community notification regarding a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Sheriff, if warranted. A determination will be made by the Sheriff, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the Arizona DPS website or the Arizona Sex Offender Compliance Team.

The Records Manager shall release local registered offender information to residents in accordance with ARS § 13-3825 and in compliance with Arizona public records law request (ARS § 39-121 et seq.).

328.6.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

328.6.2 DISCRETIONARY DISSEMINATION

Level I offender information shall be maintained by this office. The Sheriff may authorize dissemination to (ARS § 13-3825):

- (a) Other law enforcement agencies.
- (b) People with whom the offender resides.

The Sheriff may authorize any updated information obtained from DPS to be disseminated to any other persons or entities that the Sheriff determines warrant such notification (ARS § 13-3823).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Registered Offender Information

The Sheriff may also authorize community notification of any information regarding circumstances or persons who pose a danger to the community, even if that notification is not specifically listed in the guidelines or in ARS § 13-3825.

Major Incident Notification

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this office in determining when, how and to whom notification of major incidents should be made.

329.2 POLICY

The Mohave County Sheriff's Office recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this office to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

329.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Sheriff and the affected on duty/on call lieutenant. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides, suspicious deaths or deaths related to law enforcement activity
- Traffic collisions with fatalities or severe injuries
- Officer-involved shooting, whether on- or off-duty (see Officer-Involved Shooting and Deaths Policy for special notifications) and vehicle pursuits that are extended or prolonged
- Significant injury or death to an employee, whether on- or off-duty
- Death of a prominent Mohave County Sheriff's Office official
- Arrest of Office employee or prominent Mohave County Sheriff's Office official
- Aircraft, boat, train or bus crash with major damage and/or injury or death
- In-custody deaths
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- Equipment failures, utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident, which has or is likely to attract significant media attention

329.4 SHIFT SERGEANT RESPONSIBILITIES

The on duty or on call sergeant is responsible for making the appropriate notifications to the next higher authority in the chain of command. It is the responsibility of each level in the chain of command to insure notifications to the next higher level. The on duty or on call sergeant shall make reasonable attempt to obtain as much information on the incident as possible before notification. The on duty or on cal Sergeant shall attempt to make the notifications as soon as practicable.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Major Incident Notification

329.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification above, the Sheriff shall be notified via chain of command.

329.4.2 DETECTIVE NOTIFICATION

After office hours, Detective Division personnel will be called back to duty only after notification and approval by the Detective Division Supervisor, Chief Deputy, or Sheriff. The on duty supervisor or case officer will personally notify the Detective Division Supervisor. Be prepared with specific details of the incident. The Detective Division shall be notified, without exception, in the following cases:

- All homicides, attempted homicides, and suicides
- Deaths with any suspicious circumstances and accidental deaths
- All sex crimes against children
- All child abuses with serious injury
- All arsons with major damage or to occupied structures
- All armed robberies
- All aggravated assaults with serious injury
- All significant burglaries and thefts
- All thefts of explosives
- Officer involved shootings
- All sexual assaults
- All kidnappings

329.4.3 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of the staff have been notified that it appears the media may have a significant interest in the incident.

Death Investigation

330.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations cannot be emphasized enough.

330.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases unless the death is obvious (e.g., decapitated or decomposed). A supervisor shall be notified in all death investigations.

330.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner or alternate Medical Examiner shall be promptly called in all sudden or unexpected deaths or deaths due to other than natural causes, including but not limited to (ARS § 11-593):

- (a) Death when not under the current care of a health care provider (ARS § 36-301).
- (b) Death resulting from violence.
- (c) Death that is unexpected or unexplained.
- (d) Death of a person in any form of custody (ARS § 13-4401).
- (e) Unexpected or unexplained death of an infant or child.
- (f) Death occurring in a suspicious, unusual or nonnatural manner, including death from an accident believed to be related to the deceased person's occupation or employment.
- (g) Death occurring as a result of anesthetic or surgical procedures.
- (h) Death suspected to be caused by a previously unreported or undiagnosed disease that constitutes a threat to public safety.
- (i) Unidentifiable bodies.

If there is no Medical Examiner or alternate Medical Examiner appointed and serving within the county, the deputy shall notify the sheriff, who shall secure a qualified and licensed physician to assume the powers and duties of a Medical Examiner (ARS § 11-593; ARS § 11-594).

330.2.2 SEARCHING DEAD BODIES

The Medical Examiner or his/her assistants and authorized investigators are generally the only persons permitted to move, handle or search a body known to be dead.

A deputy may be permitted to make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purposes of identification or for information identifying

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Death Investigation

the individual as a donor. If a donor document is located, the Medical Examiner shall be promptly notified.

Should exigent circumstances indicate to a deputy that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner, the investigating deputy shall first obtain verbal consent from the Medical Examiner.

The Medical Examiner, with the permission of the Office, may take property, objects or articles found on the deceased or in the deceased's immediate vicinity that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death (ARS § 11-595(B)).

Whenever personal effects are removed from the body of the deceased by the Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

Whenever reasonably possible, a witness, preferably a relative of the deceased or a member of the household, should be requested to remain nearby the scene and available to the deputy, pending the arrival of the Medical Examiner.

The name and address of this person shall be included in the narrative of the death report.

330.2.3 DEATH NOTIFICATION

Should a human death result from a fire, this office may notify the state or County fire marshal or as allowed by law.

When practicable, and if not handled by the Medical Examiner, notification to the next-of-kin of the deceased person shall be made, in person, by the deputy assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Medical Examiner may be requested to make the notification. The Medical Examiner should be advised if notification has already been made.

If a deceased person has been identified as a missing person, this office shall attempt to locate family members and inform them of the death and the location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

If the deceased person cannot be identified and/or no next-of-kin or responsible party cannot be located then it becomes the responsibility of the investigating officer or detective to secure the victim's personal property:

- (a) If the deceased person's property consists only of what is carried on his/her person, then said property shall be booked into evidence.
- (b) If the deceased person's property is contained in a vehicle, then the investigating officer or detective shall book anything of real value into evidence along with the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Death Investigation

property on the deceased person at the time of his/her death. The vehicle will then be sealed and secured in the impound yard of the responding towing company.

- (c) If the deceased person has a residence, the investigating officer or detective shall remove all small items of real value and book them into evidence along with the deceased person's personal property. The deceased person's residence shall then be secured and sealed.
- (d) If the investigating officer or detective is unable to locate the next-of-kin or personal representative of the deceased person, after consulting with a supervisor, the officer shall complete and sign the "Public Fiduciary Affidavit" and deliver it, along with a copy of the investigative report, to a member of the Public Fiduciary's Office. The Public Fiduciary's representative will acknowledge receipt, and release the Sheriff's Office from further responsibility in writing. A copy of this release will be sent to records to become a part of the report.
- (e) In unusual circumstances, a Mohave County Sheriff's Office supervisor may direct that a Superior Court Affidavit be completed. In this case, the officer or detective shall complete the Superior Court Affidavit, submit it to a Sheriff's Office supervisor for approval and appear before a Mohave County Superior Court Judge to provide sworn testimony concerning the case. As a courtesy, the case officer shall make telephonic notice of the affidavit to the Public Fiduciary's Office prior to the court appearance.

330.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner will issue a "John Doe" or "Jane Doe" number for the report.

330.2.5 UNIDENTIFIED BODIES DATA ENTRY

As soon as reasonably possible, but no later than 30 working days after the date a death is reported to the Office, all available identifying features of the unidentified body including dental records, fingerprints, any unusual physical characteristics and a description of clothing or personal belongings found on or with the body should be forwarded to the appropriate agency for entry into the Arizona state database and the NCIC file.

330.2.6 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

In addition, a deputy shall complete an infant death investigation checklist during any unexplained infant death investigation and before any autopsy is conducted (ARS § 36-3506).

The Office shall retain the original infant death investigation checklist and immediately forward a copy to the Medical Examiner and the Department of Health Services (ARS § 36-3506).

330.2.7 SUSPECTED HOMICIDE

If the initially assigned deputy suspects that the death involves a homicide or other suspicious circumstances, the deputy shall take steps to protect the scene. The Detective Division shall be

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Death Investigation

notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

If the on-scene supervisor, through consultation with the District Commander or Detective Division supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

330.2.8 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment, may ensure that the nearest office of the Arizona Division of Occupational Safety and Health (ADOSH) is notified with all pertinent information.

Identity Theft

331.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

331.2 REPORTING

- (a) Upon request from a victim, deputies presented with the crime of identity theft shall complete a report for crimes occurring in this jurisdiction or for victims who reside or are located within this jurisdiction irrespective of where the crime occurred, pursuant to ARS § 13-2008.
- (b) For any crime not occurring in this jurisdiction with a victim who does not reside within this jurisdiction, the deputy may complete a courtesy report to be forwarded to the agency where the crime was committed or, if the location is unknown, to the victim's residence agency.
- (c) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, deputies of this office should investigate and report crimes occurring within this jurisdiction that have resulted from the original identity theft (e.g., the identity theft occurred elsewhere but the credit card fraud occurred and is reported in this jurisdiction).
- (d) Deputies should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (e) Deputies should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and the Arizona Department of Public Safety's Driver and Vehicle Services Division) with all known report numbers.
- (f) Following supervisory review and Office processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

331.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law. A victim may also access http://www.azag.gov/cybercrime/ID_Theft.html for additional detailed information.

331.4 INFORMATION

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Identity Theft

Deterrence Act. The victim can contact the FTC online at <http://www.ftc.gov/bcp/menus/consumer/data/idt.shtm> or by telephone at 877-ID Theft (877-438-4338). Additional information may be found at the U.S. Department of Justice (DOJ) website, <http://www.usdoj.gov>.

Limited English Proficiency Services

332.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

332.1.1 TELEPHONE INTERPRETER SERVICES

The telephone interpreter services used by this Office is the "Language Line." This service information is available in dispatch. This service shall be available, with the approval of a supervisor, to assist office personnel in communicating with LEP individuals via telephone.

332.2 POLICY

It is the policy of the Mohave County Sheriff's Office to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Office will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

Communications with Persons with Disabilities

333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

333.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters shall have a valid license of competency authorized by the Commission for the Deaf and the Hard of Hearing (ARS § 9-500.41; ARS § 11-269.20; ARS § 12-242; ARS § 36-1971 et seq.).

333.2 POLICY

It is the policy of the Mohave County Sheriff's Office to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Office will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

333.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Mohave County Sheriff's Office relies on the county designee for ADA responsibilities and coordination.

333.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this office should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communications with Persons with Disabilities

balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs, and activities. These factors may include but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate his/her understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

333.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communications with Persons with Disabilities

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Mohave County Sheriff's Office, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

333.6 TYPES OF ASSISTANCE AVAILABLE

Mohave County Sheriff's Office members shall never refuse to assist an individual with disabilities who is requesting assistance. The Office will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Office will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept office-provided auxiliary aids or services or they may choose to provide their own.

Office-provided auxiliary aids or services may include but are not limited to the assistance methods described in this policy.

333.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Office may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

333.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communications with Persons with Disabilities

Members should use office-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

333.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking, attorney contacts), members must also provide those who are deaf, hard of hearing or impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Office will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

333.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Office to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, office members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

333.11 FAMILY AND FRIENDS

While family or friends of a disabled or impaired individual may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the disabled individual and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communications with Persons with Disabilities

- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

333.12 REPORTING

Whenever any member of this office is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Office or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

333.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Office recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this office. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the deputy is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, deputies should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

333.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

Communications with Persons with Disabilities

- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

333.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this office will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

333.14.1 QUALIFIED INTERPRETER REQUIRED IN ARRESTS

Upon the arrest of a deaf or hard of hearing person, the arresting deputy or supervisor shall make a qualified interpreter available to properly interpret (ARS § 12-242):

- (a) *Miranda* warnings.
- (b) The interrogation of the deaf or hard of hearing person.
- (c) The deaf or hard of hearing person's statements.

333.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting deputy shall use office-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the deputy reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communications with Persons with Disabilities

arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

333.16 COMPLAINTS

The Office shall ensure that individuals who are disabled who wish to file a complaint regarding members of this office are able to do so. The Office may provide a qualified interpreter or forms in enlarged print, as appropriate.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used for any interview with a disabled individual during an investigation should not be members of this Office.

School Employee Arrest Reporting

334.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedures to follow when a public or private school employee, teacher or non-teacher, has been arrested under certain circumstances.

334.2 SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any controlled substance offense, a felony involving moral turpitude, child abuse or sexual abuse offense, the Sheriff or a designee should report the arrest as follows:

334.2.1 ARREST OF A PUBLIC SCHOOL TEACHER

Upon arrest for one of the above crimes, the Sheriff or a designee may notify by telephone the superintendent of the school district employing the teacher, and give written notice of the arrest to the superintendent of schools in the county where the person is employed.

334.2.2 ARREST OF A PUBLIC SCHOOL NON-TEACHER EMPLOYEE

Upon arrest for one of the above crimes, the Sheriff or a designee may notify by telephone the superintendent of the school district employing the non-teacher, and may give written notice of the arrest to the governing board of the school district employing the person.

334.2.3 ARREST OF A PRIVATE SCHOOL OR LICENSED DAY-CARE TEACHER

Upon arrest for one of the above crimes, the Sheriff or a designee may notify by telephone the private school or licensed day-care authority employing the teacher, and may give written notice of the arrest to the private school authority employing the teacher.

334.2.4 ARREST OF A PRIVATE SCHOOL OR LICENSED DAY-CARE EMPLOYEE

Upon arrest for one of the above crimes, the Sheriff or a designee may notify by telephone the private school or licensed day-care authority employing the non-teacher and may give written notice of the arrest to the private school authority employing the person.

Pupil Arrest Reporting

335.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedures to follow when a pupil is arrested on school grounds and during school hours.

335.2 PUPIL ARREST REPORTING

In the event a school pupil is arrested, the arresting deputy shall ensure the chief administrative officer of the school or the appropriate designee is ultimately notified of the arrest of a pupil.

335.2.1 PUPIL ARREST AFTER NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to notify the school prior to the arrest. Prior notification and assistance from the school, may reduce disruption to school operations and other students.

335.2.2 PUPIL ARREST BEFORE NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to arrest the pupil before notifying the school. This may be appropriate if the pupil is a flight risk, if prior notification will impede the investigation or if notification creates additional risks to students, faculty, the deputy or the public.

Proper notification to the school after the pupil's arrest should then be made when circumstances reasonably allow.

335.2.3 PARENTAL NOTIFICATION

Upon arrest, it is the arresting deputy's responsibility to ensure the parents of the arrested pupil are properly notified. Notification shall be made by the deputy, regardless of subsequent notifications by the juvenile detention facility. Notifications should be documented and include the charges against the pupil and information as to where the pupil will be taken.

Biological Samples

336.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction, arrest or adjudication for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

336.2 POLICY

The Mohave County Sheriff's Office will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

336.3 PERSONS SUBJECT TO DNA COLLECTION

The following persons must submit a biological sample:

- (a) Persons who are arrested for a violation of any offense listed in ARS § 13-610(O)(3) and transferred to jail (ARS § 13-610(K)).
- (b) Persons who are charged with any offense listed in ARS § 13-610(O)(3) and summoned to appear in court for an initial appearance (ARS § 13-610(L)).
- (c) Juveniles who are ordered to submit by a judicial officer after being charged with any of the offenses listed in ARS § 8-238(A).

336.4 PROCEDURE

When an individual is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

336.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the individual is required to provide a sample pursuant to ARS § 13-610(O) and ARS § 8-238.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the Arizona Department of Public Safety (DPS). There is no need to obtain a biological sample if one has been previously obtained and DPS is maintaining a sample sufficient for DNA testing (ARS § 13-610(G)).
- (c) Use the designated collection kit to perform the collection and take steps to avoid cross contamination.

Biological Samples

336.5 USE OF FORCE TO OBTAIN SAMPLES

If a person refuses to cooperate with the sample collection process, deputies should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

- (a) The person's parole or probation officer, when applicable.
- (b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the person's next court appearance.
- (d) The person's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
- (g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

336.5.1 VIDEO RECORDING

A video recording should be made any time force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the office's records retention schedule.

Child and Dependent Adult Safety

337.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this office.

This policy does not address the actions to be taken during the course of a child abuse or adult abuse investigation. These are covered in the Child Abuse and the Adult Abuse policies.

337.2 POLICY

It is the policy of this office to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Mohave County Sheriff's Office will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

337.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, deputies should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, deputies should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Deputies should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, deputies should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, deputies should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the deputy at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child and Dependent Adult Safety

337.3.1 AFTER AN ARREST

Whenever an arrest is made, the deputy should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Deputies should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. The following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Deputies should consider allowing the person to use the individual's cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), deputies should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a court order exists limiting contact, the deputy should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Department of Child Safety or the Division of Aging and Adult Services of the Arizona Department of Economic Security if appropriate.
- (e) Notify the field supervisor or District Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting deputy should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

337.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child and Dependent Adult Safety

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

337.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether he/she reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

337.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling deputies, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

337.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling deputy should contact the appropriate welfare service or other office-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the sheriff's's facility, transported in a marked patrol car or taken into formal protective custody.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child and Dependent Adult Safety

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

Service Animals

338.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Mohave County Sheriff's Office recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

338.2 SERVICE ANIMALS

The ADA and Arizona law define a service animal as any dog or miniature horse that is individually trained or in training to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104; ARS § 11-1024).

338.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

338.3 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the public is allowed. Office members are expected to treat individuals with

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Service Animals

service animals with the same courtesy and respect that the Mohave County Sheriff's Office affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, a deputy may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually. Past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this office are expected to provide all services as are reasonably available to an individual with a disability (ARS § 11-1024).

If it is apparent or if a deputy is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the deputy should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal, and no further questions as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Office members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this office should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, deputies should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

Volunteer Program

339.1 PURPOSE AND SCOPE

It is the policy of this office to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Office and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, certified deputies and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase office responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Office and prompt new enthusiasm.

339.1.1 DEFINITIONS

Definitions related to this policy include:

Volunteer - An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered. This may include Reserve Deputies, Reserve Communications Operators, Reserve Corrections Officers, Search and Rescue volunteers, Boating Safety volunteers, Citizens Patrol volunteers and youth involved in a law enforcement Explorer Post, among others.

339.1.2 VOLUNTEER ELIGIBILITY

Requirements for participation as an Mohave County Sheriff's Office volunteer include:

- (a) Residency in the County of Mohave County.
- (b) At least 18 years of age for all positions other than Explorer.
- (c) At least 14 years of age or an eighth grade graduate for Explorer.
- (d) A valid driver license if the position requires vehicle operation.
- (e) Liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.
- (f) No conviction of a felony, any crime of a sexual nature, any crime related to assault, any crime related to dishonesty or any crime related to impersonating a law enforcement officer.
- (g) No conviction of a misdemeanor or gross misdemeanor crime within the past 10 years, excluding petty misdemeanor traffic offenses.
- (h) No use of illegal drugs (except marijuana) within three years.
- (i) No marijuana use in the last year
- (j) The applicant must not have any mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.
- (k) Physical requirements reasonably appropriate to the assignment.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

- (l) A personal background history and character suitable for a person representing the Office, as validated by a background investigation.

The Sheriff may apply exceptions for eligibility based on organizational needs and the qualification of the individual.

339.2 VOLUNTEER MANAGEMENT

339.2.1 VOLUNTEER COORDINATOR

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Office, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator or a designee shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions
- (b) Maintaining records for each volunteer.
- (c) Tracking and evaluating the contribution of volunteers.
- (d) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
- (e) Maintaining a record of volunteer schedules and work hours.
- (f) Completion and dissemination as appropriate of all necessary paperwork and information.
- (g) Planning periodic recognition events.
- (h) Administering discipline when warranted.
- (i) Maintaining liaison with other community volunteer programs and assisting in community-wide efforts to recognize and promote volunteering.

339.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with office policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist, the Office in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

339.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or a designee should conduct a face-to-face interview with the applicant.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check
- (b) Employment
- (c) References
- (d) Fingerprint check through the Arizona Department of Public Safety (DPS)

A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals shall require submission of prints and clearance through DPS and the FBI.

339.2.4 SELECTION AND PLACEMENT

Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position made by the Sheriff. The Sheriff has the discretion to either appoint or decline (with or without cause) an applicant to one of the Office's volunteer programs. No volunteer should begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening, paperwork, and a public service orientation program (see generally ARS § 38-592(B)(4)).

At the time of final acceptance, each volunteer should complete all necessary enrollment paperwork and will receive a copy of the job description and agreement of service with the Office. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and with the needs of the Office.

Reserve Unit volunteers are generally assigned to augment regular staffing levels.

339.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the office, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Depending on the assignment, training may include:

- (a) Role of the volunteer
- (b) Office policies

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

- (c) Training specific to the procedure manual for the volunteer position
- (d) Discrimination and harassment training
- (e) CPR/first aid
- (f) CERT/Citizens Emergency Response Training
- (g) Search and rescue techniques
- (h) Scenario-based searching methods
- (i) Evidence preservation
- (j) Basic traffic direction and control
- (k) Roadway incursion safety
- (l) Self-defense techniques
- (m) Vehicle operations, including specialized vehicles
- (n) Horsemanship
- (o) Issuance of citations

Training should reinforce to volunteers that they should not intentionally represent themselves as, or by omission infer, that they are certified officers or other full-time members of the Office. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office. Whenever a rule, regulation or guideline in this manual refers to a certified deputy, it shall also apply to a volunteer, unless by its nature it is inapplicable.

339.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations
- (e) All law enforcement contacts

All volunteers shall adhere to the guidelines set forth by this office regarding drug and alcohol use.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

339.2.7 DRESS CODE

As representatives of the Office, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by certified deputies. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.

Volunteers shall be required to return any issued uniform or office property at the termination of service.

339.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Office must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as, a supervisor of other volunteers provided the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

339.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor, the duties of the position or office policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by office policy and supervisory personnel.

Each volunteer will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Office. Subsequent unauthorized disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

information concerning the activities of the Office, or maintain that they represent the Office in such matters without permission from the proper office personnel.

339.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn and/or carried at all times while on-duty. Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment, including an identification card, issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

339.5.1 VEHICLE USE

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

- (a) A driving safety briefing
- (b) Verification that the volunteer possesses a valid driver license
- (c) Verification that the volunteer carries current vehicle insurance

The Volunteer Coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Office vehicle, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers are not authorized to operate a Office vehicle under emergency conditions (lights and siren).

339.5.2 RADIO AND MDC USAGE

Volunteers shall successfully complete state and federal database access training and radio procedures training prior to using the law enforcement radio or MDC and shall comply with all related provisions. The Volunteer Coordinator should ensure that radio and database access training is provided for volunteers whenever necessary.

339.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Sheriff. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with this office at any time by notifying the Sheriff in writing.

339.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Volunteer Program

best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

339.8 EMERGENCY CALL-OUT FOR VOLUNTEER PERSONNEL

The Volunteer Coordinator shall develop a plan outlining an emergency call-out procedure for volunteer personnel.

Cross Certification of Federal Officers

340.1 PURPOSE AND SCOPE

This policy will establish guidelines for cross certification of federal officers as Arizona state certified peace officers.

340.2 POLICY

ARS 13-3875, cross-certification of federal peace officers permits federal peace officers, which meet the criteria, to become state certified.

- (a) Requests from federal peace officers for cross certification or renewal of certification will be directed to the Sheriff.
- (b) Upon approval the names of the federal peace officers will be forwarded to AZ POST.
- (c) The federal peace officers request and required documentation will be maintained in the Sheriff's Office.
- (d) Federal peace officers that are granted state certification will be notified of the state certification and the date of its expiration.
- (e) If the federal peace officers employment should cease or become inactive, the state certification granted will lapse automatically.

By granting state certification to federal peace officers, the Mohave County Sheriff's Office does not undertake to train, direct or control such officers, and accepts no liability for such officers.

Native American Graves Protection and Repatriation

341.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

341.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

341.2 POLICY

It is the policy of the Mohave County Sheriff's Office that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

341.3 COMPLIANCE WITH NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Native American Graves Protection and Repatriation

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land/Private land - Director of the Arizona State Museum (ARS § 41-844; ARS § 865)
- Tribal land - Responsible Indian tribal official

341.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

Off-Duty Law Enforcement Actions

342.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place a deputy as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for deputies of the Mohave County Sheriff's Office with respect to taking law enforcement action while off-duty.

342.2 POLICY

Deputies generally should not initiate law enforcement action while off-duty. Deputies should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Deputies are not expected to place themselves in unreasonable peril. However, any certified member of this office who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, deputies should first consider reporting and monitoring the activity and only take direct action as a last resort.

Deputies should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless authorized by law (ARS § 13-3883).

342.3 FIREARMS

Deputies of this office may carry firearms while off-duty in accordance with federal regulations, state law and Office policy. All firearms and ammunition must meet guidelines as described in the Office Firearms Policy. When carrying firearms while off-duty, deputies shall also carry their Office-issued badge and identification.

Deputies should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any deputy who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the deputy's senses or judgment.

342.4 DECISION TO INTERVENE

There is no legal requirement for off-duty deputies to take law enforcement action. However, should deputies decide to intervene, they must evaluate whether the action is necessary or desirable and should take into consideration:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Off-Duty Law Enforcement Actions

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty deputy were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty deputy to be misidentified by other peace officers or members of the public.

Deputies should consider waiting for on-duty uniformed deputies to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

342.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the deputy should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty deputy is on-scene and should be provided a description of the deputy if possible.

Whenever practicable, the deputy should loudly and repeatedly identify him/herself as an Mohave County Sheriff's Office deputy until acknowledged. Official identification should also be displayed.

342.4.2 INCIDENTS OF PERSONAL INTEREST

Deputies should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances deputies should call the responsible agency to handle the matter.

342.4.3 RESPONSIBILITIES

Civilian members should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

342.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed deputy in public, uniformed deputies should wait for acknowledgement by the non-uniformed deputy in case he/she needs to maintain an undercover capability.

342.5 REPORTING

Any deputy, prior to taking any off-duty enforcement action, shall notify and receive approval of a supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the Mohave County Sheriff's Office). If prior contact is not reasonably possible, a deputy shall notify the applicable local law enforcement agency as soon as reasonably practicable. The District Commander shall determine whether a report should be filed by the employee.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Off-Duty Law Enforcement Actions

Deputies should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

SEARCH WARRANTS

343.1 PURPOSE AND SCOPE

The purpose of this policy is to insure search warrants are properly prepared before they are presented to a court for signature. This policy is effective upon all peace officers.

343.2 POLICY

All search warrants prepared for judicial authorization shall be reviewed and approved by a sergeant or individual of higher rank to insure:

- (a) Probable cause is stated.
- (b) Affidavits are complete.
- (c) An accurate description of the premises to be searched and items to be searched for is included.

Prior to service of the warrant, the Sergeant will ensure that the Chief Deputy or the Sheriff, or, in their absence, the predesignated Administrative Officer in Charge, is notified via his/her chain of command.

To maintain relations with other law enforcement agencies, whenever a search warrant is to be served in another law enforcement agencies area of primary responsibility, the case officer shall ensure timely notification to the appropriate representative of the affected agency is made. Any deviation from this policy requires prior approval of the Chief Deputy or Sheriff.

The Mohave County Attorney may be contacted at any stage of the search warrant preparation for his/her review and recommendations.

High Risk Search Warrant Service

344.1 PURPOSE AND SCOPE

- (a) To promote the safety of officers, who are likely to encounter fortified positions, armed individuals, violence and/or hazardous materials while executing search warrants.
- (b) To protect the Department from unfounded claims of property damage and/or personal injury.
- (c) To safeguard the Constitutional Rights of the person (s) the search warrant is being served upon

344.2 DEFINITIONS

Case Officer: The officer(s) charged with the principal duties of conducting an investigation concerning a particular case.

High Risk Search Warrant: A departmental designation of any search warrant where the service of the warrant involves a substantial potential for encountering fortified positions, armed individuals, violence and/or hazardous materials.

344.3 NOTIFICATIONS

The Sheriff and Chief Deputy, or in their absence the Administrative Officer in charge of the Department, shall be notified by the supervisor of any division or unit which anticipates executing a high-risk search warrant.

Notification shall be made as far as possible in advance of executing such a warrant, and shall include the date and time of any briefing scheduled in accordance with this policy.

Prior to members of this Department executing a high-risk search warrant in a municipality or another jurisdiction, a supervising officer of the law enforcement agency in that jurisdiction will be notified by a supervisor of the Sheriff's Office unit or division which will be executing the warrant.

- (a) Any deviation from this procedure requires prior approval from the Sheriff or Chief Deputy.

344.4 PLANNING

- (a) The case officer who conducts an investigation which results in the issuance of a high-risk search warrant for a structure shall, when ever possible, determine:
 1. The geographical layout of the location where the search in conducted.
 2. The interior layout of any structure to be searched.
 3. Approach and escape routes.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

High Risk Search Warrant Service

4. Construction and peculiarities of the structure to be searched. (e.g. fire hazards, barred windows, reinforced doors, bobby traps, attack dogs, potential for penetration by gunfire, etc.)
 5. Location of utility shut-off points, both internal and external.
 6. Location of possible evidence disposal points, such as sinks, toilets and drains.
 7. The number of suspects and others who may be at the location when the warrant is to be served.
 8. Information regarding suspect(s). (e.g. physical descriptions and photographs)
 9. The presence and accessibility of weapons to the suspect(s).
 10. Identification of any undercover personnel or confidential informants who may be present.
- (b) The case officer will keep his/her supervisor informed of information developed and prepare maps, charts and/or diagrams as necessary to assist in the subsequent briefing of search personnel.
- (c) The case officer shall coordinate with the supervisor of his unit or division.
1. The intended call out of any specialized support personnel, including but not limited to:
 - (a) Tactical Operations unit (T.O.U.) Personnel
 - (b) Explosive Ordnance Disposal (E.O.D. Personnel
 - (c) Hazardous Material (HAZMAT) Personnel
 - (d) Aircraft
 - (e) Child Protective Services (C.P.S.) Personnel
- (d) The supervisor of the unit or division planning the warrant execution shall insure that:
- (a) A radio channel is designated for use by personnel executing the warrant and that all affected personnel are informed of the channel.
 - (b) Notification is made to command personnel, specialized support units, the Patrol Division Supervisor in the area the warrant is to be served, and other jurisdictions as required by this policy.
 - (c) A briefing is conducted for all personnel involved in the warrant service, including specialized units, and notification is made to Central Dispatch Personnel.
 - (d) Personnel assignments are designated, appropriate and documented.
 - (e) All non-uniformed officers executing the warrant wear distinctive clothing identifying them as law enforcement personnel.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

High Risk Search Warrant Service

- (f) All personnel involved in the warrant service wear body armor and are equipped with the authorized and appropriate weapons.
- (g) The entire search warrant process will be documented, with the written record being supplemented by photographs and, if practical, a videotaping from start to finish.

344.5 ASSIGNMENTS

The case officer or supervisor will select and assign officers to the following functions:

- (a) Perimeter Security (Uniformed Personnel):
 - 1. Pursue subject (s) fleeing from scene
 - 2. Control access to scene
 - 3. Maintain security of police vehicles
 - 4. Remain outside; do not enter structure
- (b) Entry team
 - 1. Conducts entry into structure
 - 2. Locates, controls, guards, and FI's occupants and suspects
 - 3. Arrests suspects, and
 - 4. Arranges for transportation and booking of suspect(s)
- (c) Case Officer
 - 1. Coordinates search procedures when warrant is executed.
 - 2. Files inventory and search warrant return forms with the issuing authority within five days after service.
- (d) Finder(s) - this will generally includes Case Officer
 - 1. Locates evidentiary items
 - 2. Seals and marks evidence
 - 3. Submits evidence for analysis or storage
- (e) Recorder(s)
 - 1. Inventories seized evidence
 - 2. Records the name of the finder and the location where evidence was located
 - 3. Leaves a copy of search warrant and inventory at location of warrant service
- (f) Photographers

Mohave County Sheriff's Office

Mohave County SO Policy Manual

High Risk Search Warrant Service

1. Photographers or videotapes:
 - (a) Interior of structure prior to, during and at completion of search
 - (b) Suspects at scene
 - (c) Evidence
 - (d) Injuries and property damage claimed by suspect(s)
 - (e) Cartilage areas where search conducted
- (g) Interviewer
 - (a) Reads Miranda Warnings to suspect(s)
 - (b) Explains charges to suspect(s)
 - (c) Obtains initial statements from suspect(s)

344.6 ENTRY PROCEDURES

The perimeter security personnel will be in place as the entry team approaches.

- (a) The entry team will:
 1. Knock and announce their presence
 2. In the absence of a timely response, enter upon the signal from the team leader or supervisor
 3. Conduct a protective sweep and place occupants in one location
 4. Notify the supervisor in charge that the location has been secured
 5. Provide interior security for search personnel
- (b) The supervisor of the unit executing the warrant shall:
 1. Determine and declare the warrant site secure
 2. Notify the Central Dispatch Center when the situation is stabilized
 3. Secure the site in the event of a critical or hazardous incident
 4. Authorize initiation of the search
 5. Assist the case officer as needed
 6. Insure minimal disruption of and damage to personnel property
 7. Insure that all unarrested persons at the scene are FI'd
 8. Coordinate interviews, transportation and booking of arrestees
 9. Insure that a copy of the warrant and inventory are left at the warrant site

Mohave County Sheriff's Office

Mohave County SO Policy Manual

High Risk Search Warrant Service

10. Insure that the structure is secured, or left under the control of an appropriate individual on termination of the search
11. Insure that the warrant service and inventory forms are returned to the appropriate authority within five days of issuance

344.7 DEBRIEFING

- (a) The supervisor of the unit or division responsible for execution of the search warrant shall, within a timely manner following the search:
 1. Assemble the specialized unit (s) and/or personnel she/he deems necessary for an evaluation of the operation.
 2. Coordinate an evaluation of the operation.
- (b) The debriefing shall include:
 1. An evaluation of the methods and equipment utilized during the search
 2. Assignment of responsibility for additional supplemental reports if necessary, including reports concerning injury and property damage, and
 3. Written recommendations, if warranted, for additional training, equipment and/or procedures for prospective occurrences

Detainee Health Care (Pre-Incarceration)

345.1 PURPOSE AND SCOPE

- (a) To insure that adult detainees receive health care treatment without undue delay.
- (b) To define the responsibilities of departmental personnel in providing health care services.
- (c) To insure that notifications are timely made to the local health department when such is warranted.
- (d) To insure that financial obligations, resulting from health care services, are imputed to the legally responsible individual, agency or department.

This policy is effective upon all Sheriff's Office Personnel when medical services are required to be provided to an individual following detention or arrest and prior to incarceration.

345.2 GENERAL

The law enforcement agencies are responsible for providing adequate health care services for detainees. However, the actual costs for services may or may not be the direct responsibility of the Sheriff's Office.

Absent a court order to the contrary, and as a general principal of law, individuals who are not indigent are responsible for the costs of their own health care services.

Health care services are provided to indigent residents of the county through the County Health Department.

345.3 POLICY

Detainees of the Sheriff's Office who receive injuries during arrest and who are in need of emergency medical care, will be transported to the nearest hospital facility, via ambulance.

An agent of this department will accompany such detainee in the ambulance at the request of an agent of the ambulance company.

An officer may use his/her discretion to determine the method of transportation of an injured individual to the nearest medical facility.

All attempts will be made to delay the arrest until the subject's release from the medical facility.

Detaining/arresting officer(s) will not affix their signature(s) to any forms as guarantor(s) of payments for services.

Emergency Jail Evacuation and Relocation

346.1 PURPOSE AND SCOPE

Mohave County Adult Detention facilities, under control of the Mohave County Sheriff, will have established safety and security measures in effect to evacuate all classification of detained and sentenced prisoners to a safe and secure alternate facility. This policy will supplement any established Mohave County Emergency Operations Procedures in effect. This policy shall apply to situations of natural disaster, biological contamination or terrorist acts.

346.2 POLICY AND PROCEDURE

Under no circumstances will an immediate evacuation of detainees and/or sentenced prisoners be initiated until the Sheriff, or appointed designee, direct an evacuation. As provided in this detailed procedure, such evacuation from secure detention facilities must be followed without hesitation or danger to the detention staff, prisoners or the general public. A complete 100% verification of headcounts will be completed.

346.3 TYPES OF EVACUATIONS

346.3.1 FULL EMERGENCY EVACUATION

This designation will be assigned by the Sheriff, or appointed designee, when a structure has been declared unsafe as a secure detention facility. Under extreme conditions, this designation will be assigned to a facility where the structural integrity has been or is imminently degraded beyond housing capability.

346.3.2 PARTIAL EMERGENCY EVACUATION

This designation will be assigned by the Sheriff, or appointed designee, after conferring with Mohave County Public Works structural engineers. Only those areas determined to be structurally unsafe to house detainees will be evacuated. This designation will require re-housing of specific classifications to alternate pods or other secure facilities.

346.3.3 MEDICAL EMERGENCY EVACUATION

This designation will be assigned by the Sheriff, or appointed designee, after conferring with on-site medical services or the Mohave County Public Health Department. This designation will normally apply to limited areas of contamination and subject to containment in specific areas. Evacuation for staff and prisoners will be strictly controlled by emergency medical service(s) personnel.

346.4 EMERGENCY MEDICAL ASSISTANCE

346.4.1 PRIORITY TRIAGE

Detention staff, prisoners, visiting general public and assigned contract personnel requiring medical attention as a result of severe or life threatening injury will be treated on a priority basis. Assessment or treatment may be rendered by on-site medical personnel or personnel summoned

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Emergency Jail Evacuation and Relocation

from the Mohave County Department of Public Health. All prisoners transported to local medical facilities will be escorted by detention/deputy staff dependant upon classification of charges and housing. Medium and maximum security classification prisoners will be secured with appropriate restraint devices.

346.4.2 INTERMEDIATE TRIAGE

Detention staff, prisoners, visiting general public and assigned contract personnel requiring medical attention as a result of non-life threatening injury will be provided medical attention by on-site medical personnel or personnel summoned from the Mohave County Department of Public Health. Transfer to other medical facilities regarding prisoners will be as stated in 4.1 above.

346.4.3 MINOR TRIAGE

Detention staff, prisoners, visiting general public and assigned contract personnel requiring minor medical attention for injuries received will be treated by on-site medical personnel or EMT staff responding to the facility. This will not require a transfer to other medical facilities.

346.5 COMMAND, CONTROL, AND COMMUNICATION

346.5.1 COMMAND

The Sheriff, or his appointed designee, will assume full command of prisoner evacuation. All designated supervisory personnel will keep the command authority full apprised of situations as they occur. At no time will relocation of prisoners be accomplished without concurrence of the command authority.

346.5.2 CONTROL

Positive prisoner control will be initially under the direction of detention staff and detention supervisory personnel. The command authority may commit certified officer resources at their discretion. A temporary control center for detention operations will be established to verify prisoner headcounts, summon off-duty detention staff, document prisoner movement and/or transfer to medical or alternate secure facilities. Temporary logbooks will be maintained. If prisoner booking records are available, such records will be secured in an area for further management and judicial review. All assigned transportation resources will be employed to support evacuation and transfer to alternate secure facilities or medical facilities. Additional vehicle resources may be requested by the command authority.

346.5.3 COMMUNICATION

All detention staff and contracted personnel will remain on Detention Repeater communication channel until directed by the command authority to change to alternate frequencies. Priority communication channels will be directed by the Sheriff or appointed designee. Transport and security staff will remain on the designated frequency so as not to interfere with other emergency operations traffic.

346.6 UTILIZATION OF HUMAN RESOURCE ASSETS

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Emergency Jail Evacuation and Relocation

346.6.1 DETENTION CERTIFIED STAFF

All staff resources employed and assigned to the Mohave County Sheriff's Office Detention Division who are not on medical restrictions, will be contacted and recalled to duty. In the event of a natural disaster or terrorist act, those off-duty public safety staff members who have secured their individual families will report to duty at a location designated by the command authority. Those public safety staff on duty at the time of any declared emergency condition will remain on duty until dismissed by the command authority. Detention Center Supervisors will be required to account for all assigned staff.

346.6.2 CERTIFIED PEACE OFFICERS

The duty status and assignment of all Department certified peace officers will be directed by the command authority. Assistance from additional law enforcement agencies will be coordinated through the command authority. Every effort should be undertaken to limit the necessity of law enforcement officers for prisoner evacuations; allowing law enforcement officers to focus on their primary duties of protecting and assisting the general public.

346.6.3 CONTRACT MEDICAL AND FOOD SERVICE EMPLOYEES

On-site and on-duty medical personnel will be required to remain on duty until released by the command authority. Priority consideration of emergency medical services will determine continued availability of contract medical services personnel.

In the event a suitable triage structure is not readily available, an alternate location or on-site temporary structure will be provided by emergency services personnel. Food service personnel will be required to provide emergency food service facilities through coordination with their parent company. Temporary food service facilities and preparation areas will be provided by emergency service agencies or food service contract representatives. Temporary medical and food service contractors should plan for a minimum of ten-day emergency operation and possibly longer should the command authority so determine.

346.6.4 VOLUNTEER EMERGENCY SERVICE PERSONNEL

Sheriff's Office Volunteer Posse personnel and other volunteers for emergency services will be controlled by the command authority. Volunteers will not be utilized for prisoner security services unless prior training has been given and the command authority is assured of their competence in such areas. Former law enforcement or detention service personnel may be utilized at the discretion of the command authority. Those volunteers having prior emergency medical skills may also be approved by the command authority.

346.7 SECURE EVACUATION FACILITY LOCATIONS

346.7.1 MOHAVE COUNTY SECURE FACILITIES

Mohave County Adult Detention Center (Main Jail), 501 W. Highway 66, Kingman; Fort Mohave MCSO Substation, 9880 Vanderslice Road, Mohave Valley, Arizona; Lake Havasu City MCSO Substation, 3500 N. Highway 95, Lake Havasu City, Arizona.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Emergency Jail Evacuation and Relocation

346.7.2 ALTERNATE SECURE FACILITY

Arizona State Prison Complex-Kingman; located off Interstate 40, West of Kingman at the Griffith Road exit. Maximum security prisoners may be held in the D-1 Building. All other classifications may be housed in the "I" Building. Requires prior coordination for space.

346.8 SELECTION OF SECURE EVACUATION FACILITIES

346.8.1 CLASSIFICATION OF PRISONER REVIEW

Priority concern will be those prisoners held in Maximum or Close Security level. Once identified, as an actual classification to Maximum level, those prisoners will be segregated from the remainder of general population. All disciplinary prisoners housed within the maximum security housing areas will be returned to their original classified level. All prisoners in custody for capital crimes, i.e., homicide, manslaughter, or attempt to commit capital crimes, will be classified to the maximum security level.

- (a) Should the current maximum security housing areas within the main jail facility be structurally unsafe for housing, relocation of maximum or close security prisoners will be coordinated by the Detention Division Administrator to facilities having "hard cell" configurations with secure locking devices. Coordination will be made through the command authority for relocation to the ASPC-Kingman facility. Prior to movement, the Warden or Deputy Warden of the ASPC- Kingman complex will be contacted to coordinate housing arrangements and appropriate staffing considerations.
- (b) Relocation of the remaining minimum, medium and protective custody prisoners will be determined by the command authority. After thorough inspection of all Mohave County secure facilities, a decision will be made as to the relocation. Should the decision be made to utilize the ASPC-Kingman facility, the Detention Division Administrator will coordinate through the Warden or Deputy Warden for available space within the ASPC-Kingman facility.

346.8.2 UTILIZATION OF FACILITIES NOT UNDER CONTROL OF THE SHERIFF

A current Memorandum of Understanding (MOU) shall be in effect for use of facilities not under the direct control of the Mohave County Sheriff. This will apply to the ASPC-Kingman facility, through the Director, Arizona Department of Corrections and facilities directed for use by the Mohave County Board of Supervisors. Coordinated use of the ASPC-Kingman facility will not impede the functions of that facility or assigned staff. Coordination for food and medical services will be coordinated with the appropriate principals through the command authority. All financial obligations for use of alternate facilities will be coordinated through the command authority.

346.9 PHYSICAL MOVEMENT OF PRISONERS AND JUDICIAL REVIEW

346.9.1 MAXIMUM SECURITY LEVEL

Assigned hardened cage vehicle units will be utilized for transport of all maximum security level prisoners. Cuff, shackle and belly chain restraints will be utilized. Units will be manned with

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Emergency Jail Evacuation and Relocation

a minimum of two armed detention or deputy staff officers with two marked patrol vehicles as outriders. Plan of travel will be from departure to arrival locations without scheduled stops. Command authority will assign the most senior staff to direct vehicle movement and appropriate security measures while in transport.

346.9.2 MINIMUM, MEDIUM AND PROTECTIVE CUSTODY LEVELS

All other assigned vehicle transport assets will be assembled for loading of prisoners and relocation to alternate facilities. Prisoners shall be secured in available hard restraints or flex cuffs as an alternative. Units will be manned with at least one armed detention or deputy staff officer and a marked patrol escort vehicle. Authorized and trained volunteer personnel may operate transport vehicles allowing detention staff to handle prisoner movement. Plan of travel will be from departure to arrival locations without scheduled stops. Senior detention staff will be assigned to direct vehicle movement and appropriate security measures.

346.9.3 JUDICIAL REVIEW OF IN-CUSTODY PRISONER FILES

At a location designated by the command authority, the Mohave County Attorney's Office shall review in-custody prisoner files for recommendations of alternate release conditions. Such reviews shall be forwarded to the appointed judicial authority having jurisdiction over Mohave County detainees.

346.10 SUMMARY OF POLICY AND PROCEDURES

This policy is intended to be supplemental to any established Emergency Operations Procedures currently in effect for Mohave County. This policy will encompass procedures for the care, custody and control of prisoners remanded to the custody of the Mohave County Sheriff. This policy is not intended to be all inclusive of each and every situation which may occur during a declared emergency.

Of paramount importance is our commitment to public safety and the care of persons in Mohave County custody. Detention and deputy sheriff staff will be required to be flexible and conduct themselves with calm professionalism during these stressful times. The general public must be assured of their individual and community safety by members of the Mohave County Sheriff's Office.

A variety of differing scenarios may be present during a declared natural or terrorist disaster. Structures or portions of structures may become uninhabitable. The Sheriff, or appointed designee, must be kept fully informed of differing situations as they occur. The release of all public relations media events will be strictly controlled by the command authority. At no time should statements be made to media sources which will incite public distrust or hysteria.

Mine Site Incidents

347.1 PURPOSE AND SCOPE

The purpose of this policy is to establish specific guidelines for the handling of fatal or serious accidents or any explosive incidents or accidents, with or without injury, at a mine site, working or not.

This policy is effective on all dispatch personnel.

347.2 POLICY

In the event of a fatal or serious accident, or any explosives incidents or accidents, with or without injury, at a mine site, working or not, a deputy will be dispatched to conduct an investigation.

In addition to the above, dispatch will notify, as soon as possible, the following persons. If the first person on the list cannot be contacted, contact the second name on the list, and continue through the list until you reach one of the persons listed. Provide the person contacted with what details you have available and ascertain if they wish for you to contact anyone else on the list or if they will handle the necessary calls.

- (a) S.A.R. Coordinator
- (b) Patrol Commander
- (c) Chief Deputy
- (d) Mohave County Emergency Services Director

In addition to the above, the Office of the State Mine Inspector shall be notified for information only or additional resources.

D.A.R.E. Program

348.1 PURPOSE AND SCOPE

The D.A.R.E. (Drug Abuse Resistance Education) program is designed to present a structured, copyrighted curriculum to students of the Mohave County School Districts at the Elementary and Junior High School level. The primary reason is to give the children the resistance skills that they need to say no to offers to use illegal drugs and alcohol.

D.A.R.E. Officers conduct regular, scheduled visitations to their assigned schools and present the D.A.R.E. curriculum to the students.

348.2 DEFINITIONS

(a) Position Qualifications:

1. Eligibility:

- (a) In order to be eligible for the D.A.R.E. Officer position, an officer must have at least two years full time police experience with at the Mohave County Sheriff's Office or another Law Enforcement Agency.
- (b) D.A.R.E. Officers shall be assigned to the D.A.R.E. Unit of Community Relations and under the direct supervision of the D.A.R.E. Sergeant. The D.A.R.E. Sergeant shall report to a designated District Commander.
- (c) The prospective officer will be tested by an oral board. The oral board will be designed to test the spontaneity in public speaking situations. The officer must also display a genuine love of children and a desire to teach. The officer must also display a sense of commitment to doing something about the drug problem and not just a desire for a change of assignment.
- (d) All prospective D.A.R.E. Officer recommendations shall be made to the Sheriff for selection.

(b) Duty Responsibilities

(a) Unit Sergeant

- (a) The Unit Sergeant is responsible for direct supervision of the D.A.R.E. Officers assigned to the unit. The duties associated include on sight evaluations of the officers in the classroom and completion of a standard evaluation form. The forms are made a part of the officer's documentation book and will be used as part of the yearly evaluation.
- (b) The D.A.R.E. Sergeant must be certified to teach the D.A.R.E. curriculum. This serves a three-fold purpose. 1) To give him/her better skills to evaluate the officers. 2) To allow the sergeant to be able to fill in for the officers if they are ill or have to attend court and the classes cannot be

Mohave County Sheriff's Office

Mohave County SO Policy Manual

D.A.R.E. Program

rescheduled. 3) Having a working knowledge of the curriculum also allows the sergeant to be better prepared to answer questions from concerned parents, principals, and teachers about the programs and how it is taught.

- (c) The D.A.R.E. sergeant has the responsibilities of giving drug talks and informational talks about D.A.R.E. to the public. This is to include but is not limited to; civic organizations, church groups, school organizations, parent groups, etc.
- (d) The sergeant is the liaison between the D.A.R.E. Officers and the school district. The sergeant will maintain a good working relationship with the superintendent of all conflicts and/or problems that occur.

(c) D.A.R.E. Officers:

- 1. The D.A.R.E. Officer is responsible for teaching the D.A.R.E. curriculum to students in the Mohave County School Districts.
- 2. The officer is also responsible for conducting parent nights to educate parents about the D.A.R.E. program and about drug abuse in general.
- 3. The officer has the responsibility to give drug talks and informational talks about D.A.R.E. to the public when their class schedule permits. This is to include but is not limited to; civic organizations, church groups, school organizations, parent groups, etc.

(d) Teaching Responsibilities:

- 1. Principal Meetings and Teacher In-Service:
 - (a) The Principal is the head administrator of the school. As such, it is essential that the D.A.R.E. Officer meet with him/her prior to the school year starting. The purpose of this meeting is to establish/reestablish contact with them and set the stage for the coming year. If the Principal is not familiar with the D.A.R.E. Program, the officer must be prepared to give a full outline of the D.A.R.E. Program. The officer will also ask them for time to talk to the teachers and do the scheduling. The officer will also schedule time to give the teacher in-service training at a faculty meeting.
 - (b) The teacher in-service training is to provide the teachers an overview of the program, what the D.A.R.E. Officers are doing on campus, and set the stage for the coming year. If most of the teachers are familiar with the program, then the officer can make the presentation short and then contact the new teachers at a later time and give them the complete in-service training as specified in D.A.R.E. Training. Emphasis should be placed on the purpose of D.A.R.E. and why it is being taught by a law enforcement officer instead of a classroom teacher.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

D.A.R.E. Program

- (e) Scheduling:
 - (a) The officer will meet with the affected teachers as soon as possible prior to the class beginning date to work out possible scheduling conflicts. Every effort will be made to compromise whenever possible but the goals and the objectives of the program will not be lost for the sake of fitting a class in.
 - (b) The core curriculum is designed and copyrighted to be taught in 17 lessons of 45 minutes each. The D.A.R.E. Officer can ask for more time but cannot use less. The preferred time to ask for is 1 hour. This will allow more time for some of the long lessons and also allow for question and answers and the "D.A.R.E. Box".
 - (c) The schedule will also include time on the playground with the students and any other quality time that can be spent developing a rapport with them. This time is not optional.
 - (d) Once a schedule has been established and the semester has begun, every attempt will be made not to deviate from the schedule. If unavoidable situations occur such as court, sickness, etc., then the affected classes will be notified as soon as possible by the officer assigned to that school. The officer should ask the teacher to make them aware of any deviations made necessary due to school activities. These are usually not frequent and can be worked around.
 - (e) The school secretary and/or aide are the officer's link to the school. It is also the link that D.A.R.E. Supervisor uses to contact the officer. The secretary will be given a copy of the officer's schedule. The officer will notify the secretary when they arrive on campus and tell him/her if they have to leave during the day any time prior to their normal departure.
 - (f) The final decision on all scheduling conflicts will rest with the D.A.R.E. Supervisor. However, every effort will be made to resolve conflicts without supervisor intervention.
- (f) Classroom:
 - (a) The officers will conduct themselves in a professional manner at all times when they are on campus and/or in the classroom.
 - (b) The lessons will be taught according to established copyrighted curriculum and in numerical order. Any changes to the order of the lessons must be approved by the D.A.R.E. Supervisor. No changes will be made prior to lesson 10.
 - (c) Proper, approved classroom management techniques will be used to maintain discipline in the classroom. The officer will inquire what discipline technique is being used on the classroom by the teacher and use the same when teaching. This will increase teacher "buy in" and also maintain consistency with the students.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

D.A.R.E. Program

- (d) According to Arizona Law, a certified teacher has to be in the classroom at all times. A D.A.R.E. Officer cannot be asked to be responsible while the teacher is out of the classroom.
- (g) Culmination's:
 - (a) The D.A.R.E. Culmination is lesson 17. As such, it is the officers job to oversee (teach) the culmination. The Principal or designee should open the culmination with a welcome to the school and then turn the program over to the D.A.R.E. Officer who will introduce the Sheriff. The written program for the culmination should reflect this. From this point on, the officer is the emcee and conducts the rest of the culmination.
 - (b) The order of the program should be one that creates a pleasant experience for both the participants and the audience. The culmination should always be started with the D.A.R.E. song. The music sets the tone for the program and tells the audience the program is beginning. The length of the culmination should allow for dismissal of school so that it is over in plenty of time for the children to catch their busses. It is also important to remember that the culmination is for the students. It is permissible to have guests only with the approval of the Sheriff. The same is true of length of the speeches. Try to tell your special guests to keep it short. Try to avoid morning culminations if at all possible. They tend to be less attended by parents and the parent participation is important. They also tend to be less pleasant for the students because of having to go back to class.
- (h) Uniform Classroom:
 - (a) The uniform worn into the classroom will be in accordance with departmental policy. The only exception will be that the classes are taught without the gun belt or any other visible hardware. The department approved trouser belt, with buckle, will be worn.
 - (b) Footwear worn into the classroom may be of any type approved by department policy. The athletic type of footwear can only be worn at the school during the teaching day. They will not be worn to faculty In-Service, Parent Night or any other function that does not include interaction with the student's outdoors.
 - (c) The D.A.R.E. Officer is a role model to children, and a very visible representative of the Department. Because of this, the officer is expected to maintain his/her uniform in excellent repair. Worn uniforms will be replaced immediately and shoes will be shined. Consideration will be given to the fact that at the end of an officer's day, the uniform may be dirty from interaction with the students. This does not mean that the officer should not take time during the day for grooming as necessary to maintain a professional image. Consideration will also be given to maintaining weight proportional to height.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

D.A.R.E. Program

- As a D.A.R.E. Officer, you are teaching self-esteem, and attention to physical appearance. You must be an example of what you are teaching.
- (i) Culmination:
 - (a) The uniform for culmination will be the same as for outside classroom talks. Athletic shoes may not be worn. The officer may wear an approved tie and tie bar only with a long sleeve shirt. The tie will not be worn with a short sleeve shirt.
- (j) Plain Clothes:
 - (a) During the winter months, the officer will wear a shirt and tie to work when not going to teach in the classroom.
 - (b) During the summer dress months, the officer will wear either a department approved sport shirt or an approved D.A.R.E. polo shirt.
 - (c) While working other special details, special uniforms may be approved by the Sheriff.
- (k) General:
 - (a) The sidearm will be worn while traveling to and from any D.A.R.E. function if driving a department vehicle. The sidearm will also be worn at any time that the officer is away from the school and on duty. If the officer is in uniform, the gun belt may be worn or the officer may wear just the sidearm and extra ammunition on the trouser belt in an approved black holster and black ammunition carrier. If the officer is in plain clothes, the sidearm will be worn in accordance with department policy.

Office Use of Social Media

349.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Office is consistent with the office mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by office members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this office (see the Investigation and Prosecution Policy).

349.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the office website or social networking services.

349.2 POLICY

The Mohave County Sheriff's Office may use social media as a method of effectively informing the public about office services, issues, investigations and other relevant events.

Office members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

349.3 AUTHORIZED USERS

Only members authorized by the Sheriff or the authorized designee may utilize social media on behalf of the Office. Authorized members shall use only office-approved equipment during the normal course of duties to post and monitor office-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Sheriff may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over office social media by members who are not authorized to post should be made through the member's chain of command.

349.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the office mission and conforms to all office policies regarding the release of information may be posted.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Office Use of Social Media

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the office mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

349.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

349.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Mohave County Sheriff's Office or its members.
- (e) Any information that could compromise the safety and security of office operations, members of the Office, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this office's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

349.5.1 PUBLIC POSTING PROHIBITED

Office social media sites shall be designed and maintained to prevent posting of content by the public.

The Office may provide a method for members of the public to contact office members directly.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Office Use of Social Media

349.6 MONITORING CONTENT

The Sheriff will appoint a supervisor to review, at least annually, the use of office social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

349.7 RETENTION OF RECORDS

The Administration Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

349.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on office sites.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Office to ensure intra-organization cooperation and information sharing.

400.1.1 FUNCTION

Deputies will generally patrol in clearly marked vehicles. They will patrol assigned jurisdictional areas of Mohave County Sheriff's Office, respond to calls for assistance, act as a deterrent to crime, enforce state, local and, federal laws when authorized or empowered by agreement or statute and respond to emergencies 24 hours a day, seven days a week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the patrol and other divisions within the Office, as well as other government agencies.
- (h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.
- (i) Traffic direction and control.
- (j) Disasters, civic unrest and natural emergencies.
- (k) Assist in the service of civil papers.

400.1.2 TERRORISM

It is the goal of the Mohave County Sheriff's Office to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Deputies should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Patrol Function

The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Detective Division supervisor in a timely fashion. The Detective Division supervisor shall review all terrorism-related reports as soon as practicable and contact the Arizona Counter Terrorism Information Center (ACTIC) (877-2-SAVE-AZ) when there is a reasonable suspicion that a terrorism threat exists.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-organization cooperation and information flow between the various divisions of the Mohave County Sheriff's Office.

400.2.1 CRIME REPORTS

A crime report may be completed by any patrol deputy who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.2 PATROL BRIEFINGS

Patrol supervisors, investigative sergeants and special unit sergeants are encouraged to share information as much as reasonably possible. All supervisors and/or deputies will be provided an opportunity to share information through daily patrol briefings, as time permits.

400.3 CROWDS, EVENTS AND GATHERINGS

Deputies may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Deputies should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Deputies responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Deputies are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Deputies should consider enforcement of applicable state and local laws when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Deputies may consider the current No Trespass Public Notice List established by the Secretary of State when responding to complaints by an employer of unlawful picketing, assembly or mass picketing on an employer's property (ARS § 23-1321; ARS § 23-1326). If the property is identified on the list, deputies may not require any additional documentation from the employer to establish the employer's property rights.

High Risk

401.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a defined procedure for officer response to "high risk" calls for service and to provide guidelines for personnel to follow when responding to "high risk" calls for service. This policy is effective upon all certified personnel.

401.2 DEFINITIONS

"High Risk" call for service: A call, where, in the judgment of a deputy, someone's life or personal safety is at risk.

Primary Officer: Officer assigned to the call.

Back Up Officer: An on duty officer not assigned to a call for service who can give assistance to the primary officer if needed.

401.3 RESPONSIBILITY

It is a well-recognized fact that the job of a deputy sheriff is unique as compared to other police officers duties. A deputy sheriff is often in situations without the benefit of a back-up officer. In such situations the deputy must depend on his/her training and ability. The deputy must be resourceful and take decisive action to quell any possible dangerous situation.

It is the prime responsibility of a deputy sheriff to protect the lives of the people whom they serve. This often means at a significant risk to their own safety. It is, however, imperative that a deputy sheriff takes whatever reasonable action necessary to prevent the injury or death of a citizen or another officer.

There may be instances (such as a hostage situation) where it may be far more prudent to call in the T.O.U. team and wait for their arrival before taking action. We must always keep in mind though that our first duty is the protection of our citizens.

401.4 POLICY

When receiving a "high risk" call for service:

- (a) If a two-man unit is available they will be dispatched as the primary unit.
 1. The primary unit will respond to the scene and take whatever action deemed appropriate to control the situation and prevent injury or loss of life.
- (b) If a single officer unit is assigned to the call as the primary unit:
 1. He/she will respond immediately to the scene. If there is a back up unit in the immediate vicinity, the primary deputy may delay his/her entry onto/into the premises until the back up officer arrives.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

High Risk

- (c) If there is no back up officer in the immediate vicinity then the primary deputy will assess the situation and take whatever action deemed appropriate to protect loss of life and injury to civilians.

Bias-Based Policing

402.1 PURPOSE AND SCOPE

This policy provides guidance to office members that affirms the Mohave County Sheriff's Office's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the office's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

402.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

402.2 POLICY

The Mohave County Sheriff's Office is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this office to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit a deputy from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

402.4 MEMBER RESPONSIBILITIES

Every member of this office shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

402.4.1 REASON FOR CONTACT

Deputies contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

Bias-Based Policing

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved deputy should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any deputy to document a contact that would not otherwise require reporting.

402.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved deputy and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Computer (MDC) data and any other available resource used to document contact between deputies and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this office who discloses information concerning bias-based policing.

402.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Division Commanders.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Mohave County Sheriff's Office to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first deputy at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Deputies shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a deputy has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the deputy shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Crime and Disaster Scene Integrity

403.5 SEARCHES

Deputies arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once deputies are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Deputies should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, deputies should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any certified member of this office is authorized to execute and enforce all court orders issued for the purpose of preventing the spread of any contagious, infectious or communicable disease. Generally, these orders will be served by the Civil Division.

403.7 SCENE CLEANUP

Scene cleanup on public property will be requested through the fire department. Private property owners should be advised to contact their insurance carrier or the state's Crime Victim Compensation Program for submitting a claim for reimbursement for a crime scene cleanup (AAC § R10-4-107).

Special Weapons and Tactics Team

404.1 PURPOSE AND SCOPE

The Special Weapons and Tactics Team is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics (SWAT). The team has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appears to be necessary.

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the Special Weapons and Tactics Team are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a law enforcement response vary greatly from incident to incident, and such events often demand on-scene evaluation, the Operational Policy outlined in this section serves as a guideline to Office personnel, allowing for appropriate on-scene decision-making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

404.1.2 SWAT TEAM DEFINED

SWAT team - A designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigative units. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of office policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 LEVELS OF CAPABILITY/TRAINING

404.2.1 LEVEL I

Level I SWAT team - Is a basic team capable of providing containment and intervention with critical incidents that exceed the training and resources available to line-level deputies. This does not include ad hoc teams of deputies that are formed around a specific mission, detail or incident (e.g. active shooter response). Generally 5 percent of the basic team's on-duty time should be devoted to training.

404.2.2 LEVEL II

Level II SWAT team - Is an intermediate level team capable of providing containment and intervention. These teams possess tactical capabilities above the Level I teams. These teams may or may not work together on a daily basis, but are intended to respond to incidents as a team. At least 5 percent of their on-duty time should be devoted to training, with supplemental training for tactical capabilities above the Level I team.

Special Weapons and Tactics Team

404.2.3 LEVEL III

Level III SWAT team - Is an advanced level team whose personnel function as a full-time unit. Generally 25 percent of their on-duty time is devoted to training. Level III teams operate in accordance with contemporary best practices. Such units possess both skills and equipment to utilize tactics beyond the capabilities of Level I and Level II teams.

404.3 POLICY

It is the policy of this office to maintain a SWAT team and to provide the equipment, manpower and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

- (a) Command and control
- (b) Containment
- (c) Entry/apprehension/rescue

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

404.3.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations that are appropriate to this office. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT commander or a designee.

404.3.2 ORGANIZATIONAL PROCEDURES

This office shall develop a separate written set of organizational procedures that should address, at minimum:

- (a) Locally identified specific missions the team is capable of performing.
- (b) Team organization and function.
- (c) Personnel selection and retention criteria.
- (d) Training and required competencies.
- (e) Procedures for activation and deployment.
- (f) Command and control issues, including a clearly defined command structure.
- (g) Multi-agency response.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

- (h) Extrajurisdictional response.
- (i) Specialized functions and supporting resources.

404.3.3 OPERATIONAL PROCEDURES

This office shall develop a separate written set of operational procedures, in accordance with its level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association's Suggested SWAT Best Practices. Because such procedures are specific to SWAT members and will outline tactical and officer safety issues, they are classified as confidential security data and are not included within this policy. The operational procedures should include, at minimum:

- (a) Designating personnel responsible for developing an operational or tactical plan prior to, and/or during SWAT operations (time permitting).
 - 1. All SWAT team members should have an understanding of operational planning.
 - 2. SWAT team training should consider planning for both spontaneous and planned events.
 - 3. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
- (b) Plans for mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
 - 1. When reasonably possible, briefings should include the specialized units and supporting resources.
- (c) Protocols for a sustained operation should be developed. These may include relief, rotation of personnel and augmentation of resources.
- (d) A generic checklist to be worked through prior to initiating a tactical action should be developed to provide a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.
- (e) The appropriate role for a trained negotiator should be defined.
- (f) A standard method of determining whether a warrant should be regarded as high risk.
- (g) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
- (h) Post-incident scene management, including:
 - 1. Documentation of the incident.
 - 2. Transition to investigations and/or other units.
 - 3. Debriefing after every deployment of the SWAT team.
 - (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments.

Special Weapons and Tactics Team

It also helps to identify training needs and reinforces sound risk management practices.

- (b) Debriefing should not be conducted until involved deputies have had the opportunity to individually complete the necessary reports or provide formal statements.
- (c) To maintain candor and a meaningful exchange, debriefing will generally not be recorded.
- (d) When appropriate, debriefing should include specialized units and resources.
 - (i) Sound risk management analysis.
 - (j) Standardization of equipment.

404.4 TRAINING NEEDS ASSESSMENT

The SWAT commander shall conduct an annual SWAT training needs assessment to ensure that training is conducted within team capabilities and office policy.

404.4.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of an approved basic SWAT course or its equivalent.

- (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content or topics meet or exceed requirements determined by the Office.

404.4.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete update or refresher training every 24 months.

404.4.3 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level. This is to ensure that personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the teams.

Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course or its equivalent. SWAT command personnel should attend an office-approved SWAT commander or tactical commander course or its equivalent.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

404.4.4 SWAT ONGOING TRAINING

Training shall be coordinated by the SWAT commander. The SWAT commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise in addition to specialized training. Training shall consist of the following:

- (a) Each SWAT member shall perform a physical fitness test each year. A minimum qualifying score must be attained by each team member.
- (b) Any SWAT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt will result in dismissal from the team.
- (c) Those members who are on vacation, ill or are on limited duty status with a medical provider's note of approval on the test date shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.
- (d) Annually each SWAT team member shall perform the mandatory SWAT firearms qualification course. The qualification course shall consist of the SWAT basic firearms drill. Failure to qualify will require the deputy to seek remedial training from a firearms instructor approved by the SWAT commander. Team members who fail to qualify will not be used in SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training will result in dismissal from the team.
- (e) Annually each SWAT team member shall perform a mandatory SWAT qualification course for any specialty weapon issued to or used by the deputy during SWAT operations. Failure to qualify will require the deputy to seek remedial training from a Rangemaster approved by the SWAT commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

404.4.5 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

404.4.6 SCENARIO-BASED TRAINING

SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

404.4.7 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Training Section. Such documentation shall be maintained in each member's individual training file. A separate agency SWAT training file shall be maintained with documentation and records of all team training.

404.5 UNIFORMS, EQUIPMENT AND FIREARMS

404.5.1 UNIFORMS

SWAT teams from this office should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

All department or personally supplied uniform attire will conform to the Uniform and Equipment Specifications Manual. These guidelines are established to maintain a uniform appearance and maintain visual continuity.

404.5.2 EQUIPMENT

SWAT teams from this office should be adequately equipped to meet the specific mission identified by the Office.

(a) The following equipment may be supplied by the department:

1. Level III ballistic entry vest with pouches
2. Plate carrier with level III ballistic plates or higher
3. Ballistic helmet
4. Duty belt and magazine pouches
5. Air purified respirator
6. One set of OD/Ranger green BDU style pants and shirt
7. Balaclava
8. Nomex or Kevlar gloves
9. Additional tactical equipment as designated by the Unit Commander

404.5.3 FIREARMS

Weapons and equipment used by the SWAT team, the specialized units and the supporting resources should be Office-issued or approved, including any modifications, additions or attachments.

404.5.4 OPERATIONAL READINESS INSPECTION

The commander of the SWAT Team shall appoint a SWAT supervisor to perform an operational readiness inspection of all unit equipment at least quarterly. The result of the inspection will be

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

forwarded to the SWAT commander. The inspections will include personal equipment issued to members of the unit as well as special use equipment maintained for periodic or occasional use in the SWAT vehicle and SWAT Storage Room.

404.6 MANAGEMENT/SUPERVISION OF THE SPECIAL WEAPONS AND TACTICS TEAM

The commander of the SWAT team shall be selected by the Sheriff upon recommendation of the staff.

404.6.1 PRIMARY UNIT MANAGER

Under the direction of the Sheriff the Special Weapons and Tactics Team shall be managed by a Lieutenant.

404.6.2 TEAM SUPERVISORS

The CNT and each SWAT team will be supervised by a sergeant or team leader.

The team supervisors shall be selected by the Sheriff upon specific recommendation by the staff and the SWAT Commander.

The following represent the supervisor responsibilities for the Special Weapons and Tactics Team.

- (a) The CNT supervisor's primary responsibility is to supervise the operations of the team, to include deployment, training, first-line participation and other duties as directed by the SWAT Commander.
- (b) The SWAT team supervisor's primary responsibility is to supervise the operations of the team, which will include deployment, training, first-line participation and other duties as directed by the SWAT Commander.

404.7 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES

The CNT has been established to provide skilled verbal communicators, who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the CNT.

404.7.1 SELECTION OF PERSONNEL

Interested certified members who have three years law enforcement experience shall submit a request to their appropriate Division Commander. A copy will be forwarded to the SWAT commander and the CNT sergeant or team leader. Qualified applicants will then be invited to an oral interview. The oral board will consist of the SWAT commander, the CNT sergeant or team leader and a third person to be selected by the two. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Demonstrated good judgment and an understanding of the critical role of a negotiator and the negotiation process.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

- (c) Effective communication skills to ensure success as a negotiator.
- (d) Special skills, training or appropriate education as it pertains to the assignment.
- (e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions and training obligations.

The oral board shall submit a list of successful applicants to the staff for final selection.

404.7.2 TRAINING OF NEGOTIATORS

Those deputies selected as members of the CNT should attend a office-approved basic negotiator's course prior to deployment in an actual crisis situation. Untrained deputies may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training that is necessary to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels established by the team supervisor will be met and maintained by all team members. Any member of the CNT who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

404.8 SWAT TEAM ADMINISTRATIVE PROCEDURES

The SWAT team was established to provide a skilled and trained team that may be deployed during events requiring specialized tactics, in situations where suspects have taken hostages and/or barricaded themselves, as well as prolonged or predictable situations in which persons who are armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the SWAT team.

404.8.1 SELECTION OF PERSONNEL

Interested certified members who have three years of law enforcement experience or prior relevant military experience shall submit a request to their appropriate Division Commander, a copy of which will be forwarded to the SWAT commander and other SWAT supervisors. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the SWAT commander. The testing process will consist of an oral board, physical agility test, SWAT firearms qualification course and team evaluation.

- (a) Oral board: The oral board will consist of personnel selected by the SWAT commander. Applicants will be evaluated by the following criteria:
 1. Recognized competence and ability as evidenced by performance.
 2. Demonstrated good judgment and an understanding of the critical role of a SWAT team member.
 3. Special skills, training or appropriate education as it pertains to the assignment.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

4. Commitment to the team, realizing that the additional assignment may necessitate unusual working hours, conditions and training obligations.
- (b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as they relate to performance of SWAT-related duties. The test and scoring procedure will be established by the SWAT commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (c) Firearms Proficiency: The SWAT basic firearms drill is designed to test the applicants proficiency skills with the department issued handgun and rifle. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (d) Team evaluation: Current team members will evaluate each candidate on field tactical skills, teamwork, ability to work under stress, communication skills, judgment and any special skills that could benefit the team.
- (e) A list of successful applicants shall be submitted to staff by the SWAT commander for final selection.

404.8.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the SWAT commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT team members. Any member of the SWAT team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

404.9 OPERATIONAL GUIDELINES FOR SPECIAL WEAPONS AND TACTICS TEAM

The following procedures serve as guidelines for the operational deployment of the Special Weapons and Tactics team. Generally, the SWAT team and the CNT will be activated together. It is recognized, however, that a SWAT team may be used in a situation not requiring the physical presence of the CNT, such as warrant service operations. This shall be at the discretion of the SWAT commander.

404.9.1 ON-SCENE DETERMINATION

The supervisor in charge at the scene of a particular event will assess whether the Special Weapons and Tactics Team should respond. Upon final determination by the District Commander, the SWAT commander will be notified.

404.9.2 APPROPRIATE SITUATIONS FOR USE OF SPECIAL WEAPONS AND TACTICS TEAM

The following are examples of incidents that may result in the activation of the Special Weapons and Tactics Team:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages have been taken.
- (c) Known risk warrant service

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

- (d) Arrests of dangerous persons.
- (e) Any situation where a SWAT team response could enhance the ability to preserve life, maintain social order and ensure the protection of property.

404.9.3 OUTSIDE AGENCY REQUESTS

Requests by field personnel for assistance from outside agency crisis units must be approved by the Shift Sergeant. Deployment of the Mohave County Sheriff's Office Special Weapons and Tactics Team in response to requests by other agencies must be authorized by the Chief Deputy or Sheriff.

404.9.4 MULTIJURISDICTIONAL SWAT OPERATIONS

The SWAT team, including specialized units and supporting resources, should develop protocols, agreements, memorandums of understanding, collective bargaining agreements or working relationships to support multijurisdictional or regional responses.

- (a) If it is anticipated that multijurisdictional SWAT operations will regularly be conducted, SWAT multi-agency and multidisciplinary joint training exercises are encouraged.
- (b) Members of the Mohave County Sheriff's Office SWAT team shall operate under the policies, procedures and command of the Mohave County Sheriff's Office when working in a multi-agency situation.

404.9.5 MOBILIZATION OF SPECIAL WEAPONS AND TACTICS TEAM

The on-scene supervisor shall make a request for the SWAT team to respond to the District or Division Commander. If the activation of the SWAT team is approved by the District or Division Commander, Sheriff, Chief Deputy or Undersheriff, the SWAT commander will be notified. If unavailable, a team supervisor shall be notified. A current mobilization list shall be maintained by dispatch. The SWAT commander will then notify the Chief Deputy or Sheriff.

The on-scene supervisor should advise the SWAT commander with as much of the following information as is available at the time:

- (a) The number of suspects, known weapons and resources
- (b) If the suspect is in control of hostages
- (c) If the suspect is barricaded
- (d) The type of crime involved
- (e) If the suspect has threatened or attempted suicide
- (f) The location and safe approach to the command post
- (g) The extent of any perimeter and the number of deputies involved
- (h) Any other important facts critical to the immediate situation, and whether the suspect has refused an order to surrender.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Weapons and Tactics Team

The SWAT commander shall then call selected deputies to respond.

404.9.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Special Weapons and Tactics team, field personnel should, if safe, practicable and if sufficient resources exist:

- (a) Establish an inner and outer perimeter.
- (b) Establish a command post outside of the inner perimeter.
- (c) Establish a patrol emergency/arrest response team prior to SWAT arrival. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a deadly threat or behavior.
- (d) Evacuate any injured persons or citizens in the zone of danger.
- (e) Attempt to establish preliminary communications with the suspect. Once SWAT has arrived, all negotiations should generally be halted to allow the negotiators and SWAT team time to set up.
- (f) Be prepared to brief the SWAT commander on the situation.
- (g) Plan for and stage anticipated resources.

404.9.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Special Weapons and Tactics Team, the Incident Commander shall brief the SWAT commander and team supervisors. Upon review, it will be the Incident Commander's decision, with input from the SWAT commander, whether to deploy the Special Weapons and Tactics Team. Once the Incident Commander authorizes deployment, the SWAT commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and support for the Special Weapons and Tactics Team. The Incident Commander and the SWAT commander or a designee shall maintain communications at all times.

404.9.8 COMMUNICATION WITH SPECIAL WEAPONS AND TACTICS TEAM PERSONNEL

All of those persons who are non-SWAT team personnel should refrain from any non-emergency contact or from interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel. No one should interrupt or communicate with SWAT personnel directly. All non-emergency communications shall be channeled through the CNT supervisor or a designee.

Ride-Along Policy

405.1 PURPOSE AND SCOPE

The ride-along program provides an opportunity for persons to experience the law enforcement function firsthand. This policy provides the requirements, approval process and hours of operation for the ride-along program.

405.1.1 ELIGIBILITY

The Mohave County Sheriff's Office ride-along program is offered to residents, students and those employed within the County. Every reasonable attempt will be made to accommodate interested persons. Any applicant may be disqualified with or without cause from participating in the program.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Office.
- Denial by any supervisor.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be approved by the Patrol Lieutenant. The participant will complete and sign a ride-along waiver form. Information requested will include a valid driver's license, address and telephone number.

MCSO employees from other divisions, Posse Volunteers, Boating Safety Volunteers, and Search and Rescue Volunteers will not be required to complete a waiver form.

The Patrol Lieutenant will schedule a date, based on availability. If approved, a copy of the ride-along waiver form will be forwarded to the respective Shift Sergeant as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Office will contact the applicant and advise him/her of the denial.

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: cadets, explorers, reserves and sheriff's applicants with approval of the Shift Sergeant.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the deputy's vehicle at a given time. When practicable, ride-alongs who request multiple opportunities to participate in the ride-along program should be rotated among deputies.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Ride-Along Policy

Ride-along requirements for sheriff's cadets are covered in the Sheriff's Cadets Policy.

405.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the sheriff's vehicle. The District Commander or field supervisor may refuse a ride-along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty ride-alongs by deputies of this office are restricted as follows:

- (a) Off-duty deputies of this office shall not be permitted to ride-along with other on-duty deputies of this office.
- (b) Off-duty deputies of this office may ride-along with on-duty peace officers of another agency with a supervisor's approval.

Off-duty peace officers of other law enforcement agencies will not be permitted to ride-along with on-duty deputies without the express consent of the Shift Sergeant.

In the event that such a ride-along is permitted, the off-duty peace officer shall not be considered on-duty and shall not participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 NON-SWORN EMPLOYEE RIDE-ALONGS

Off-duty civilian employees of this office may ride-along with on-duty deputies. Off-duty civilian members of other law enforcement agencies will not be permitted to ride-along with on-duty deputies without the express consent of the District Commander.

In the event that such a ride-along is permitted, the off-duty civilian member shall not be considered on-duty and shall not participate in any law enforcement activity except as emergency circumstances may require.

405.2.5 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Criminal History System check prior to approval (provided that the ride-along is not an employee of the Mohave County Sheriff's Office).

405.3 DEPUTY'S RESPONSIBILITIES

The deputy shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Deputies shall consider the safety of the ride-along at all times.

Deputies should use sound discretion when encountering a potentially dangerous situation, such as a high-speed pursuit, and if feasible let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practicable have another sheriff's unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Ride-Along Policy

Conduct by a person participating in a ride-along that results in termination of the ride or is otherwise inappropriate should be immediately reported to the District Commander.

The Patrol Lieutenant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, a copy of the ride-along waiver form shall be returned to the Patrol Lieutenant with any comments that may be offered by the deputy.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include:

- (a) The ride-along will follow the directions of the deputy.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any sheriff's equipment.
- (c) The ride-along may terminate the ride at any time and the deputy may return the observer to his/her home, the place of the ride origin or to the station if the ride-along interferes with the performance of the deputy's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process, provided this does not jeopardize their safety.
- (e) Deputies will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.
- (f) Under no circumstance shall a civilian ride-along be permitted to enter a private residence with a deputy without the express consent of the resident or other authorized person.
- (g) Ride-alongs shall be returned to his/her home, the place of the ride origin or to the station when the ride-along is terminated.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees as a result of their exposure. To comply with Arizona law, the following represents the policy of this office.

406.1.1 HAZARDOUS MATERIAL DEFINED

Hazardous material - Includes, without limitation, hazardous material, a regulated substance, a pollutant, a contaminant or as outlined in ARS § 26-301(8).

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards. Responders should not perform tasks or use equipment absent proper training.

A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify the type of hazardous material. Identification can be determined by placard, driver's manifest or statements from the person transporting the material.
- (b) Notify the appropriate fire department.
- (c) Provide first aid to injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate and surrounding areas dependent on the material. Voluntary evacuation should be considered. Depending on the material, mandatory evacuation may be necessary.
- (e) Responders should remain uphill and upwind of the hazard until a zone of entry and a decontamination area is established.

406.2.1 RESPONSIBILITIES

- (a) Dispatch will, if the occurrence is **within an incorporated city or on a state highway**:
 1. Notify the sergeant on duty in the district of occurrence or the on-call supervisor.
 2. Notify the S.A.R. Coordinator.
 3. Notify the Mohave County Emergency Management Department.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hazardous Material Response

- (b) The supervisor will **within an incorporated city or on a state highway**:
 - 1. Maintain situational awareness and provide law enforcement mutual aid to the political subdivision as requested to the extent of available resources.
 - 2. In cases where the incident may be reasonably expected to affect non-incorporated communities, the supervisor will respond to the command post and remain there as long as necessary to coordinate the necessary response.
 - 3. Insure that notifications have been made to the chain of command and represent the interest of the Sheriff's Office until the situation is resolved or until relieved.
- (c) Dispatch will, if the occurrence is in an area where the **Sheriff's Office has primary jurisdiction**:
 - 1. Notify the sergeant on duty in the district of occurrence or the on-call supervisor.
 - 2. Notify the S.A.R. Coordinator.
 - 3. Notify the Mohave County Emergency Management Department.
 - 4. Notify the appropriate fire department and any other agency as requested by the supervisor; i.e. HAZMAT team, ambulance, road department, etc.
- (d) The supervisor will, if the occurrence is in an area where the will **Sheriff's Office has primary jurisdiction**:
 - 1. Respond to the command post, assume duties as on scene law enforcement commander and coordinate on scene law enforcement operations.
 - 2. Coordinate on scene operations with other agencies present.
- (e) As needed and in coordination with the S.A.R. coordinator and Emergency Management:
 - 1. Alert and warn the affected population.
 - 2. Inform the public of actions necessary to minimize the impact.
 - 3. In the event an evacuation is required, the affected population will be informed of evacuation routes and shelters.
 - 4. Establish and cordon around the affected area.
 - 5. Establish an entry control point to limit access to qualified persons.

406.3 REPORTING EXPOSURE

Office personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum, which shall be forwarded via chain of command to the Division Commander. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hazardous Material Response

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report.

406.3.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to treat the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Office will be obtained through the appropriate fire department.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where deputies have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the deputies by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that deputies encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Mohave County Sheriff's Office to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.3 COMMUNICATION

When circumstances permit, initial responding deputies should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Deputies should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, office-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS

Should the Incident Commander determine that an emergency situation exists that involves immediate danger of death or serious physical injury to any person and that such may be averted by interception of wire, electronic or oral communications, the Incident Commander should contact the County Attorney and request authorization for an emergency interception (ARS § 13-3012; ARS § 13-3015).

Hostage and Barricade Incidents

407.4 FIRST RESPONDER CONSIDERATIONS

First responding deputies should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding deputy should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding deputy shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The deputy shall continually evaluate the situation, including the level of risk to deputies, to the persons involved and to bystanders, and the resources currently available.

The handling deputy should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, deputies handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Office, such as command officers and the Public Information Officer.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hostage and Barricade Incidents

- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

407.4.2 HOSTAGE SITUATION

Deputies presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that deputies react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Office, such as command officers and the PIO.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hostage and Barricade Incidents

- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a SWAT response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the County during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the office PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

407.6 SWAT RESPONSIBILITIES

It will be the Incident Commander's decision, with input from the SWAT Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SWAT. The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Hostage and Barricade Incidents

407.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling deputy at the scene is responsible for completion and/or coordination of incident reports.

Response to Bomb Calls

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Mohave County Sheriff's Office in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY

It is the policy of the Mohave County Sheriff's Office to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 RECEIPT OF BOMB THREAT

Office members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established office evidence procedures.

The member receiving the bomb threat should ensure that the District Commander is immediately advised and informed of the details. This will enable the District Commander to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

408.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 MOHAVE COUNTY SHERIFF'S OFFICE FACILITY

If the bomb threat is against the Mohave County Sheriff's Office facility, the District Commander will direct and assign deputies as required for coordinating a general building search or evacuation of the sheriff's office, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Mohave County Sheriff's Office that is not the property of this office, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the District Commander deems appropriate.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Response to Bomb Calls

408.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

408.5 PRIVATE FACILITY OR PROPERTY

When a member of this office receives notification of a bomb threat at a location in the County of Mohave County Sheriff's Office, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied, and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting sheriff's assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
 1. No evacuation of personnel and no search for a device.
 2. Search for a device without evacuation of personnel.
 3. Evacuation of personnel without a search for a device.
 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the District Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The District Commander should be notified when sheriff's assistance is requested. The District Commander will make the decision whether the Office will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including sheriff's control over the facility.

Should the District Commander determine that the Office will assist or control such an incident, he/she will determine:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Response to Bomb Calls

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request sheriff's assistance to clear the interior of a building, based upon the circumstances and known threat, deputies may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

408.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the District Commander including:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Response to Bomb Calls

1. The time of discovery.
2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding deputies. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Deputies responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

408.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional office personnel, such as investigators and forensic services
- Field supervisor
- District Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Response to Bomb Calls

- Other government agencies, as appropriate

408.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

408.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The District Commander should assign deputies to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

Civil Commitments

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when deputies may place an individual under protective custody for civil commitment (ARS § 36-525).

409.2 POLICY

It is the policy of the Mohave County Sheriff's Office to protect the public and individuals through legal and appropriate use of the civil commitment process.

409.3 AUTHORITY

A deputy may take a person into custody based upon probable cause to believe that the person is a danger to him/herself or others, and that during the time necessary to complete the prepetition screening procedures, the person is likely, without immediate hospitalization, to suffer serious physical harm, serious illness or to inflict serious physical harm on another person (ARS § 36-525).

The deputy shall transport the person to a screening or evaluation agency (ARS § 36-525).

A deputy shall also take a person into custody and transport the person to the evaluation agency upon the request of the admitting officer of the evaluation agency who advise that sufficient grounds exist for protective custody (ARS § 36-524; ARS § 36-525).

If the person is taken into custody at or near his/her residence, the deputy shall take reasonable precautions to safeguard the premises, unless the premises are in the possession of a responsible relative or guardian (ARS § 36-525).

409.3.1 MENTAL HEALTH PETITIONS

A deputy is also authorized to take persons into protective custody and transported as directed under the following conditions

- (a) (a) Upon receipt of a signed court order (ARS § 36-540).
- (b) Upon the written request of the medical director when patient's outpatient treatment has been rescinded (ARS § 36-540; ARS § 36-540.01).
- (c) Upon the oral or written request of the medical director of a mental health treatment facility, when a patient is absent without proper authorization from the facility (ARS § 36-544).
- (b) Generally mental health pick up orders will be served by the Civil Division upon completion of the Emergency Title 36 Acknowledgement. It is preferable to have a supervisor involved with mental health apprehensions whenever possible.

409.3.2 VOLUNTARY EVALUATION

If a deputy encounters an individual who may qualify for a civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the deputies should:

Civil Commitments

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, deputies should proceed with the civil commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any deputy handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade deputies from taking reasonable action to ensure the safety of the deputies and others.

Civil commitments should be preferred over arrest for people with mental health issues, who are suspected of committing minor crimes or creating other public safety issues.

409.5 TRANSPORTATION

When transporting any individual for a civil commitment, the transporting deputy should have Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Deputies may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of a deputy during the transport, District Commander approval is required before transport commences.

409.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the deputy will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the deputy should provide the staff member with the written application for a civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting deputy should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the deputy may assist with transferring the individual to facility

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Civil Commitments

restraints and will be available to assist during the admission process, if requested. Under normal circumstances, deputies will not apply facility-ordered restraints.

409.7 DOCUMENTATION

The deputy should complete a written application for emergency admission, provide it to the facility staff member assigned to the individual and retain a copy of the application for inclusion in the case report.

The deputy should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

409.8 CRIMINAL OFFENSES

Deputies investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a civil commitment should resolve the criminal matter by issuing a notice to appear, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the deputy should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support a civil commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this office to regain custody of the individual, office resources (e.g., posting a guard) and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a civil commitment, the handling deputies should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Deputies should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Deputies are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling deputies should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Civil Commitments

409.10 TRAINING

This office will endeavor to provide office-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

Citation Releases

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Mohave County Sheriff's Office with guidance on when to release adults who are suspected offenders on a written notice to appear and complaint for a criminal offense, rather than having the person held in custody for a court appearance or released on bail (ARS § 13-3903).

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

410.2 POLICY

The Mohave County Sheriff's Office will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a written notice to appear and complaint, when authorized to do so.

410.3 RELEASE

A suspected offender may be released on issuance of a notice to appear and complaint if the person is arrested for a misdemeanor offense or a petty offense (ARS § 13-3903). Any release pursuant to ARS § 13-3903 does not affect a deputy's authority to conduct a lawful search incident to arrest even though the arrested person is released before being taken to a station, booking facility or magistrate (ARS § 13-3903).

410.3.1 RELEASE FOLLOWING FINGERPRINTING

For offenses listed in ARS § 41-1750(C), the offender shall not be released until proof of proper identification and a fingerprint or two fingerprint biometric-based identifier is obtained. If a 10-print fingerprint card is not completed, the person shall be provided with a mandatory fingerprint compliance form with appropriate information and instructions for reporting for 10-print fingerprinting, including available times and locations (ARS § 13-3890; ARS § 13-3903; ARS § 41-1750).

410.4 PROHIBITIONS

The release of a suspected offender on a notice to appear and complaint is not permitted when the person is arrested for disobeying or resisting an injunction prohibiting harassment (ARS § 12-1809) or workplace harassment (ARS § 12-1810), or disobeying or resisting a preliminary injunction or temporary order relative to dissolution of marriage, legal separation or annulment (ARS § 25-315).

See the Domestic Violence Policy for release restrictions related to those investigations.

Diplomatic and Consular Contacts

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Mohave County Sheriff's Office extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Mohave County Sheriff's Office respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.
- (f) Record all relevant information from any driver license or identification card, including a driver license or identification card issued by DOS (ARS § 28-1652(2)).

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Diplomatic and Consular Contacts

411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

- (a) Within five working days after the date of any traffic stop of persons with diplomatic or consular privileges, forward all of the following to the Arizona Department of Public Safety (DPS) (ARS § 28-1652(3)):
 - 1. If the driver is involved in a vehicle accident, forward the vehicle accident report.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Diplomatic and Consular Contacts

2. If a citation was issued to the driver, forward a copy of the citation.
3. If a citation was not issued to the driver, forward a written report of the incident.

411.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as Sponsor (full immunity and inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note(a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts. Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts. Yes Otherwise.	No for official acts. Yes otherwise.	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts. Yes Otherwise.	No for official acts. Yes Otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Support Staff of Missions to Int'l Org	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise.	No immunity or inviolability

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Diplomatic and Consular Contacts

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response and Deployment

412.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist deputies in situations that call for rapid response and deployment.

412.2 POLICY

The Mohave County Sheriff's Office will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Office in protecting themselves or others from death or serious injury.

412.3 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to reduce, prevent or eliminate the threat. Deputies must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, deputies should take immediate action, if reasonably possible, while requesting additional assistance.

Deputies should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action deputies should consider:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Rapid Response and Deployment

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual deputy from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the deputies have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, deputies should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

412.5 PLANNING

The Patrol Division Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Rapid Response and Deployment

412.6 TRAINING

Command Staff should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Mohave County Sheriff's Office relating to immigration and interacting with federal immigration officials.

413.1.1 DEFINITIONS

Definitions related to this policy include:

Detentions - A detention occurs when a deputy intentionally, through words, actions or physical force causes a reasonable individual to believe he/she is being required to restrict his/her movement. Detentions also occur when a deputy actually restrains a person's freedom of movement.

Consensual contacts - A consensual contact occurs when a deputy contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the deputy is voluntary.

413.2 POLICY

It is the policy of the Mohave County Sheriff's Office that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this office in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.2.1 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry or deportation. While it may often be necessary to determine the identity of a victim or witness, employees shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Arizona Constitution.

413.3 DETENTIONS

A deputy should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

A deputy who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the deputy may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Immigration Violations

be released should continue to be detained only because questions about the individual's status are unresolved.

If the deputy has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

A deputy is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

A deputy should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

413.3.1 DETERMINING IMMIGRATION STATUS DURING STOPS AND DETENTIONS

Unless it would hinder an investigation, deputies shall, when practicable, make a reasonable attempt to determine the immigration status of any person lawfully stopped or detained in the enforcement of any state or local law or ordinance where reasonable suspicion exists that the person is unlawfully present in the United States (ARS § 11-1051).

Attempts to determine the immigration status of a detained person should not prolong the detention beyond the time it takes to complete the original investigation or other valid enforcement action.

A person is presumed to be lawfully present in the United States if the person provides any of the following (ARS § 11-1051):

- (a) A valid Arizona driver license or a valid Arizona non-operating identification license
- (b) A valid tribal enrollment card or other form of tribal identification
- (c) Any valid federal, state, or local government-issued identification where proof of legal presence in the United States was required before issuance

If appropriate documentation has been presented to the deputy, no obligation exists to pursue further investigation unless additional reasonable inquiry is warranted.

Circumstances may arise that make reasonable attempts to determine the immigration status of a stopped or detained person impracticable (ARS § 11-1051). Examples of these circumstances include but are not limited to time limitations, availability of personnel or other resources, issues of officer safety, and communication capabilities. Deputies do not need a supervisor's approval to forgo such attempts in these circumstances but are expected to make reasonable decisions in good faith and based upon the totality of the circumstances presented at the time. Deputies who determine that no inquiry regarding a detained person's immigration status is warranted should notify a supervisor and document the reason for no inquiry or for an incomplete inquiry in an associated dispatch log, Field Interview card, or report.

Immigration Violations

413.3.2 SUPERVISOR RESPONSIBILITIES

When notified that a deputy has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

413.4 ARRESTS

Any person who is arrested shall have his/her immigration status checked. Unless the arrestee continues to be suspected of some crime for which he/she may be held, custody should not be prolonged for the immigration inquiry. The result of an immigration inquiry should be documented, even if the arrestee has been released (ARS § 11-1051).

Supervisor notification is required prior to any arrest or vehicle impound related to or based upon a person's immigration status.

413.5 INFORMATION SHARING

No member of this office will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in office records
- (c) Exchanging such information with any other federal, state, or local government entity
- (d) Members will not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law (ARS § 11-1051).

413.5.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

413.6 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Immigration Violations

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Division supervisor assigned to oversee the handling of any related case. The Detective Division supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
 - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

413.7 PROCEDURES FOR IMMIGRATION COMPLAINTS

Reasonable options when a person reports immigration violations include referrals to federal immigration officials and/or the Arizona Attorney General's office if the report relates to employment violations.

413.8 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this office should be directed to a supervisor. The Office may provide available support services, such as traffic control or peacekeeping efforts.

413.9 TRAINING

The Training Coordinator should ensure deputies receive training on this policy.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.
- (c) Immigration training offered by Arizona POST.

413.10 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Immigration Violations

shall treat all individuals equally and not in any way that would violate the United States or Arizona constitutions.

Emergency Utility Service

414.1 PURPOSE AND SCOPE

The County Public Works Department has personnel available to handle emergency calls 24 hours per day, seven days a week. Calls for service during non-business hours are frequently directed to the Sheriff's Office. Requests for such service received by this office should be handled in the following manner.

414.1.1 ELECTRICAL LINES

When a power line poses a hazard, a deputy should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company should be promptly notified, as appropriate.

414.1.2 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies will be maintained by Dispatch.

414.2 TRAFFIC SIGNAL MAINTENANCE

The County of Mohave County Sheriff's Office contracts with a private company to furnish maintenance for all traffic signals within the County, other than those maintained by the Arizona Department of Transportation (ADOT).

414.2.1 DEPUTY'S RESPONSIBILITIES

Upon observing a damaged or malfunctioning signal, the deputy will advise Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

Aircraft Accidents

415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide office members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Operations Plan and Hazardous Material Response policies.

415.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

415.2 POLICY

It is the policy of the Mohave County Sheriff's Office to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

415.3 ARRIVAL AT SCENE

Deputies or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

415.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Aircraft Accidents

415.5 NOTIFICATIONS

When an aircraft accident is reported to this office, the responding supervisor shall ensure notification is or has been made to:

- (a) Search and Rescue Coordinator
- (b) NTSB,
- (c) the Federal Aviation Administration (FAA),
- (d) when applicable, the appropriate branch of the military (AFRCC).

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

415.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this office will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene office supervisor should ensure the accident is still appropriately investigated and documented.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Aircraft Accidents

415.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.
- (d) Evacuation chutes, ballistic parachute systems and composite materials.

415.8 DOCUMENTATION

All aircraft accidents occurring within the County of Mohave County Sheriff's Office shall be documented. At a minimum, the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of MCSO members deployed to assist; other County resources that were utilized; and cross-reference information to other investigating agencies. Suspected criminal activity should be documented in the appropriate crime report.

415.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

415.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Aircraft Accidents

- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

415.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Field Training Officer Program

416.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the deputy's transition from the academic setting to the actual performance of general law enforcement duties of the Mohave County Sheriff's Office.

It is the policy of this office to assign all new sheriff's deputies to a structured Field Training Officer Program that is designed to prepare the new deputy to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

416.2 FIELD TRAINING OFFICER

The Field Training Officer (FTO) is an experienced deputy trained in the art of supervising, training and evaluating entry level and lateral sheriff's deputies in the application of their previously acquired knowledge and skills.

416.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of three years of patrol experience, two of which shall be with this office.
- (c) Demonstrated ability as a positive role model.
- (d) Evaluation by supervisors and current FTOs.
- (e) Has completed the 585-hour full-authority peace officer basic training course.

416.2.2 TRAINING

A deputy selected as a Field Training Officer shall successfully complete a Field Training Officer's course approved by the Office prior to being assigned as an FTO.

All FTOs must stay current on field training techniques.

416.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program Supervisor will be selected from the rank of sergeant or above by the Patrol Division Commander or a designee and should have completed supervisory probation.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conduct FTO meetings to ensure understanding and compliance with the requirements of the Field Training Program. At least annually, the FTO Program Supervisor will hold a process review meeting with all FTOs to discuss changes

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Field Training Officer Program

needed in the FTO Program. A summary of this meeting, with any recommendations or changes made, will be documented and forward to the Sheriff for review and approval.

- (c) Maintain and ensure FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor overall FTO Program.
- (g) Maintain liaison with FTO coordinators of other agencies.
- (h) Maintain liaison with academy staff on recruit performance during the academy.
- (i) Develop ongoing training for FTOs.

416.4 TRAINEE DEFINED

Trainee - Any entry level or lateral sheriff's deputy newly appointed to the Mohave County Sheriff's Office who has successfully completed the 585-hour full-authority peace officer basic training course within one year after commencing employment as a peace officer.

416.5 REQUIRED TRAINING

Entry level deputies shall be required to successfully complete the Field Training Program.

The training period for lateral deputies may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

416.5.1 FIELD TRAINING MANUAL

Each new deputy will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as a deputy with the Mohave County Sheriff's Office. The deputy shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations of the Mohave County Sheriff's Office.

416.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

416.6.1 FIELD TRAINING OFFICER

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to their immediate supervisor or FTO supervisor on a daily basis.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Field Training Officer Program

- (b) FTOs shall review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) A detailed end-of-week performance evaluation on the assigned trainee shall be completed by the FTO at the end of each week of training.
- (d) FTOs shall be responsible for signing off on all completed topics contained in the Field Training Manual, noting the method of learning and evaluating the performance of the assigned trainee.

416.6.2 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a performance evaluation of each of his/her FTOs and of the Field Training Program.

416.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the deputy's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of week evaluations.
- (c) Any memo's or other correspondence.
- (d) A Certificate of Completion, certifying that the trainee has successfully completed the required number of hours of field training.

Obtaining Air Support Assistance

417.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

417.2 REQUEST FOR AIR SUPPORT ASSISTANCE

If a supervisor or deputy in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, the District Commander or a designee will call the closest agency having air support available. The District Commander will apprise that agency of the specific details of the incident prompting the request.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement air support may be requested under any of the following conditions:

- (a) When the aircraft is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard.
- (c) When the use of aircraft will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When an aircraft is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.
- (f) Pre-planned events or actions that require air support.
- (g) When the District Commander or equivalent authority determines a reasonable need exists.

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for deputies on the ground.

Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When a deputy contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the a deputy is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving a deputy's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile/Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by deputies in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the deputy, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, a deputy has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When a deputy intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when a deputy actually restrains a person's freedom of movement.

418.2 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, a deputy may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the deputy's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Mohave County Sheriff's Office to strengthen community involvement, community awareness, and problem identification.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Contacts and Temporary Detentions

418.2.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the deputy should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the deputy.

418.3 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the deputy's training and experience, the deputy may pat a suspect's outer clothing for weapons if the deputy has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the deputy to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single deputy.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone deputy. A cover deputy should be positioned to ensure safety and should not be involved in the search.

418.4 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the deputy shall carefully consider, among other things, the factors listed below.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Contacts and Temporary Detentions

418.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the deputy should have the individual read and sign the appropriate form accompanying the photograph.

418.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The deputy must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the deputy's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

418.4.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the District Commander with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the District Commander should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the District Commander will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Intelligence Systems Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the ID and Records.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

418.4.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Contacts and Temporary Detentions

418.5 POLICY

The Mohave County Sheriff's Office respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the deputy, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the deputy based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

418.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, deputy should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, deputies should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by office members.
 - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Mobile Data Computer Use

419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between office members and Dispatch.

419.2 POLICY

Mohave County Sheriff's Office members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

419.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any office technology system (see the Information Technology Use Policy for additional guidance).

419.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or District Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Office. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

419.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Mobile Data Computer Use

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

419.5 GENERAL RESPONSIBILITIES

- (a) MDC's shall regularly be inspected by the user and any problems or damage shall be immediately reported to the user's supervisor.
- (b) All information displayed on the MDC screen is confidential and caution shall be taken to ensure that unauthorized person do not view it. This may necessitate shutting down the MDC or closing the screen to avoid exposure to unauthorized persons such as prisoners, citizens, ride alongs, etc.
- (c) MDC's should be kept clean. Food and beverage items shall not be placed on the computer.
- (d) MDC's shall not be connected to any external device which allows a connection to the internet without prior authorizations from the system administrator.
- (e) All employees who are provided with an MDC shall maintain current Terminal Operator Certifications (TOC) through the Sheriff's Office System Security Officer. Failure to maintain TOC will result in the removal of the MDC.

419.6 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the District Commander or other office-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the sheriff's radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

Non-priority calls will be dispatched to the patrol unit via radio by CAD call number only.

All priority calls for service will be dispatched to the patrol unit via radio, including any pertinent details.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

419.6.1 STATUS CHANGES

Deputies checking on duty or off duty shall verbally notify dispatch over the radio.

Deputies shall complete all calls verbally over the radio.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Mobile Data Computer Use

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC.

419.6.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available deputy should respond in accordance with the Deputy Response to Calls Policy.

Members should ensure a field supervisor and the District Commander are notified of the incident without delay.

Deputies not responding to the emergency shall refrain from transmitting on the sheriff's radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

419.7 EQUIPMENT CONSIDERATIONS

419.7.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the sheriff's radio.

419.7.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Portable Audio/Video Recorders

420.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this office while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment. The purpose and scope is to provide the agency with accountability and transparency along with reducing complaints, resolving officer involved incidents and gathering evidence. The Body-Worn Camera gives the unvarnished representation of what all sworn personnel encounter on each call for service.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Mohave County Sheriff's Office facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

420.2 POLICY

Is to provide sworn staff with instructions on when and how to use body-worn cameras (BWC) so that sworn personnel may reliably record their contacts with the public in accordance with the law. The use of BWCs is intended to enhance the mission of the Sheriff's Office by accurately capturing contacts between members of the Sheriff's Office and the public.

It is the policy of the Mohave County Sheriff's Office that sworn personnel shall activate the BWC when such use is appropriate in the proper perform of their official duties, and where the recordings are consistent with this policy and law.

Personally owned portable video recorders are not authorized for use.

420.3 MEMBER PRIVACY EXPECTATION

Sheriff's Office personnel shall use only BWCs issues by this agency. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Mohave County Sheriff's Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

420.4 MEMBER RESPONSIBILITIES

1. Deputies shall inspect and test the BWC prior to each shift in order to verify that the equipment is properly functioning and shall notify their supervisor of any problems. If the BWC is not in working order the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable.
2. Any member assigned to a non-uniformed position must carry a BWC at any time the member is conducting field operations.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Portable Audio/Video Recorders

3. Sheriff's Office personnel who are assigned BWCs must complete an agency approved and/or provided training program to ensure proper use and operation of BWCs. Additional training may be required at periodic intervals to ensure the continued effective use and operation of the equipment, proper calibration and performance, and to incorporate changes, updates, or other revisions in policy and equipment.

420.5 PROCEDURES / ACTIVATION OF THE PORTABLE RECORDER

A. Administration - This agency has adopted the use of BWC to accomplish several objectives. The primary objectives are as follows:

1. BWCs allow for accurate documentation of the police-public contacts, arrests, critical incidents. They also serve to enhance the accuracy of deputy reports and testimony in court.
2. Audio and video recordings enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for a deputy evaluation and training.
3. The BWC may be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband

B. When and How to Use the BWC

1. Deputies shall activate the BWC to record all contacts with citizens that result in the issuance of a DR#, or have the potential to result in the issuance of a DR#.
2. If the recording is being made during an investigation involving criminal allegations, pursuant to an arrest, or search of a premises or individuals, the camera shall not be turned off. The BWC will remain activated as long as a Deputy is in an investigative role until such time as the event is completed in order to ensure the integrity of the recording.
3. Deputies may deactivate the BWC when the event is concluded or the scene has been stabilized and the Deputy is no longer in an active investigatory role. Law Enforcement is a dynamic profession, where events can and do unfold quickly. To identify the exact moment when an event has stabilized would be nearly impossible. However, if the deputy is no longer participating in the active investigation, through interviews or the collection of evidence, this may be an indication the event has been stabilized enough to allow the deactivation of the BWC. (a) Prior to turning off the BWC, the Deputy should verbalize the action on recording indicating the end of recording
4. Whenever possible, deputies should inform individuals that they are being recorded while in locations where individuals have reasonable expectations of privacy, such as residences. Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect the privacy by discontinuing recording whenever it reasonably appears to the member that such privacy might outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Portable Audio/Video Recorders

Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

5. Members should document the existence of a recording in any report or other official record of the contact, including any instance where the BWC malfunctioned or the member deactivated the BWC. Members shall include the reason for deactivation.
6. If a deputy fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the deputy shall document why the recording was not made, was interrupted, or was terminated. Deputies who fail to activate the BWC pursuant to 420.5 B 1, may be subject to disciplinary action.
7. BWC videos do not replace the need for photographic evidence when documenting physical evidence for trial purposes. Deputy can use the BWC to take still photographs for evidence that can accompany the video.
8. Civilians shall not be allowed to review the recording until they have been processed by the Records Division for any necessary REDACTION.

C. Procedures for BWC Use

1. BWC equipment is issued to all sworn personnel as authorized by the agency. Sworn personnel who are assigned BWC equipment must use the equipment unless otherwise authorized by supervisor personnel.
2. If the BWC cannot be utilized during a criminal investigation, digital audio recorders shall be used to keep a digital audio record.
3. Deputies SHALL NOT EDIT, ALTER, ERASE, DUPLICATE, COPY, SHARE, OR OTHERWISE DISTRIBUTE in any manner BWC recordings without prior written authorization and approval of the Sheriff or his designee.
4. Deputies are encouraged to inform their supervisor of any recording that may be of value for training purposes.
5. If a deputy is suspected or wrongdoing or involved in an officer-involved shooting or other serious use of force, the agency reserves the right to limit or restrict a deputy from viewing the video file.
6. Requests for deletion of portions of the recording must be submitted in writing and approved by the Sheriff or his designee on accordance with state record retention laws. All requests and final decision shall be kept on file. If an inadvertent recording is included with videos pertaining to criminal investigations, approval from the County Attorney's Office must be obtained.
7. Deputies shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, BWC recordings are not a replacement for written reports.

420.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Arizona law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (ARS § 13-3012).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Portable Audio/Video Recorders

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another office member without a court order unless lawfully authorized by the Sheriff or the authorized designee.

420.5.2 RESTRICTIONS OF USING THE BWC

BWCs shall be used only in conjunction with official law enforcement duties. It is important to note that all videos are uploaded to Evidence.com at the time the camera is docked and may be subject to release pursuant to applicable agency policy and law. The BWC shall not generally be used to record;

1. Communications with other law enforcement personnel without the permission of the Sheriff or his designee.
2. Encounters with undercover officers or confidential informants.
3. Interaction / testimony in a courtroom setting.
4. When on break or otherwise engaged in personal activities.
5. In any location where individuals have a reasonable expectation of privacy, such as restroom or locker room.
6. Many portable recorders, including body-worn cameras, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

420.5.3 PROHIBITED USE OF BODY WORN CAMERAS

1. Members are prohibited from using office-issued BWCs for personal use and are prohibited from making personal copies of recordings created while on duty or while acting in their official capacity.
2. Members are also prohibited from retaining recordings of activities or information obtained while on-duty. Members shall not duplicate or distribute such recordings, except for authorized legitimate office business purposes. All such recordings shall be retained at the office.
3. Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.
4. Any member who may have questions regarding the application of this policy is encouraged to seek clarification from supervisory personnel.

Portable Audio/Video Recorders

420.6 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

420.7 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Office who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Sheriff or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Redaction Specialist prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Portable Audio/Video Recorders

privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

420.8 STORAGE

1. All files shall be securely downloaded periodically, each shift if possible, and all attempts should be made to have all files completely downloaded at the end of each work week.
2. All images and sounds recorded by the BWC are the exclusive property of the Mohave County Sheriff's Office. Accessing, copying, or releasing files for non-law enforcement purposes is strictly PROHIBITED.
3. All access to BWC files must be specifically authorized by the Sheriff or his designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
4. Evidentiary copies of digital recording will be accessed and copies from EVIDENCE.COM shall:
 - A. Only be accessed and copied by Agency approved system users;
 - B. Only be accessed and copied on department approved equipment;
 - C. Only be copied for official purposes; and
 - D. Not to be altered, shortened, changed, edited, or in any way modified from their original submitted format to ensure authenticity.
5. All audio / video recordings submitted by deputies will be maintained on a secure server through EVIDENCE.COM until the case has been adjudicated or otherwise disposed of in accordance with state retention and agency policies. Designated members of the Sheriff's Office will be responsible for system administration of all captured and stored video and audio recordings from the BWCs.
6. Disposition of evidentiary video and audio recordings will be completed in accordance with existing agency policies for the handling and disposition of evidence. As a basis for maintenance and destruction of records generated by the BWC program, the agency will adhere to the disposition schedule as approved by the Department of Library, Archives, and Public Records, and other applicable agency policies as appropriate.

Medical Marijuana

421.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this office with guidelines for investigating the acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer, or transportation of marijuana under Arizona's medical marijuana laws (ARS § 36-2801 et seq.).

This policy is meant to provide guidance regarding the application of office resources related to medical marijuana laws.

421.1.1 DEFINITIONS

Definitions related to this policy include:

Allowable amount of marijuana (ARS § 36-2801):

- (a) 2 1/2 ounces of usable marijuana; and
- (b) If the registry identification card is endorsed for marijuana cultivation, 12 marijuana plants contained in an enclosed, locked facility.

Cardholder - A qualifying patient, a designated caregiver, a nonprofit medical marijuana dispensary agent, or an independent third-party laboratory agent who has been issued and possesses a valid registry identification card (ARS § 36-2801).

Designated caregiver - A person who is at least 21 years of age, has agreed to assist with a patient's medical use of marijuana, has not been convicted of an excluded felony offense, and assists no more than five qualifying patients (ARS § 36-2801).

DHS - Department of Health Services.

DHS verification system - A secure, password-protected, web-based system established and maintained by DHS. It is available to law enforcement personnel and nonprofit medical marijuana dispensary agents on a 24-hour basis for verifying registry identification cards (ARS § 36-2801).

Enclosed, locked facility - A closet, room, greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by a cardholder (ARS § 36-2801).

Medical use of marijuana - The acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer, or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition (ARS § 36-2801).

Qualifying patient - A person who has been diagnosed by a physician as having a debilitating medical condition, whether or not the person has registered with the DHS. (ARS § 36-2801).

Registry identification card - A document issued by DHS that identifies a person as a registered qualifying patient, a registered designated caregiver, a registered nonprofit medical marijuana dispensary agent, or a registered independent third-party laboratory agent (ARS § 36-2801).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Medical Marijuana

Usable marijuana - The dried flowers of the marijuana plant and any mixture or preparation thereof. It does not include the seeds, stalks, and roots of the plant and does not include the weight of any non-marijuana ingredients combined with marijuana and prepared for consumption as food or drink (ARS § 36-2801).

Visiting qualifying patient - A person who is not a resident of Arizona or who has been a resident of Arizona less than 30 days, and who has been diagnosed with a debilitating medical condition by a person who is licensed with authority to prescribe drugs to humans in the state of the person's residence or, in the case of a person who has been a resident of Arizona less than 30 days, the state of the person's former residence (ARS § 36-2801).

421.2 POLICY

It is the policy of the Mohave County Sheriff's Office to prioritize resources to avoid making arrests related to marijuana that the arresting deputy reasonably believes would not be prosecuted by state or federal authorities.

Arizona medical marijuana laws are intended to protect patients with debilitating medical conditions, as well as their physicians and providers, from arrest, prosecution, and property forfeiture if such patients engage in the use of marijuana for medical purposes. However, Arizona medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Mohave County Sheriff's Office will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Arizona law and the resources of the Office.

421.3 INVESTIGATION

Investigations involving the possession, delivery or production of marijuana generally fall into one of two categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a cardholder.

421.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production, or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the deputy should proceed with a criminal investigation. A medicinal claim may be raised at any time, so deputies should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

421.3.2 INVESTIGATIONS INVOLVING A CARDHOLDER

There is a presumption that a cardholder is engaged in the medical use of marijuana if he/she possesses an allowable amount of marijuana. When this presumption is met, no arrest should be made for the acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer or transportation of marijuana. However, enforcement action may be taken when there is probable cause to believe the marijuana is not for the purpose of treating or alleviating the

Medical Marijuana

qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Deputies should not arrest a person for providing a registered qualifying patient, a registered designated caregiver or a registered nonprofit medical marijuana dispensary with marijuana paraphernalia for purposes of a qualifying patient's medical use of marijuana. Nor should a person be arrested merely for being in the presence or vicinity of the medical use of marijuana.

Medical use and possession of marijuana authorized under the Arizona medical marijuana statutes does not support the forfeiture of property as set forth in the Asset Forfeiture Policy.

Mere possession of, or application for, a registry identification card may not constitute probable cause or reasonable suspicion, nor may it be used to support the search of the person or property of the person possessing or applying for the registry identification card. However, the possession of, or application for, a registry identification card does not preclude the existence of probable cause if probable cause exists on other grounds.

421.3.3 ADDITIONAL CONSIDERATIONS

Deputies should consider the following when investigating an incident involving marijuana:

- (a) The allowable amount of marijuana does not include marijuana that is incidental to medical use but is not usable (ARS § 36-2801).
- (b) There is no presumption of neglect or child endangerment for conduct permitted by Arizona's medical marijuana laws unless the person's behavior creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence (ARS § 36-2813).
- (c) A registered qualifying patient may not directly, or through his/her designated caregiver, obtain more than 2 1/2 ounces of marijuana from registered nonprofit medical marijuana dispensaries in any 14-day period (ARS § 36-2816).
- (d) The equivalent of a registry identification card issued under the laws of another state that allows a visiting qualifying patient to possess or use marijuana for medical purposes in that state has the same force and effect when held by a visiting qualifying patient as a registry identification card issued by DHS. A visiting qualifying patient is not authorized to obtain marijuana from a nonprofit medical marijuana dispensary (ARS § 36-2804.03)
- (e) Marijuana plants are not required to be in an enclosed, locked facility if the plants are being transported because the qualifying patient or designated caregiver is moving (ARS § 36-2801).
- (f) Arizona's medical marijuana laws do not require any person or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property (ARS § 36-2814).
- (g) A registered nonprofit medical marijuana dispensary or its agents are not subject to prosecution, search, or inspection except by DHS pursuant to ARS § 36-2806 (ARS § 36-2811(E)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Medical Marijuana

- (h) Because enforcement of medical marijuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, deputies may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
 - 1. The suspect has been identified and can be easily located at another time.
 - 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
 - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.

421.4 DHS VERIFICATION SYSTEM

DHS has developed a web-based verification system for use on a 24-hour basis. The verification system allows law enforcement personnel to enter a registry identification number and verify whether the number corresponds with a current, valid identification card.

Deputies may use the verification system in conjunction with legitimate investigations only. Deputies shall not disclose any information obtained from the verification system to the public or any person without a legitimate law enforcement purpose (ARS § 36-2807).

421.4.1 EXCEPTIONS

This policy does not apply to the following offenses. Deputies may take enforcement action if the person is (ARS § 36-2802):

- (a) Undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice.
- (b) Possessing or engaging in the medical use of marijuana on a school bus, on the grounds of any school (preschool, primary, secondary) or child care facility, or in any correctional facility (ARS § 36-2802; ARS § 36-894; ARS § 15-108(B)).
- (c) Smoking marijuana on any form of public transportation or in any public place.
- (d) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marijuana. A registered qualifying patient shall not be considered to be under the influence of marijuana solely if the concentration of metabolites or marijuana components is not enough to cause impairment.
- (e) Using marijuana except as authorized under Arizona's medical marijuana laws.

421.5 FEDERAL LAW ENFORCEMENT

Deputies should provide information regarding a marijuana investigation to federal law enforcement authorities when information is requested by federal law enforcement authorities or whenever the deputy believes those authorities would have a particular interest in the information.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Medical Marijuana

421.6 PROPERTY BUREAU SUPERVISOR RESPONSIBILITIES

The Evidence Room Supervisor shall ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed. The Evidence Room supervisor is not responsible for caring for live marijuana plants.

The Evidence Room Supervisor may destroy marijuana that was alleged to be for medical purposes upon receipt of a court order.

The Evidence Room Supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Division Supervisor.

Foot Pursuits

422.1 PURPOSE AND SCOPE

This policy provides guidelines to assist deputies in making the decision to initiate or continue the pursuit of suspects on foot.

422.2 POLICY

It is the policy of this office that deputies, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to office members, the public or the suspect.

Deputies are expected to act reasonably, based on the totality of the circumstances.

422.3 REPORTING REQUIREMENTS

The initiating deputy shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and deputies.
- (f) Whether a suspect was apprehended as well as the means and methods used.
 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting deputies taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

Homeless Persons

423.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide deputies during all contacts with the homeless, whether consensual or for enforcement purposes. The Mohave County Sheriff's Office recognizes that members of the homeless community are often in need of special protection and services. The Mohave County Sheriff's Office will address these needs in balance with the overall mission of this office. Therefore, deputies will consider the following policy when serving the homeless community.

423.1.1 POLICY

It is the policy of the Mohave County Sheriff's Office to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this office will not use homelessness solely as a basis for detention or law enforcement action.

423.2 FIELD CONTACTS

Deputies are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade a deputy from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, deputies are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Deputies should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

423.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of our community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Deputies should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Homeless Persons

- (e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

423.3 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Deputies should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, deputies should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the deputy, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Deputies should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor.

Deputies who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property without consulting with a supervisor.

423.4 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Deputies shall not detain a homeless person for an emergency admission to a mental health facility unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting deputy should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, deputies may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

423.5 ECOLOGICAL ISSUES

Sometimes homeless encampments can affect the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Deputies are encouraged to notify other appropriate agencies or departments when a significant impact to the environment

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Homeless Persons

has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Civil Matters

424.1 PURPOSE AND SCOPE

To provide guidelines for response to calls involving civil matters, which will provide maximum safety for the citizens of Mohave County while effectively allocating the limited resources of the **Mohave County Sheriff's Office** to the utmost efficiency of service.

424.2 POLICY

It is the policy of this department to avoid involvement in civil matters and civil disputes. When a call for service related to a civil matter or civil dispute is received, dispatch will direct the call to a deputy or shift supervisor, who will review the circumstances to determine if a crime has been committed and decide what action, if any, the department will take.

Officer(s) may respond to determine if a crime has been committed, or to instruct parties to disperse and seek private legal counsel or court relief for the issue.

The default response for officers is to courteously decline to involve the department in civil matters or civil disputes.

All requests for civil standbys shall be reviewed and approved by a supervisor. Civil standbys shall be conducted during the day light hours except in exigent or unusual circumstances. If engaged in a civil standby authorized by a supervisor, officers shall:

- (a) Refrain from any involvement, express or implied, in civil disputes;
- (b) Refrain from giving legal advice;
- (c) Seek guidance from a supervisor in unusual circumstances;
- (d) Make sure that both the disputing parties are present;
- (e) Call backup when a breach of the peace is likely;
- (f) End the "civil standby" and instruct the parties to disperse and seek legal counsel if a breach of the peace is likely or occurs;
- (g) Limit the "civil standby" to a reasonable time period (usually not more than 30 minutes) except in unusual circumstances and only with a supervisor's approval.

Supervisors may contact the departments legal counsel if a particular court order needs clarification.

424.3 SPECIFIC CIVIL MATTERS

Orders of Protection: The violation of an order of protection is a criminal offense pursuant to A.R.S. § 13-2810. If probable cause exists that Section 13- 2810 has been violated, an arrest shall be made and officers shall complete and forward a copy of the investigative report to the appropriate prosecutorial agency as soon as possible.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Civil Matters

Injunctions Against Harassment: Officers shall conduct an investigation on all complaints of violations of injunctions against harassment. Officers may, with or without a warrant, arrest a person if the officer has probable cause to believe that the person has violated A.R.S. 13-2810 by disobeying or resisting a properly served injunction, whether or not the violation occurred in the presence of the officer. If an arrest is made, the offender is not eligible for "cite and release" but must be booked.

Landlord/Tenant or Innkeeper: Tenants, landlords and innkeepers shall be advised that, absent the occurrence of a criminal offense, officers may not become involved. Each is to seek private counsel and judicial remedies.

Writs of Restitution and Execution: Officers will not enforce a civil writ of restitution. Parties seeking enforcement of Writs of Restitution, Replevin, or Execution shall be referred to the **Mohave County Sheriff's Office** Civil Division at 753-0753 or 753-0756 for enforcement action.

Garage and Personal Property Labor Liens: Officers are not authorized to take any action where a vehicle or personal property repair business retains the property pending payment of charges.

Consumer Disputes: Consumer complaints shall be referred to the Arizona Attorney General's Consumer Information Section at (602) 542-5763 or the Mohave County Attorney's Office at (928) 753-0719.

Repossession of Property: Entities claiming a security interest in personal property may repossess so long as it can be accomplished without a breach of the peace. The department will not be present or assist in any way unless a criminal offense has been committed.

Neighborhood Disputes: The department shall avoid involvement in neighborhood disputes except to preserve the peace. Enforcement action may be taken against any party who commits a separate criminal offense.

Child Custody Disputes: Officers will not attend to child custody disputes unless directed by an order of the Arizona Superior Court to take specific action. If the complainant raises probable cause as to custodial interference or other criminal acts, officers shall contact the Mohave County Attorney's Office for direction. J. Out -of-State Court Orders (other than protective orders): Court orders from other states are not enforceable in Arizona until they have been registered and recognized by the Superior Court of Arizona. Officers who are presented with an out-of-state order accompanied by a court order from the Superior Court of Arizona recognizing the out-of-state order should handle the order in the same way they would if the order was issued in Arizona.

Child Custody Orders

425.1 PURPOSE AND SCOPE

- (a) To protect the custodial rights of parents and legal guardians of minor children.
- (b) To avoid improper arrests resulting from child custody disputes.
- (c) To insure that only current and properly issued court orders are enforced by Sheriff's Office Personnel.

425.2 CUSTODY ORDERS

A court order from a Mohave County Court, or elsewhere, which awards custody and/or general visitation rights is not enforceable by law enforcement. Mohave County Sheriff's Officers will not take any enforcement action on a child custody or child visitation order unless a **Certified Mohave County Superior Court** order directs Sheriff's Officers or law enforcement to take a specific course of action. Only an order signed by a Mohave County Superior Court Judge will be treated as valid: A date-stamp indicating that documents have been filed with the Clerk of Superior Court will not be evidence that a court order has in fact been issued.

Extreme caution must be exercised by personnel who are presented with child custody and/or visitation orders by private individuals. Private individuals who request assistance from patrol personnel to enforce a court order for child custody, and/or child visitation, shall be referred to the Clerk of the Superior Court to obtain an order through the Mohave County Superior Court **Specifically Directing Law Enforcement to take a Particular Action.**

In any circumstance wherein an officer believes there is a necessity for immediate action to transfer or prevent transfer of the custody of a child absent a court order with the above specific directing language, the officer shall review the circumstances with the Sheriff's Office Legal Advisor or, if unavailable, an M.C.S.O. supervisor prior to any action taken.

Child custody and child visitation orders issued through Mohave County Court are most frequently directed to the Sheriff's Office Civil Division for service.

Orders of protection issued by courts within Mohave County will be verified through the Sheriff's Dispatch Center before any custodial related enforcement is undertaken, while any in-county Superior Court order which requires enforcement action by other than Civil Division personnel will be verified through the issuing in-county court prior to enforcement.

425.3 CHILD PROTECTIVE SERVICES (C.P.S.)

Arizona Department of Economic Security Notifications - CPS has legal custody despite lack of court order.

CPS may remove children from their parents home for a period up to 72 hours, excluding Saturdays, Sundays, and holidays, if abuse or neglect is suspected, during which time a "Removal Review" is to be conducted before a Dependency Petition is filed. The Court is to hold a Preliminary

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Child Custody Orders

Protective Hearing not fewer than 5 days nor more than seven days after the child is taken into custody, excluding Saturdays, Sundays, and holidays, this time frame may be extended for an additional 5 days for good cause. This procedure results in the Arizona Department of Economic Security, CPS, having legal custody of the child(ren) for a significant period of time **Without** the existence of a court order.

CPS provides a **Notice to Provider - Educational and Medical** to the school and medical providers which states that CPS has care, custody, and control of the child(ren) and they have been placed with the specified authorized out-of-home care provider. Law enforcement may be contacted if the parent(s) approach(s) the school and demands the child(ren). The above Notice will specify certain persons who are prohibited from having contact with the child(ren), remove the child from school, or have access to records. There will often be a "catch-all" provision that states that anyone not approved by CPS shall not have contact or remove the child(ren).

If the Notice prohibits parental contact and/or removal from the school, law enforcement should not allow the parents to remove the child(ren) and CPS should be called immediately.

425.4 UNMARRIED PARENTS

WARNING: The unmarried mother may not have legal custody of the child even if there is no court order. If paternity has been established and the child has been residing with the father for the greater part of the last six month, the father has legal custody until a court orders otherwise!

ARS 13-1302(B), the criminal Custodial Interference statute, states that if a child is born out of wedlock, the mother is the legal custodian of the child for the purposes of this section until paternity is established and custody or access is determined by a court.

ARS 25-803(D), one of the domestic relations civil custody statutes states: "In any case in which paternity is established the parent with whom the child has resided for the greater part of the last six months shall have legal custody unless otherwise ordered by the court.

ARS 25-814 allows paternity to be established with either of:

A birth certificate signed by the mother and the father of a child born out of wedlock;

A notarized or witnessed statement signed by both parents acknowledging paternity or separate substantially similar notarized or witnessed statements are signed by both parents acknowledging paternity;

Genetic testing affirms at least a ninety-five per cent probability of paternity.

Whether paternity has been established is a technical, legal issue. The Sheriff's Office Legal Advisor should be contacted for a thorough review prior to any law enforcement action.

Search and Rescue

426.1 PURPOSE AND SCOPE

To mobilize an organized unit of personnel when the need arises to search for, or rescue, missing, injured or stranded individuals.

To insure the availability of resources and specialized equipment and personnel within the county to conduct search and rescue missions.

426.2 UNIT COMPOSITION

The Mohave County Sheriff's Office utilizes the services of non-salaried, volunteer posse members who perform search and rescue functions under the direction of a certified law enforcement officer(s).

The certified law enforcement officer(s) who supervise(s) the functions of search and rescue units is/are designated as Search and Rescue Coordinator(s). Search and Rescue Coordinators are designated by the Sheriff and work under the direction of the Patrol Commander.

426.3 INCIDENT INVESTIGATION

Regardless of the domicile of a reporting party the Sheriff's Office will investigate all reported incidents of individuals who are possibly lost, missing, injured or stranded within the unincorporated areas of the county.

The central dispatch center will accept, record and dispatch such calls in the same manner as any other call for service.

A patrol deputy will interview the reporting party and complete a departmental report in all instances wherein the whereabouts of an overdue, lost, missing, or possibly injured individual is in question.

- (a) The patrol deputy will complete a Search and Rescue Circumstance Data Sheet for each missing individual when there is cause to believe that the individual may be:
 - 1. Lost, missing, injured or stranded in a remote area of Mohave County, or
 - 2. Overdue at a specific destination under circumstances which are likely to be other than voluntary, and may be within an unincorporated area of Mohave County, or
 - 3. In jeopardy due to being a minor or someone of advanced age, exposure to outdoor environmental conditions, or medical conditions.
- (b) Any patrol deputy who is required to file a Search and Rescue Circumstance Data Sheet pursuant to this policy shall notify his/her supervisor as promptly as possible.
 - 1. The on-duty or on-call supervisor shall promptly notify a Search and Rescue Coordinator, or in his/her absence, the next higher in the chain-of-command,

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Search and Rescue

of any incident requiring the filing of a Search and Rescue Circumstance Data Sheet.

2. Any questions as to the necessity to notify a Search and Rescue Coordinator shall be resolved in favor of notification.
3. The on-duty supervisor shall remain involved in all missing persons identified as having a medical condition, physical limitations, and/or psychological issues identified by the complainant until relieved by the Search and Rescue Coordinator, command staff, or until the person has been located.
4. The on-duty or on-call supervisor will notify the on-duty or on-call Lieutenant of any search and rescue or missing person reports identified as having a medical condition, physical limitations, and/or psychological issues.
5. The on-duty or on-call supervisor will assume command of the search until relieved by either the Search and Rescue Coordinator or command level staff personnel.
6. The on-duty or on-call supervisor will ensure attempt to locates and ACIC/NCIC entries are made if applicable.
7. The Search and Rescue Coordinator will notify the on-duty or on-call Lieutenant in all cases where:
 - A search has been initiated and the search coordinator proposes to suspend or cancel the search;
 - When significant additional resources from other allied agencies are required;
 - When the search has, or has the strong potential to, attract significant media attention;
 - When there is a strong likelihood of the persons death;
 - When the search ends in the discovery of evidence of a felony crime and/ or a deceased person.
8. The on-duty or on-call Lieutenant will in turn brief the Patrol Commander and Chief Deputy in cases of the above nature.

Any request made by a citizen or agent of a municipality for use of Search and Rescue Personnel within a municipality shall be immediately conveyed by the employee receiving the request to a designated Search and Rescue Coordinator, the Patrol Commander, the Chief Deputy or the Sheriff.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Search and Rescue

426.4 UNIT ACTIVATION

The decision to activate the Sheriff's Office volunteer Search and Rescue unit(s), as well as the decision to utilize air, surface, and/or subsurface equipment for purposes of search and rescue, shall rest with a designated Search and Rescue Coordinator, subject to direction from the Patrol Commander, Chief Deputy or Sheriff.

A Sheriff's Office Search and Rescue Unit may be activated whenever:

- (a) Substantial manpower will be required to effectively search for, locate, or effect a rescue of an individual(s), or
- (b) The area to be searched, or where a rescue is to be effected, is either large or in a remote portion of the county, or
- (c) Specialized skills and/or equipment are required to conduct a search or effect a rescue, or
- (d) Assisting municipalities within Mohave County under conditions specified in this section of this policy, or
- (e) Assisting in search and rescue operations in another county at the request of that county's Sheriff.

Volunteer Search and Rescue Personnel who are not State certified peace officers will not be utilized to search for criminal suspects or others who constitute a physical hazard to the searcher(s).

426.5 INTERNAL RECORDS DISSEMINATION

Whenever a Search and Rescue data sheet is required to be filed pursuant to this policy, and all personnel who are required to prepare departmental investigative and/or supplemental reports shall forward a copy of each such report to the Search and Rescue Coordinator within five days of the initial call/report.

The user of a vehicle or piece of equipment which becomes damaged as a result of use in a search and rescue mission shall verbally report the matter to the Search and Rescue Coordinator immediately.

All full time paid personnel who are authorized to accrue overtime under county policy, and who accrue overtime on an authorized mission, shall record the overtime hours worked in red ink on their time sheet. A copy of the time sheet will be forwarded to the Search and Rescue Coordinator within five days of the overtime worked.

The Search and Rescue Coordinator shall submit all investigative and financial records to the state Department of Emergency Services in a timely manner as required for recording and reimbursement.

Public Recording of Law Enforcement Activity

427.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this office. In addition, this policy provides guidelines for situations where the recordings may be evidence.

427.2 POLICY

The Mohave County Sheriff's Office recognizes the right of persons to lawfully record members of this office who are performing their official duties. Members of this office will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Deputies should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

427.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the deputies.
 - 4. Being so close to the activity as to interfere with a deputy's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the deputies, him/herself or others.

427.4 DEPUTY RESPONSE

Deputies should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, deputies should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, deputies or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Public Recording of Law Enforcement Activity

behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a deputy could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, deputies shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

427.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the deputy and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Office members, such as how and where to file a complaint.

427.6 SEIZING RECORDINGS AS EVIDENCE

Deputies should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Public Recording of Law Enforcement Activity

the evidence is to transmit a copy of the recording from a device to a office-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Evidence Room Policy.

Crisis Intervention Incidents

428.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires a deputy to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

428.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

428.2 POLICY

The Mohave County Sheriff's Office is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Office will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

428.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Crisis Intervention Incidents

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

428.4 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to deputies; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit a deputy's authority to use reasonable force when interacting with a person in crisis.

Deputies are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

A deputy responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup deputies and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the deputy.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

428.5 DE-ESCALATION

Deputies should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Crisis Intervention Incidents

- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding deputies generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

428.6 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the deputy should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous sheriff's response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

428.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Crisis Intervention Incidents

- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Division Commander.
- (f) Evaluate whether a critical incident stress management debriefing for involved member's is warranted.

428.8 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to office reporting procedures or other official mental health or medical proceedings.

428.8.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

428.9 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, a deputy should be promptly summoned to provide assistance.

Suspicious Activity Reporting

429.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

429.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

429.2 POLICY

The Mohave County Sheriff's Office recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

429.3 RESPONSIBILITIES

The Detectives Division Commander and authorized designees will manage suspicious activity report activities.

The responsibilities of the Detectives Division Commander include, but are not limited to:

- (a) Remaining familiar with those databases available to the Office that would facilitate the purpose of this policy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Suspicious Activity Reporting

- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Office.
- (e) Ensuring that suspicious activity report information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Office conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

429.4 REPORTING AND INVESTIGATION

Any office member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian member who receives such information should ensure that it is passed on to a deputy in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a suspicious activity report and include information about involved parties and the circumstances of the incident. If, during any investigation, a deputy becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a suspicious activity report and not included in the original incident report. The report number of the original incident should be included in the suspicious activity report as a cross reference. A suspicious activity report should be processed as any other incident report.

429.5 HANDLING INFORMATION

The ID and Records will forward copies of suspicious activity report, in a timely manner, to the following:

- Detective Division supervisor
- Other authorized designees

First Amendment Assemblies

430.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

430.2 POLICY

The Mohave County Sheriff's Office respects the rights of people to peaceably assemble. It is the policy of this office not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

430.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, deputies shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors deputies may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Deputies should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless a deputy is placing a person under lawful arrest.

Supervisors should continually observe office members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

First Amendment Assemblies

430.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating office performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

430.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding deputy should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

430.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

430.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

First Amendment Assemblies

- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

430.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with County government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

First Amendment Assemblies

- (t) Parameters for the use of body-worn cameras and other portable recording devices.

430.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

430.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

430.7 USE OF FORCE

Use of force is governed by current office policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER (TM)s should be considered only when the participants' conduct reasonably appears to present the potential to harm deputies, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this office shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

430.8 ARRESTS

The Mohave County Sheriff's Office should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of deputies and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

430.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

430.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

First Amendment Assemblies

430.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Dispatch records/tapes
- (g) Media accounts (print and broadcast media)

430.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with County legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

430.12 TRAINING

Office members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Office should, when practicable, train with its external and mutual aid partners.

Medical Aid and Response

431.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

431.2 POLICY

It is the policy of the Mohave County Sheriff's Office that all deputies and other designated members be trained to provide basic first aid and to facilitate an emergency medical response.

431.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Dispatch and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex, and age, if known.
 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

Medical Aid and Response

431.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Deputies should search any person who is in custody before releasing that person to EMS for transport.

A deputy should accompany any person in custody during transport in an ambulance when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

431.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, a deputy shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the deputy should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If a deputy believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The deputy may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the deputy will require the person to be transported to the nearest medical facility. In such cases, the deputy should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

431.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

431.7 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may administer opioid overdose medication in accordance with protocol specified by the physician or nurse practitioner who prescribed the overdose medication for use by the member (ARS § 36-2228).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Medical Aid and Response

431.7.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Coordinator.

Any member who provides an opioid antagonist shall contact Dispatch as soon as possible and request response by EMS.

431.7.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report and complete and submit the Naloxone Usage Report in Blue Team prior to the end of shift

The Sergeant will ensure that the Administrative Staff are provided enough information to meet applicable state reporting requirements.

431.7.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Coordinator should ensure Arizona Peace Officer Standards and Training Board (AZPOST)-approved training is provided to members authorized to administer opioid overdose medication (ARS § 36-2228).

431.8 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the deputy has reason to believe the arrestee is feigning injury or illness, the deputy should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the deputy should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Deputies shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay a deputy from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the deputy's training.

431.9 FIRST AID TRAINING

Subject to available resources, the Training Coordinator should ensure deputies receive periodic first aid training appropriate for their position.

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume and traffic conditions. This office provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs.

500.2 TRAFFIC DEPUTY DEPLOYMENT

Several factors are considered in the development of deployment schedules for deputies of the Mohave County Sheriff's Office. Information provided by the Arizona Department of Transportation (ADOT) is a valuable resource for traffic collision occurrences and therefore deputy deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All deputies assigned to patrol or traffic enforcement functions will emphasize enforcement of collision-causing violations during periods of increased incidence and at the locations of occurrence. All deputies will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All deputies shall maintain high visibility while working general enforcement, especially at locations where there is a high incidence of collisions.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This office does not establish ticket quotas and the number of arrests or citations issued by any deputy shall not be used as the sole criterion for evaluating deputy overall performance. The visibility and quality of a deputy's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Traffic Function and Responsibility

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant.

500.3.2 TRAFFIC CITATIONS

Traffic citations may be issued when a deputy believes it is appropriate. It is essential that deputies fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Deputies should provide the following information at minimum:

- (a) Explanation of the violation or charge
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- (d) The court contact information

500.3.3 TRAFFIC CITATION COURT JURISDICTION

A deputy who issues a traffic citation shall ensure that the citation is properly directed to the court with jurisdiction in which the violation occurred (ARS § 28-1552 and ARS § 28-1558).

500.3.4 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (ARS § 28-121):

- (a) Negligent homicide.
- (b) Driving under the influence of alcohol/drugs.
- (c) Hit-and-run resulting in serious injury or death.
- (d) Hit-and-run resulting in damage to any vehicle or property.

500.4 HIGH-VISIBILITY VESTS

The Office has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the employee.

500.4.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment (23 CFR 634.3). Examples of when high-visibility vests should be worn include traffic control duties,

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Traffic Function and Responsibility

collision investigations, lane closures and while at disaster scenes, or any time high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, deputies should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes deputy might benefit from being readily identified as a deputy.

500.4.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in each patrol and investigation unit. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored in the vehicle.

Traffic Collision Response and Reporting

501.1 PURPOSE AND SCOPE

The public safety responsibilities of law enforcement include responding to traffic collisions, providing aid and assistance, documentation of the incident and identification of criminal activity. The Mohave County Sheriff's Office prepares traffic collision reports in compliance with Arizona law. As a public service the Mohave County Sheriff's Office makes traffic collision information available to the public.

501.2 CALL RESPONSE

Deputies should respond without delay when dispatched to a traffic collision. A traffic collision with injuries reported may include an emergency response if the deputy reasonably believes such a response is appropriate.

501.2.1 RESPONSE CONSIDERATIONS

A deputy responding to and upon arrival at a collision, should consider the following:

- (a) The most appropriate route to the incident.
- (b) Proper placement of the emergency vehicle to provide protection for deputies and the scene.
- (c) Potential for involvement of hazardous materials.
- (d) Additional support that may be necessary (e.g., traffic control, medical aid, HazMat, ambulance, tow vehicles and airship landing).
- (e) Provide first aid to any injured parties if it can be done safely, and obtain medical assistance as necessary.
- (f) Provision of traffic control and protection of the scene.
- (g) Clearance of the roadway.

501.3 COLLISION INVESTIGATION

Investigation of traffic collisions should include, as a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) Determination if any crime has occurred and taking appropriate enforcement action.
- (d) Identify and protect items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on appropriate report forms.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Traffic Collision Response and Reporting

501.4 TAKING ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of Arizona law led to the collision, deputies may issue a traffic citation or a misdemeanor citation to the offending driver.

Incidents involving more serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced immediately. If a driver subject to enforcement is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.5 TRAFFIC COLLISION REPORTING

501.5.1 DEPUTY RESPONSIBILITIES

Office members shall utilize traffic collision reporting forms prepared by the Arizona Department of Transportation (ARS § 28-669). All traffic collision reports taken by members of this office shall be forwarded to the Patrol Sergeant for approval and data entry into the Records Management System.

Office members who investigate a motor vehicle collision shall complete a written report pursuant to ARS § 28-667(A) and ARS § 28-667(B):

- (a) Either at the time of and at the scene of the accident or after the accident by interviewing participants or witnesses.
- (b) Within twenty-four hours after completing the investigation.

501.5.2 PATROL SERGEANT RESPONSIBILITIES

The Patrol Sergeant will be responsible for;

- (a) Maintaining traffic accident reports and immediately forwarding copies to ID and Records to be process to the Arizona Department of Transportation pursuant to ARS § 28-667(C)(5).

501.6 REPORTING SITUATIONS

501.6.1 COLLISIONS INVOLVING DEATH TO DRIVERS

A deputy who investigates an accident that involves the death of one or more drivers shall promptly notify the county medical examiner (ARS § 28-668(A)).

If a county medical examiner is not available, the investigating deputy shall notify and secure a licensed physician or a person acting under the authority of a licensed physician to draw a sufficient sample of blood or other bodily substance for determining the alcohol concentration (ARS § 28-668(B)). The investigating officer shall forward the sample to the Arizona DPS crime laboratory for analysis.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Traffic Collision Response and Reporting

501.6.2 TRAFFIC COLLISIONS WITH SHERIFF'S OFFICE EMPLOYEES

When an employee of this office, either on- or off-duty, is involved in a traffic collision within the jurisdiction of the Mohave County Sheriff's Office and it results in a serious injury or fatality, the Patrol Sergeant should request the Arizona Department of Public Safety or other outside agency complete an investigation and report.

The term serious injury is defined as any injury that may result in a fatality.

501.6.3 TRAFFIC COLLISIONS WITH OTHER COUNTY EMPLOYEES OR OFFICIALS

The Patrol Sergeant may request assistance from the Arizona Department of Public Safety or other outside agency for the investigation of any traffic collision involving any County official or employee where a serious injury or fatality has occurred.

Fatal Traffic Accidents

502.1 PURPOSE AND SCOPE

- (a) To insure a timely and thorough on-scene investigation of fatal and serious injury accidents and collisions involving land-operated motor vehicles.
- (b) To establish a notification process for Accident Team Investigators and other County Personnel when dealing with fatal or serious injury accidents.

502.2 DEFINITIONS

Accident: That occurrence in a sequence of events which usually produces unintended injury, death or property damage.

Accident Investigation Team: Sheriff's Office personnel who are part of a predestinated, specialized team that is charged with the responsibility of conducting the on-scene investigation of serious injury or fatal accidents which have occurred on land and which are attributable to the motion of motor vehicles, their parts or their loads.

Serious Physical Injury: Physical injury which creates a reasonable risk of death, or which causes serious and permanent disfigurement, or serious impairment of health or permanent loss of any bodily organ or limb of a person.

502.3 NOTIFICATION AND RESPONSE

- (a) The Accident Investigation Team is responsible for conducting investigations of accidents which involve the operation or movement of motor vehicles, their parts or their loads, on land within the primary jurisdiction of the Sheriff's Office, when:
 - 1. There is a fatality involved.
 - 2. There has been one or more persons sustain serious incapacitating evident physical injury.
 - 3. There is likelihood that Mohave County will be sued in connection with the accident.
- (b) The Accident Team structure will include Accident Team Commander, Accident Team Supervisor, Accident Team Investigators, DUI/Alcohol Investigators, and at least one detective assigned to the team. A summary for each position is defined as follows:
 - 1. Accident Team Commander: Reviews all accident reports and ensures the accident is complete for its final disposition to the County Attorney's Office and the Records Division. The commander approves the final product or sends back for further follow up. This person is responsible for acquiring updated training seminars for its members.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Fatal Traffic Accidents

2. Accident Team Field Supervisor: Responsible for scene management of traffic team call outs. This person is responsible for team officers and ensuring that the investigation and all reports are completed in a timely manner. Responsible for command staff notification.
 3. Accident Team Investigators: Responsible for performing the on scene investigation. The assigned investigator will be responsible for the face sheet, diagram, and investigative narrative to the scene to include any fatal accident supplement data.
 4. DUI/Accident Investigator: Responsible for any driver impaired related accident team calls out. This officer will be responsible for the collection of any blood draws, statements made by the driver, identification of the driver, and disposition of alcohol related evidence for submission to the crime lab or evidence room.
 5. Detective Assignments: Responsible for assistance to the interview process of witnesses, investigative leads, and suspects. This person will write any necessary search warrants and assist in the retrograding of any drivers activities prior to the accident. This person will also assist in any follow up investigation and medical examiners reports. This officer will assist the case officer in the screening process through the County Attorney's Office.
- (c) While uniformed personnel will be dispatched to the scene of a motor vehicle accident or collision occurring on land, such personnel will notify their supervisor if the accident or collision is of a category which requires an Accident Team response.
1. The Patrol Supervisor or an on duty Accident Team Member shall make every effort to respond to the scene and make the determination if an Accident Team calls out is needed. Patrol Supervisor or the Accident Team Member shall then contact the Accident Team Field Supervisor for response to the scene and provide the following information:
 - (a) **Extent of Injuries**
 - (b) **If Alcohol Involved**
 - (c) **How Many Occupants**
 - (d) **What Hospitals are the Injured Going to (If known)**
- (d) The Accident Team Supervisor who receives confirmed notification of a fatal or serious injury motor vehicle accident having occurred on a County road shall insure prompt notification to the Risk Management Representative.
- (e) Patrol personnel who have been assigned to, and/or responded to, serious physical injury or fatal motor vehicle accidents on land which will be investigated by the Accident Team shall:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Fatal Traffic Accidents

- (a) Protect the scene from further injury or loss of property.
- (b) Render first aid.
- (c) Secure private property of victims to minimize the possibility of loss or theft.
- (d) Locate, identify and obtain preliminary statements from witnesses, passengers and drivers.
- (e) Assist with traffic control and other duties at the scene unless or until the need no longer exists, or unless the scene is stabilized and an urgent call requires an immediate response.
- (f) Transport arrests from the scene.
- (g) Provide supplement reports as to initial on scene observations and statements acquired.

When assigned to handle an accident investigation, the Accident Investigation team shall be responsible for the on-scene investigation, notifications to the families of those injured and all preliminary and follow-up reports and investigative activities, unless the event appears to have been the result of an intentional act.

When there is reason to believe that serious or fatal injuries have resulted from an intentional act involving the use of a motor vehicle, the investigation will be coordinated with the Sheriff's Office Detective Division. In such cases, the Accident Investigation Team will assist with the initial investigation while the Detective Division shall assume responsibility for notifications to the families of victims, as well as the conduct and completion of the investigation.

Accidents Involving County Vehicles

503.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedural requirements for notification, investigation and review of accidents and incidents involving county vehicles used by or assigned to an employee during the course of performing duties for county service.

This policy is effective upon all Sheriff's Office personnel while operating or in control of a county vehicle or other vehicle authorized for use to conduct county business and any damage or injury occurs as a result of a Traffic Accident, Traffic Incident or Legal Intervention. This policy shall also apply when an employee damages a vehicle owned by another agency during the course of performing duties for the county.

503.2 DEFINITIONS

Traffic Accident: An unintentional act or collision involving a county vehicle which results in any vehicle or property damage, injury or death caused by or attributable to the motion of the vehicle or its load. For the purposes of this policy, the term shall include vehicular accidents occurring off traffic ways.

Legal Intervention: An intentional collision caused by an employee resulting in death, injury or property damage during the attempted apprehension of a criminal suspect(s). In addition to this order, a Legal Intervention must have been authorized and appropriate as outlined in Policy 314.8, Pursuit Intervention.

Traffic Incident: An incident in which a county vehicle is damaged while being operated by an employee performing a necessary or job related duty and is not classified as a collision or Traffic Accident. Traffic Incidents include damage caused by; dust storms, hail, rock slides, road debris and incidental damage caused by the removal of an immobilized or stuck county vehicle. One example of this type of incident is in the case of a vehicle windshield being cracked by kicked up road debris or rocks. As a general guideline, all cases of damage classified as a Traffic Incident, must have been non preventable, unforeseeable, and not have occurred as a result of driver error. The striking of any fixed or stationary object under any circumstances in any location is not covered under this definition and shall be classified as a Traffic Accident. This would include the striking of rocks or other debris that causes any damage. Cases of Traffic Incidents should, in most cases, be reviewed in the same manner as Traffic Accidents, including submission to the Accident Review Board.

503.3 NOTIFICATIONS

Following the involvement in a Traffic Accident or Legal Intervention situation, the involved employee(s) shall, as soon as practicable, notify the communications center, which shall in turn notify the on duty or on call Supervisor.

The communications center shall, in the event of a Traffic Accident or Legal Intervention:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Accidents Involving County Vehicles

- (a) During business office hours, notify the Chief Deputy, or in his absence the Sheriff, and;
- (b) Notify the involved employee(s) immediate supervisor.

The involved employees supervisor or the supervisor assembling the review file shall make timely notification to the County Motor Pool supervisor. Additionally, as soon as they are available, forward any documentation requested to the County Motor Pool supervisor.

Following the involvement in a Traffic Incident, the involved employee(s) shall, as soon as practicable, notify the on duty or on call supervisor. The on duty or on call supervisor shall make a determination as to the nature of the incident and:

- If the circumstances indicate a Traffic Incident, direct the involved employee(s) to complete an Incident Report and a County Vehicle Incident Report and forward this to their immediate supervisor. Generally, disposition of Traffic Incidents will be completed at the division commander level at their discretion;
- If the circumstances indicate the event is a Traffic Accident or Legal Intervention, the incident shall be handled in the manner prescribed for those situations.

In any case of a Traffic Incident the Division Commander may, upon review of the incident, submit the case to the Accident Review Board for Disposition.

503.4 INVESTIGATION

In the event of a Traffic Accident or Legal Intervention, the agency having primary jurisdiction will be requested to conduct the investigation. If the occurrence takes place within the primary jurisdiction area of the Sheriff's Office, the Department of Public Safety may be requested to conduct the investigation.

- (a) A Traffic Accident or Legal Intervention situation shall, at minimum, be subject to an on scene department inquiry conducted by the employee's immediate supervisor or the on duty or on call supervisor, except:
 - 1. In the event of a property damage accident occurring in a remote area or a Traffic Accident or Legal Intervention occurs outside the boundaries of this County, the supervisor of the involved employee(s) may waive the on scene Sheriff's Office investigation. The supervisor shall arrange for investigation of the occurrence as soon as practical.
- (b) In cases of a Traffic Accident or Legal Intervention, in any location, involving:
 - 1. A fatality or probable fatality or;
 - 2. Disabling injuries or;
 - 3. The possibility of Sheriff's Office or County liability or;
 - 4. Significant damage to private property;

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Accidents Involving County Vehicles

The investigating officer or supervisor shall request the Sheriff's Office Accident Investigation Team to respond and conduct an investigation. This investigation is in addition to any investigation conducted by the agency having primary jurisdiction as well as being independent of any other investigation. The Accident Investigation Unit shall, as soon as possible, forward the results of their investigation to the supervisor

The employee(s) involved in a Traffic Accident or Legal Intervention shall provide statements or reports as requested by the investigating agency, investigating officer or department supervisor conducting the investigation.

503.5 SUPERVISOR REVIEW

Whether or not an on scene department investigation was conducted, the immediate supervisor of the involved employee(s) shall assemble a review file in Blue Team. If an on duty or on call supervisor conducts the initial inquiry, they shall promptly forward all information regarding the incident to the supervisor of the involved employee(s). The review file shall consist of copies of any and all reports/records related to the occurrence. Normally, this will include:

- (a) Copies of all reports, statements, diagrams, logs and photographs;
- (b) A detailed report in memorandum form, which includes:
 - 1. A listing of any previous Traffic Accidents or Legal Interventions with dates of occurrence and final dispositions;
 - 2. A statement indicating whether the involved employee(s) complied with all policies and or directives related to the occurrence;
 - 3. A statement from the supervisor which shall indicate his/her determinations and recommendations regarding if the Traffic Accident or Legal Intervention was preventable or non preventable and if disciplinary or remedial action is appropriate.
- (c) Photographs shall be taken of all damage to the county vehicle and submitted with the accident review package. Photographs of all other involved vehicles and/or property will be included.
- (d) Damage estimates are not required but shall be submitted if they are available from the County Motor Pool Supervisor. Upon completion of the review assembly, the supervisor shall forward the file to the Sheriff's Office Accident Review Board.

503.6 DEPARTMENT REVIEW

The Sheriff's Office Accident Review Board will be impaneled by the Chief Deputy or Sheriff. The panel will consist of three members with one member, appointed by the Sheriff or Chief Deputy,

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Accidents Involving County Vehicles

acting as Chairman of the Board. The Chairman shall be responsible for organizing and setting the hearing dates and assuring the completion of the reviews.

The Board shall meet and evaluate all cases within 45 days of their submission to the review board.

The Board may require the presence of any witnesses or involved person(s) to give testimony regarding any case before the Board.

The Board will conduct administrative hearings in order to review the Supervisory determination. If additional information is needed or the review file is incomplete, the Board may return the file to the supervisor for follow-up information.

- (a) In addition to the review of the supervisory determination, the Board shall conduct an evaluation of the involved employee(s) actions to determine:
 - 1. If the accident, intervention or incident was preventable or non-preventable;
 - (a) A preventable accident or intervention involves an employee who fails to take reasonable action to avoid the occurrence.
 - 2. If the incident was preventable, was it necessary;
 - 3. If a violation of department rules, regulations or procedure occurred;
 - 4. If a violation of Arizona Revised Statutes occurred;
 - (a) Violations of Arizona Revised Statutes may be submitted to the County Attorneys Office for review and possible issuance of complaints;
 - 5. If new procedures should be implemented to prevent similar occurrences;
 - 6. If remedial training is needed or necessary;
 - 7. If disciplinary action should be taken, and;
 - 8. If known, total financial loss to the county.
- (b) Employees who are found by the Accident Review Board to have been responsible for a preventable Traffic Accident or Legal Intervention are subject to disciplinary action as recommended by the board. Employee(s) who are found to have violated Sheriff's Office Policies or Procedures are also subject to disciplinary action.
 - (a) General guidelines for discipline in cases of preventable accidents or interventions are:
 - (a) Employees who are involved in one preventable accident or intervention within a 60 month period may receive a one day suspension and, depending on the employees culpability, are subject to additional days of suspension equal to the loss the County incurs divided by the employees daily rate of pay.
 - (b) More than one preventable occurrence in a 60 month period may result in suspension for at least one working day and additional days of suspension based on the amount of financial loss the County incurs divided by the employees daily rate of pay.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Accidents Involving County Vehicles

- (c) In all reviews, the Board will evaluate each case individually to reach a fair determination of discipline. Factors considered in this evaluation will be the degree of severity, employee conduct, culpability, past driving and accident history and financial loss incurred by the County. This evaluation may serve to increase or lessen the type of disciplinary/punitive action initiated and in all cases; the full range of disciplinary action is available if warranted.
- (d) In cases of multiple prior preventable accidents or any single act of a serious preventable accident resulting from employee misconduct, the board may make further inquiry. This inquiry will be in the form of a request to Mohave County Human Resources and Risk Management to complete an assessment, determining if the continued employment of the involved employee(s), would cause undue or increased financial and/or liability burdens to the county. This assessment, if completed, will be forwarded to the Sheriff.
- (b) Employees who fail to report or do not make a timely report of a Traffic Accident or Legal Intervention shall be subject to serious disciplinary action, even if the incident is determined to be non preventable.
- (c) Disciplinary action for violations of Sheriff's Office policies or procedures shall be in a manner consistent with this policy manual.

Upon completion of the review the Board shall forward its findings, determination and recommendations through the Chain of Command to the Chief Deputy.

The Chief Deputy will consider all evidence and review the Boards determinations and recommendations and render a final decision and disposition.

Vehicle Towing and Release Policy

504.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Mohave County Sheriff's Office and under the authority of ARS § 28-872 and ARS § 28-3511.

504.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows:

504.2.1 COMPLETION OF VEHICLE IMPOUND AND INVENTORY REPORT

Office members requesting towing and storage of a vehicle shall do both of the following (ARS § 28-872(D)):

- (a) Provide the tow truck operator with a vehicle impound report signed by the member that includes (ARS § 28-872(D)(1)):
 1. The vehicle identification number.
 2. A number that identifies this office and the deputy ordering the tow.
 3. The year, make and model of the vehicle.
 4. The license plate number if available.
 5. The date and time the vehicle was towed.
 6. The address from which the vehicle was towed.
 7. The name, address and telephone number, if known, of the registered owner and the primary lien holder of the vehicle to permit the towing company to notify the registered owner or the primary lien holder.
- (b) Electronically communicate to dispatch the following (ARS § 28-872(D)(2)):
 1. The name and telephone number of the person towing the vehicle.
 2. All the information provided to the tow truck operator.

Dispatch personnel shall promptly record electronically communicated information from the completed vehicle impound report as prescribed by the Arizona Department of Public Safety (DPS) including entry into the National Insurance Crime Bureau (NICB) Impound/Stored Vehicle File (ARS § 28-872(F)). Following entry, the form should be forwarded to the District Commander for approval.

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or for information should inquiries be made.

504.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the deputy shall have the driver select a towing company, if reasonably possible, and shall relay the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Towing and Release Policy

request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Dispatch.

If the owner is incapacitated or for any reason it is necessary for the Office to assume responsibility for a vehicle involved in a collision, the deputy shall request the dispatcher to call a company selected from the rotational list of towing companies. The deputy will then conduct an inventory and store the vehicle using a Vehicle Impound and Inventory Report.

504.2.3 DRIVING A NON-COUNTY VEHICLE

Vehicles that have been towed by or at the direction of the Office should not be driven by sheriff's personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

504.2.4 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified towing service. The deputy shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the next firm is called.

504.2.5 ID AND RECORDS RESPONSIBILITIES

Dispatch personnel shall enter pertinent data from the completed vehicle impound report form into Arizona Crime Information Center database within three business days of impound (ARS § 28-3511(G)). Approved forms shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Within 48 hours of recovering a stolen vehicle or receiving notification that a vehicle reported stolen through this office has been recovered, the case officer or in his absence the on duty sergeant shall make a reasonable and good faith effort to notify the victim of the recovery. The notice must specify when the recovering law enforcement agency expects to release the vehicle to the owner and where the owner may pick up the vehicle. Upon recovery of a vehicle reported stolen to another agency, dispatch shall promptly inform the agency that the vehicle is recovered, where it is located and when it can be released to the owner.

504.3 TOWING SERVICES

The County of Mohave County Sheriff's Office periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Towing and Release Policy

- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Office to tow a vehicle.

504.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this office to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, a vehicle shall be towed if it would present a traffic hazard or if it would be in jeopardy of theft or damage if left at the scene in a high-crime area.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the occupant was arrested or is not subject to forfeiture proceedings.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Office will not be responsible for theft or damages.

504.5 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in sheriff's custody, to provide for the safety of deputies and the public, and to protect the Office against fraudulent claims of lost, stolen or damaged property.

504.6 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, a deputy should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Towing and Release Policy

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

Vehicle Impound Hearings

505.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to ARS § 28-3514.

505.2 NOTICE

Within three business days after immobilization or impoundment, excluding weekends and holidays, the Office shall mail or personally deliver notice of immobilization or storage to the owner of the vehicle.

The notice of immobilization or storage shall include all of the following information:

- (a) A statement that the vehicle was immobilized or impounded.
- (b) The address and telephone number to contact at this office regarding the immobilization or storage.
- (c) The name, address and telephone number of the entity that will provide an immobilization or post storage hearing.
- (d) The location of the place of storage and a description of the vehicle including the manufacturer, model, license plate number and mileage of the vehicle if available.
- (e) A statement that in order to receive an immobilization or post storage hearing the owner, the spouse of the owner, the owner's agent or the person identified in the office's records as having an interest in the vehicle shall within ten days after the date on the notice either:
 1. Request an immobilization or post storage hearing by contacting this office in person or in writing or by filing a request with the justice court.
 2. Paying the prescribed fee pursuant to ARS § 22-281.

505.3 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Mohave County Sheriff's Office, a hearing will be conducted upon the request of the owner or operator of the vehicle to determine if probable cause existed for the removal and placement of the vehicle.

The vehicle owner, spouse of the owner or other person having an interest in the vehicle shall have an opportunity for a single post storage hearing for the release of the vehicle by either this office or a justice court but not both (ARS § 28-3514(I)).

The hearing shall be conducted within five business days, excluding weekends and holidays, after the Office receives the request (ARS § 28-3514(F)). The hearing officer must be a person other than the person who directed the storage or impound of the vehicle.

The post storage hearing may be (ARS § 28-3514(A)):

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Impound Hearings

- (a) Conducted within this office's jurisdiction.
- (b) Conducted telephonically.
- (c) Transferred to a law enforcement agency in the jurisdiction in which the owner, spouse of the owner, the owner's agent or any person identified as having an interest in the vehicle resides.

505.3.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone, within 10 days of the date appearing on the notice (ARS § 28-3514(G)). The Patrol Lieutenant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Office.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a mediation or reduction of the period the vehicle is impounded.

- (a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision that the inquiring party may pursue further civil remedies if desired.
 - 1. If mitigating circumstances are found to be relevant, the hearing officer may make reasonable adjustments to the impound period, storage or assessment fees as warranted.
- (b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be at the Office's expense.
- (c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Impound Hearings

Commander that the fees paid by the registered or legal owner of the vehicle in question or the owner's agent be reimbursed by the Office.

Impaired Driving

506.1 PURPOSE AND SCOPE

This policy provides guidance to those office members who play a role in the detection and investigation of driving under the influence (DUI).

506.2 POLICY

The Mohave County Sheriff's Office is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Arizona's impaired driving laws.

506.3 INVESTIGATIONS

Deputies should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All deputies are expected to enforce these laws with due diligence.

The Patrol Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating deputies in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The deputy's observations that indicate impairment on the part of the individual, and the deputy's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Arizona or another jurisdiction.

506.4 FIELD TESTS

Deputies shall utilize the Department approved field sobriety tests (FSTs) when investigating violations of DUI laws.

506.5 CHEMICAL TESTS

A person implies consent under Arizona law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (ARS § 28-1321):

- (a) The arresting deputy has reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of alcohol or drugs.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Impaired Driving

- (b) The arresting deputy has reasonable grounds to believe the person is under 21 years of age and has any amount of alcohol in his/her body.
- (c) A deputy has reasonable grounds to believe that the person was involved in a traffic accident that resulted in death or serious physical injury and has probable cause to believe that the person caused the accident (ARS § 28-673).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the deputy should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

506.5.1 BREATH SAMPLES

The Department's Quality Assurance Specialist (QAS) should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested and that a record of such service and testing is properly maintained.

Deputies obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Patrol Sergeant.

506.5.2 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (ARS § 28-1388). The blood draw should be witnessed by the assigned deputy. A deputy who is a certified phlebotomist shall not draw blood from his/her own arrestee. The Deputy will not make more than two attempts to draw blood on an arrestee.

Deputies should inform the person that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

If a person cannot submit to a blood test because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be treated as a refusal. However, that arrestee may be required to complete another available and viable test.

506.5.3 URINE SAMPLES

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The deputy shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by a deputy or jail staff of the same sex as the person giving the sample. The person tested should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the specimen.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Impaired Driving

506.5.4 PRELIMINARY TESTS

A deputy who has reasonable suspicion to believe that a person is in violation of ARS § 28-1381 (DUI) or ARS § 28-1382 (extreme DUI) may request that the person submit to a preliminary breath test before arrest (ARS § 28-1322).

506.5.5 STATUTORY NOTIFICATIONS

A deputy arresting a person for DUI shall provide the person with the mandatory statutory warnings for submitting to testing provided by ARS § 28-1321(B).

506.6 REFUSALS

When a person refuses to provide a chemical sample, deputies should:

- (a) Advise the person of the consequences of refusing a test requested pursuant to ARS § 28-1321.
- (b) Audio- and/or video-record the advisement and the response when it is legal and practicable.
- (c) Document the refusal in the appropriate report.

506.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, deputies shall personally serve the notice of suspension, on behalf of the Arizona Department of Transportation (ADOT), upon the person and take possession of any state-issued license or permit to operate a motor vehicle that is held by that person. If the person's license is surrendered, the deputy shall issue the person a 15-day temporary driving permit. If the person's license or permit is not surrendered, the deputy should include the reason why in his/her report (ARS § 28-1321).

The order of suspension is effective 15 days after the date it is served and shall be accompanied by printed forms that the person can use to request a hearing or summary review regarding the suspension. The order shall notify the person that (ARS § 28-1321; ARS § 28-1385):

- (a) He/she may submit a written or online request for a hearing or summary review.
- (b) The request for a hearing or summary review must be received by ADOT within 15 days after the date of the notice, or the order of suspension will become final.
- (c) The person's license or permit to drive or right to apply for a license or permit will be suspended.
- (d) The person's driving privilege may be reinstated following the period of suspension only if the person completes alcohol or other drug screening.
- (e) Unless the person has surrendered his/her license or permit, the person's request for a hearing will not be accepted without a certifying statement that the license or permit is lost or destroyed.

506.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses to submit to a chemical test when any of the following conditions exist:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Impaired Driving

- (a) A search warrant has been obtained (ARS § 28-1321).
- (b) The deputy can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from an accident investigation or medical treatment of the person.
- (c) If the deputy has probable cause to believe that the person has violated the state's impaired driving laws and a sample of blood, urine, or other bodily substance has been taken from that person for any reason, the deputy may request a portion of that sample for analysis (ARS § 28-1388).

506.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the deputy should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another deputy) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Supervise any use of force and ensure the forced withdrawal is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied is reasonable under the circumstances:
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - 2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Impaired Driving

If a supervisor is unavailable, deputies are expected to use sound judgment and perform as a responding supervisor, as set forth above.

506.7 ARREST AND INVESTIGATION

506.7.1 ADDITIONAL TESTING

The person tested shall be given a reasonable opportunity to arrange for any physician, registered nurse or other qualified person of the person's own choosing to administer a test or tests, in addition to any administered at the direction of a deputy (ARS § 28-1388).

506.7.2 RESULTS FROM HEALTH CARE INSTITUTION

A deputy who has reasonable grounds to believe that a person is DUI may request a copy of any written or electronic report of the person's blood alcohol concentration that is in the possession of a health care institution (ARS § 28-1390).

506.7.3 IGNITION INTERLOCK DEVICE

A person arrested for DUI, who is also under a previous court order to have a certified ignition interlock device (IID) on his/her motor vehicle, shall submit to any test chosen by a deputy (ARS § 28-1464).

506.7.4 DEPUTY RESPONSIBILITIES

The arresting deputy shall file a certified report of a person's refusal and copies of the notice of suspension and temporary permit with ADOT within five days. The certified report shall contain (ARS § 28-1321):

- (a) The deputy's reasonable grounds to believe that the arrested person was driving or in actual physical control of a motor vehicle:
 - 1. While under the influence of intoxicating liquor or drugs, or
 - 2. While under 21 years of age with alcohol in his/her body.
- (b) The manner in which the person refused to submit to the test or tests.
- (c) That the person was advised of the consequences of refusal.

506.7.5 QUALITY ASSURANCE

This office shall utilize a quality assurance program, conducted by quality assurance specialists or operators, regarding devices used to determine alcohol concentration and shall generate records of periodic maintenance of those devices, pursuant to AAC § R13-10-104.

506.8 ID AND RECORDS RESPONSIBILITIES

The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

The Division Commander should ensure that any driver license or permit seized is destroyed in compliance with ARS § 41-151.15 and ARS § 41-151.19 (public records laws) or forwarded to

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Impaired Driving

ADOT within five days after issuance of the notice of suspension to the driver (ARS § 28-1321; ARS § 28-1385).

506.9 ADMINISTRATIVE HEARINGS

The supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to ADOT.

Any deputy who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

A deputy called to testify at an administrative hearing should document the hearing date and the ADOT file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The ID and Records should forward this to the prosecuting attorney as part of the case file.

506.10 TRAINING

Division Commanders should ensure that deputies participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations.

Traffic Citations

507.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

507.2 RESPONSIBILITIES

Employees of this office shall use the state of Arizona uniform traffic ticket and complaint form for traffic complaints (ARS § 28-1557(A)).

Each District and Division Commander shall be responsible for the issuance and accounting of all traffic citations provided to employees of this office pursuant to ARS § 28-1557(C).

Citations will be kept in a secure location and issued to deputies by District or Division Administrative Staff. Deputies will sign for the citation books when issued and the District or Division Administrative Staff will maintain a receipt for each book issued.

Deputies shall return to the ID and Records (ARS § 28-1558(D)):

- (a) Each traffic citation issued to an alleged violator of a traffic law or ordinance.
- (b) Copies of each traffic citation that is spoiled or on which any entry has been made and not issued to an alleged violator.

507.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this office do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Patrol Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Patrol Sergeant may request the Patrol Division Commander to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor or court with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should a deputy determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the deputy may request the prosecutor or court to dismiss the citation. Upon dismissal of the traffic citation by the court, the deputy shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Patrol Division Commander for review.

Only the court has the authority to dismiss a citation that has been deposited with a court (ARS § 28-1558(B)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Traffic Citations

507.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Patrol Sergeant.

507.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the deputy issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The deputy shall prepare a letter of correction, after review by the supervisor, to the court having jurisdiction and to the recipient of the citation.

507.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this office shall be forwarded to the District or Division Administrative Staff for review and data entry. The citation copies shall then be filed with the ID and Records.

Upon separation from employment with this office, all employees who were issued traffic citation books shall return any unused citations to the District or Division Administrative Staff.

507.7 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

Disabled Vehicles

508.1 PURPOSE AND SCOPE

Law enforcement and other public agencies may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

508.2 DEPUTY RESPONSIBILITIES

When an on-duty deputy observes a disabled vehicle on the roadway, the deputy should make a reasonable effort to provide assistance. If that deputy is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available deputy or other office member to respond as soon as practicable.

508.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by Office personnel will be contingent on the time of day, the location, the availability of Office resources and the vulnerability of the disabled motorist.

508.3.1 MECHANICAL REPAIRS

Office personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

508.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this office by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

508.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The office member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

508.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

Abandoned Vehicle Violations

509.1 PURPOSE AND SCOPE

This policy provides procedures for the removal, recording and storage of vehicles abandoned in violation of abandoned vehicle laws, under the authority of ARS § 28-4834.

509.1.1 DEFINITIONS

Definitions related to this policy include:

Abandoned Vehicle - A vehicle, trailer or semitrailer that is subject to registration, whether lost, stolen, abandoned or otherwise unclaimed and that has been abandoned on a public highway, public property or elsewhere, including private property. Evidence that a vehicle was left unattended for a period of 48 hours within the right-of-way of any highway, road, street or other public thoroughfare or for a period of 72 hours on public or private property or elsewhere is prima facie evidence of abandonment (ARS § 28-4801).

509.2 MARKING VEHICLES

Vehicles on public roadways suspected of being abandoned in violation of Arizona abandoned vehicle laws shall be marked and noted on the Mohave County Sheriff's Office unattended vehicle card (Pink Tag).

509.2.1 VEHICLE STORAGE

Any vehicle in violation should be stored and a vehicle storage report shall be completed in accordance with the Vehicle Towing and Release Policy.

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Mohave County Sheriff's Office to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 DEPUTY RESPONSIBILITIES

A deputy responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 1. An initial statement from any witnesses or complainants.
 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the deputy shall:
 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the District Commander.
 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 5. Collect any evidence.
 6. Take any appropriate law enforcement action.
 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take

Investigation and Prosecution

any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of a deputy shall be requested.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy. Interviews or interrogation of a person with a communications disability shall be in accordance with the Communications with Persons with Disabilities Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Division supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Investigation and Prosecution

- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, deputies should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, deputies should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the internet should only be accessed by members while on-duty and for purposes related to the mission of this office. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using office equipment.

Information obtained via the internet should not be archived or stored in any manner other than office-established record keeping systems (see the Records Maintenance and Release and the Criminal Intelligence Systems policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any office computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Investigation and Prosecution

legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Deputies should seek legal counsel before any such interception.

600.8 COLD CASE REGISTER

The Office shall maintain a confidential cold case register for offenses including homicides and felony sexual offenses that have remained unsolved for more than one year. As reasonably practicable, cold cases shall be revisited periodically for new information.

Maintenance of the cold case register and proper notification of the victim, victim's family or appropriate representative shall be in accordance with Arizona law (ARS § 13-4271).

600.9 THEFT NOTIFICATION WEBSITE REGISTRATION

The Detective Division supervisor shall ensure that this office is registered with the free theft notification website and reports stolen items via the website to recycling operations and other law enforcement agencies within a 100-mile radius of a theft (ARS § 44-1641.02; ARS § 44-1641.05).

600.10 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Commander or the Sheriff. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

600.11 TRACKING DEVICES AND CELL SITE SIMULATORS

The Detectives Division Commander is responsible for ensuring that search warrants for use of tracking devices and cell site simulators meet the requirements of the provisions contained in ARS § 13-4293 and ARS § 13-4294.

Sexual Assault Investigations

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notification requirements are addressed in the Child Abuse and Adult Abuse policies.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in ARS § 13-1401 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

601.2 POLICY

It is the policy of the Mohave County Sheriff's Office that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sexual Assault Investigations

601.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

601.4.1 WEBSITES THAT SEXUALLY EXPLOIT CHILDREN

Members who become aware of a website that sexually exploits children shall notify a supervisor who will ensure the service provider of the website is served notice of the alleged violation pursuant to ARS § 13-3562.

601.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should not be asked or required to take a polygraph examination (34 USC § 10449).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sexual Assault Investigations

601.6.1 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence are required to do the following (ARS § 13-1426):

- (a) Facilitate the collection of a sexual assault kit when notified by a health care facility that a sexual assault kit is ready for release within five business days of notification.
- (b) Ensure the sexual assault kit evidence is submitted to the appropriate laboratory within 15 business days after its receipt in cases where the victim has made a report and there is a reasonable belief that a crime has occurred.
- (c) Providing the required data regarding sexual assault kits to the Department of Public Safety (DPS) as prescribed by DPS on or before Aug. 30 of each year (ARS § 13-1427).

Additional guidance regarding evidence retention and destruction is found in the Evidence Room Policy.

601.6.2 MINOR CONSENT TO MEDICAL EXAMINATION

Where a minor, age 12 years or older, is a victim of a sexual assault and it is not possible to contact the parents or legal guardian within the allotted timeframe a medical examination should be conducted. The minor may give consent to a hospital, medical and surgical examination, as well as to diagnosis and care in connection with such violation (ARS § 13-1413).

601.6.3 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

601.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Division supervisor.

Classification of a sexual assault case as unfounded requires the Detective Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

Sexual Assault Investigations

601.8 CASE REVIEW

The Detective Division supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Sheriff.

601.8.1 REPORTING TO DEPARTMENT OF PUBLIC SAFETY

The Detective Division supervisor or authorized designee should ensure that the data required by the Department of Public Safety (DPS) regarding sexual assault kits is collected and provided to the ID and Records for required annual reporting to DPS (ARS § 13-1427) (See Records Bureau Policy).

601.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

601.10 TRAINING

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
 1. Initial response to sexual assaults.
 2. Legal issues.
 3. Victim advocacy.
 4. Victim's response to trauma.
- (b) Qualified investigators who should receive advanced training on additional topics. Advanced training should include:
 1. Interviewing sexual assault victims.
 2. SART.
 3. Medical and legal aspects of sexual assault investigations.
 4. Serial crimes investigations.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sexual Assault Investigations

5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.

Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Sheriff to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Mohave County Sheriff's Office seizes property for forfeiture or when the Mohave County Sheriff's Office is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The office member, assigned by the Sheriff, who is responsible for reviewing all forfeiture cases and acting as the liaison between the Office and the prosecutor.

Property subject to forfeiture - Property, including all interests in such property, described in a statute providing for its forfeiture. This may include, but is not limited to (ARS § 13-4304):

- (a) The following items used or intended for use in drug offenses in violation of ARS § 13-3401 et seq. (ARS § 13-3413):
 1. Property, equipment, containers, materials, money, etc.
 2. Vehicles to facilitate the transportation, sale or receipt of, or in which is contained or possessed, any item or drug (with exceptions addressed below).
- (b) The following property (ARS § 13-3413):
 1. Proceeds traceable to a drug offense in violation of ARS § 13-3401 et seq. committed for financial gain.
 2. All proceeds seized in this state and traceable to an offense that:
 - (a) Is committed outside Arizona but is equivalent to an Arizona drug offense under ARS § 13-3401 et seq.
 - (b) Is punishable by imprisonment for more than one year.
 - (c) Involves prohibited drugs, marijuana or other prohibited chemicals or substances.
 - (d) Is committed for financial gain.
- (c) Property utilized in or proceeds from racketeering offenses (ARS § 13-2314).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Asset Forfeiture

1. Property or interests in property acquired or maintained by an individual in violation of ARS § 13-2312.
2. Any interest in, security of, claims against, or property, office, title, license or contractual right of any kind affording a source of influence over any enterprise or other property which an individual has acquired or maintained an interest in, or control of, or conducted or participated in the conduct of in violation of ARS § 13-2312.
3. Proceeds traceable to an offense included in the definition racketeering (ARS § 13-2301(D)(4)) and held by an individual, and all monies, negotiable instruments, securities and other property used or intended to be used by an individual in any manner or part to facilitate commission of the offense and that an individual either owned or controlled for the purpose of that use (racketeering includes an expansive list of applicable offenses).
4. Any other property of equivalent value to other property subject to forfeiture for racketeering above.
5. Any property or interest in property acquired or maintained by an individual in violation of ARS § 13-2312.

(d) Vehicles used in a drive-by shooting (ARS § 13-1209).

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

602.2 POLICY

The Mohave County Sheriff's Office recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any individual's due process rights.

It is the policy of the Mohave County Sheriff's Office that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

602.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

602.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (ARS § 13-4305):

- (a) Property subject to forfeiture identified in a search warrant or court order.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Asset Forfeiture

- (b) Property subject to forfeiture not identified in a search warrant or court order when any of the following are true:
 - 1. Property is legally seized incident to an arrest or search as evidence of an offense.
 - 2. The deputy has probable cause to believe the property qualifies as property subject to forfeiture.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the prosecutor's current minimum forfeiture thresholds should not be seized.
- (b) A vehicle, when it appears that the owner or other person in charge of the vehicle did not consent to the use of the vehicle for the relevant offense or know of the offense (ARS § 13-4304).
- (c) A vehicle unlawfully in the possession of an individual other than the owner in violation of the criminal laws of this state or of the United States (ARS § 13-4304).
- (d) Property or vehicles used for a drug offense involving unlawful substances that do not meet the threshold amounts of ARS § 13-3401 and are not possessed for financial gain (ARS § 13-4304).

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the deputy making the seizure should ensure compliance with the following:

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the deputy must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Asset Forfeiture

The deputy will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Deputies who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

602.5 MAINTAINING SEIZED PROPERTY

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used by the Office unless the forfeiture action has been completed.

602.6 FORFEITURE REVIEWER

The Sheriff will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Office on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly ARS § 13-4301 et seq. and the forfeiture policies of the prosecutor.
- (b) Serving as the liaison between the Office and the prosecutor and ensuring prompt legal review of all seizures (ARS § 13-4306).
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Asset Forfeiture

- (f) Ensuring that seizure forms are available and appropriate for office use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to deputies. The forms should be available in languages appropriate for the region and should contain spaces for:
 - 1. Names and contact information for all relevant persons and law enforcement personnel involved.
 - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 - 3. A space for the signature of the person from whom cash or property is being seized.
 - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
- (g) Ensuring that those who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Departmental Directives. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (ARS § 13-4306; ARS § 13-4307).
 - 4. Property is promptly released to those entitled to its return.
 - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 - 6. Any cash received is deposited with the fiscal agent.
 - 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 - 8. Current minimum forfeiture thresholds are communicated appropriately to deputies.
 - 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Asset Forfeiture

- (i) Ensuring that a written plan is available that enables the Sheriff to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information is available for other law enforcement personnel and attorneys who may assist in these matters.
- (j) Ensuring that the process of selling or adding forfeited property to office inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.
- (k) Upon completion of any forfeiture process, ensuring that no property is retained by the Mohave County Sheriff's Office unless the Sheriff authorizes in writing the retention of the property for official use.
- (l) Ensuring that no seized property is transferred to a federal agency except as authorized by ARS § 13-4306.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and County financial directives.

602.7 DISPOSITION OF FORFEITED PROPERTY

Property that is allocated for official use may not be assigned for use by any person who supervised or exercised discretion in its forfeiture unless the use is approved in writing by the Sheriff (ARS § 13-4315).

Any funds from the county anti-racketeering revolving fund administered by the county attorney shall be used for purposes specified in ARS § 13-2314.03 (e.g., gang prevention, substance abuse prevention, witness protection or any other purpose permitted by federal law related to forfeited money transferred to a law enforcement agency). If forfeited funds are being requested, the forfeiture reviewer shall take reasonable steps to see that a written application is forwarded to the county attorney and that expenditures of funds are documented and reported as required by ARS § 13-2314.03.

No member of this office may use property that has been seized for forfeiture until the forfeiture action has been completed and the Sheriff has given written authorization to retain the property for official use. No office member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Mohave County Sheriff's Office for law enforcement purposes. This also includes a person agreeing to supply information to the Mohave County Sheriff's Office for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

603.2 POLICY

The Mohave County Sheriff's Office recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this office that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL

Before using an individual as an informant, a deputy must receive approval from his/her supervisor. The deputy shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this office should not guarantee absolute safety or confidentiality to an informant.

603.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Sheriff or the authorized designee

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated office informant agreement. The deputy using the informant shall discuss each of the provisions of the agreement with the informant.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Informants

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

603.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Sheriff, Division Commander, Narcotics Division supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as sheriff's deputies, employees or agents of the Mohave County Sheriff's Office, and that they shall not represent themselves as such.
- (d) The relationship between office members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Narcotics Division supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Deputies shall not meet with informants in a private place unless accompanied by at least one additional deputy or with prior approval of the Narcotics Division supervisor.
 - 1. Deputies may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, deputies shall arrange for the presence of another deputy.
- (g) In all instances when office funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, deputies shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Office and, if so, what conditions will be placed on his/her participation or any information the informant provides. The

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Informants

supervisor shall document the decision and conditions in file notes and mark the file “unsuitable” when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of a deputy.
- (c) The informant reveals to suspects the identity of a deputy or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this office to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of deputies or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.
- (h) The informant is or has been convicted of sex crimes.
- (i) The informant is on supervised probation or parole (unless approved by Probation/Parole Officer and Judge).
- (j) The informant has a history of mental health issues.

603.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of office members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Narcotics Division. The Narcotics Division supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Sheriff, Division Commander, Narcotics Division supervisor or their authorized designees.

The Detectives Division Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Narcotics Division supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Informants

603.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the deputy initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

603.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Narcotics Division supervisor will discuss the above factors with the Patrol Division Commander and recommend the type and level of payment subject to approval by the Sheriff.

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Informants

- (a) Payments of \$500 and under may be paid in cash from a Narcotics Division buy/expense fund.
 - 1. The Narcotics Division supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the deputy who will be delivering the payment.
 - 1. The check shall list the case numbers related to and supporting the payment.
 - 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
 - 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
 - 4. Authorization signatures from the Sheriff and the County Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the deputy delivering the payment shall complete a cash transfer form.
 - 1. The cash transfer form shall include the following:
 - (a) Date
 - (b) Payment amount
 - (c) Mohave County Sheriff's Office case number
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 - 2. The cash transfer form shall be signed by the informant.
 - 3. The cash transfer form will be kept in the informant's file.

603.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of deputies or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

603.6.3 AUDIT OF PAYMENTS

The Narcotics Division supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Informants

At least once every six months, the Sheriff or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this office employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Mohave County Sheriff's Office will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Detective Division supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate related forms or reports that provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Eyewitness Identification

- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

Eyewitness Identification

604.7 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being reviewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Eyewitness Identification

- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information - Information known or possessed by the Mohave County Sheriff's Office that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Mohave County Sheriff's Office will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Mohave County Sheriff's Office will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Office will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Deputies must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If a deputy learns of potentially incriminating or exculpatory information any time after submission of a case, the deputy or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the deputy should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If a deputy is unsure whether evidence or facts are material, the deputy should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Office case file.

605.4 DISCLOSURE OF PERSONNEL INFORMATION

If *Brady* information is located, the following procedure shall apply:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Brady Material Disclosure

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and office member shall be notified of the potential presence of *Brady* material in the member's personnel file.
 - 1. The prosecuting attorney or office counsel should be requested to file a motion in order to initiate an in camera review by the court.
 - 2. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (b) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (c) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (d) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

A person or persons designated by the Sheriff should periodically examine the personnel files and/or internal affairs files of all deputies who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

605.5 INVESTIGATING BRADY ISSUES

If the Office receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.6 TRAINING

Office personnel should receive periodic training on the requirements of this policy.

Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

606.2 POLICY

Unmanned aerial systems may be utilized to enhance the office's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

606.5 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Unmanned Aerial System (UAS) Operations

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.6 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Chapter 7 - Equipment

Office-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Office employees are expected to properly care for Office property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Office property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

700.2 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Office, all issued equipment shall be returned and documentation of the return signed by a supervisor.

700.2.1 CARE OF OFFICE PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Office property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Office property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Employees shall promptly report through the chain of command, any loss, damage to or unserviceable condition of any Mohave County Sheriff's Office-issued property or equipment assigned for their use.
 - 1. A supervisor receiving such a report shall conduct an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss, damage or unserviceable condition.
 - 2. A review by the staff to determine whether misconduct or negligence was involved should be completed.
- (b) The use of damaged or unserviceable Office property should be discontinued as soon as practicable and, if appropriate and approved by the staff, replaced with comparable Office property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, Office property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Office property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) In the event that any Office property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Office-Owned and Personal Property

700.3 USE OF PERSONAL PROPERTY

The carrying of personal equipment on-duty or its use in the performance of duties requires prior written approval by the Sheriff or appropriate Division Commander. The employee should submit for approval the description of personal property the employee has requested to carry, the reason for its use and the term of its use. Personal property of the type routinely carried by persons not performing law enforcement duties that is not a weapon are excluded from this requirement.

700.3.1 DEFINITIONS

Definitions related to this policy include:

Personal Property - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Uniform Regulations Policy.

700.3.2 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by the staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Sheriff, who will then forward the claim to the Finance Department.

The Office will not replace or repair costly items (e.g., jewelry, exotic equipment) that are not reasonably required as a part of work.

700.3.3 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Deputies and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement function shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as reasonably soon as circumstances permit.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Office-Owned and Personal Property

- (b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to personal property or property belonging to the County of Mohave County Sheriff's Office, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as reasonably soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Office or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Mohave County Sheriff's Office allows members to utilize office-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Office, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Office and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.4 OFFICE-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Office may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Office-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Sheriff or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Office and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personal Communication Devices

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Office accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any office business-related communication.
 - 1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Sheriff.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Office, without the express authorization of the Sheriff or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Office with the telephone number of the device.

Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct office business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
- (c) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official office business. Disclosure of any such information to any third party through any means, without the express authorization of the Sheriff or the authorized designee, may result in discipline.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personal Communication Devices

- (d) Members will not access social networking sites for any purpose that is not official office business.
- (e) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Deputies operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (ARS § 28-914). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other office communications network.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Office vehicles so that they are properly equipped, maintained, refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a Office vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition. Paperwork, describing the correction needed, shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 SUSPECTED DAMAGE OR POOR PERFORMANCE

Vehicles that may have suffered damage, perform poorly or whose control or safety features has been diminished shall be immediately removed from service for inspection and repair.

702.2.2 SEVERE USE INSPECTION

Vehicles operated under severe use conditions, including rough roadway or off-road operation, hard or extended braking, pursuits or prolonged high-speed operation, should be removed from service and subjected to a safety inspection as soon as reasonably possible.

702.2.3 REMOVAL OF WEAPONS

When a vehicle is left unattended at a garage or other facility for repair, employees shall insure that no firearms are left in the vehicle.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all Office vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Deputies shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Flashlight
- 3 gallons of water
- M.R.E.
- 20 highway flares
- First aid kit
- Rollatape
- Reflective traffic vest
- 1/2 tank of fuel (minimum)

Vehicle Maintenance

- Barricade tape
- 3 traffic cones
- H.E.P.A. mask
- CPR pocket mask
- Bottle of hand sanitizer
- Haz-mat response book
- Fingerprint kit
- Latex gloves (minimum 2 pair)
- OSHA blood safety kit
- Syringe containment tube
- Fire extinguisher
- Blanket
- 3 flex cuffs
- Business cards
- Vehicle insurance/registration cards
- County accident form

702.3.2 UNMARKED VEHICLES

An employee driving an unmarked Office vehicle shall ensure that, at minimum, the equipment listed below is present in the vehicle:

- 20 emergency road flares
- Barricade tape
- First aid kit
- CPR pocket mask
- Blanket
- OSHA blood safety kit
- Syringe containment tube
- Hazardous waste disposal bag
- Traffic safety vest
- Haz-mat response book
- Evidence collection kit

Vehicle Maintenance

- Camera

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, deputies driving patrol vehicles shall not place or operate a vehicle in service that has less than one-half tank of fuel. Vehicles shall only be refueled at an authorized location.

702.5 WASHING OF VEHICLES

All units shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to enhance their appearance.

Employees using a vehicle shall remove any trash or debris at the end of the shift. Confidential documents should be placed in a designated receptacle provided for the shredding of this material.

702.6 NON-SWORN EMPLOYEE USE

Non-sworn employees using marked vehicles shall ensure all weapons are removed from the vehicle before going into service. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure office vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of office vehicles and shall not be construed to create or imply any contractual obligation by the County of Mohave County Sheriff's Office to provide assigned take-home vehicles.

703.2 POLICY

The Mohave County Sheriff's Office provides vehicles for office-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Office, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this office should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All office vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.2 MOBILE DATA COMPUTER

Members assigned to vehicles equipped with a Mobile Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Dispatch. Use of the MDC is governed by the Mobile Data Computer Use Policy.

703.3.3 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Sheriff, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Use

Members shall not make any unauthorized modifications to the system.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Commander approval.

703.3.4 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.3.5 AUTHORIZED PASSENGERS

Members operating office vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

703.3.6 ALCOHOL

Members who have consumed alcohol are prohibited from operating any office vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.7 PARKING

Except when responding to an emergency or when urgent office-related business requires otherwise, members driving office vehicles should obey all parking regulations at all times.

703.3.8 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned division commander.

703.3.9 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall prominently display the "out of service" placards or light bar covers at all times. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Office vehicles may be assigned to individual members at the discretion of the Sheriff. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment, at the discretion of the Sheriff.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Use

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other office members at the discretion of the Sheriff or the authorized designee.

703.4.2 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the County of Mohave County Sheriff's Office is a prime consideration for assignment of a take-home vehicle. Members who reside outside the County of Mohave County Sheriff's Office may be required to secure the vehicle at a designated location or the Office at the discretion of the Sheriff.

Members are cautioned that under federal and local tax rules, personal use of a County vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Sheriff or a Division Commander gives authorization.
- (b) Vehicles will not be used when off-duty except:
 1. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 2. When the member has received permission from the Sheriff or Division Commanders.
 3. When the vehicle is being used by the Sheriff, Division Commanders or members who are in on-call administrative positions.
- (c) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (d) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (e) Unattended vehicles are to be locked and secured at all times.
 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All office identification, portable radios and equipment should be secured.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Use

- (f) If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed, secured in locked gun racks or properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (g) Vehicles are to be secured at the appropriate office facility, at the discretion of the Office when a member will be away (e.g., on vacation) for periods exceeding four days.

703.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Mohave County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired and carry their office-issued identification. Deputies should also ensure that office radio communication capabilities are maintained to the extent feasible.

703.4.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) of their assigned vehicles.

Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance shall be performed as necessary at a facility approved by the office supervisor in charge of vehicle maintenance.
- (d) The Office shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors shall make, at a minimum, quarterly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded on the sign out log maintained in that division.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Vehicle Use

703.6 DAMAGE, ABUSE AND MISUSE

When any office vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Response and Reporting Policy).

Damage to any office vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the District Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 ATTIRE AND APPEARANCE

When operating any office vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Office.

Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure office members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

704.2 POLICY

It is the policy of the Mohave County Sheriff's Office to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of office operations and ensure the public trust.

704.3 PETTY CASH FUNDS

The Sheriff shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

704.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every six months. This audit requires that the manager and at least one other command staff member, selected by the Sheriff, review the ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Sheriff.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Sheriff or the County.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Cash Handling, Security and Management

704.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Narcotics Division supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for office services shall discharge those duties in accordance with the procedures established for those tasks.

704.7 OTHER CASH HANDLING

Members of the Office who, within the course of their duties, are in possession of cash that is not their property or is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence and Informants policies.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

704.8 GRANT REIMBURSEMENT SUBMISSIONS

Members of the Mohave County Sheriff's Office who, within the course of their duties, prepare grant related reimbursement submissions shall have them reviewed by the Administrative Supervisor or an authorized designee prior to submission to the granting authority.

Chapter 8 - Support Services

Communication Operations

800.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Dispatch. It addresses the immediate information needs of the Office in the course of its normal daily activities and during emergencies.

800.2 POLICY

It is the policy of the Mohave County Sheriff's Office to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Office provides two-way radio capability for continuous communication between Dispatch and office members in the field.

800.2.1 PRIORITY CALLS-DEFINITIONS

(a) **Priority 1 Call**

1. Any event where death or serious injury has resulted or may result, or
2. Any event requiring back-up assistance for an officer, or
3. "In progress" or "Just Occurred" crimes against persons

(b) **Priority 2 Call**

1. Any event which is "In progress" or has "Just Occurred" but is not a crime against person

(c) **Priority 3 Call**

1. Any event which involves a delay between the time of occurrence and the time of report, or
2. Any event which involves a report taking function only, or
3. Service calls, including but not limited to: citizen assist, deliver message, civil standby, etc.

800.2.2 DISPATCHING CALLS

All calls for law enforcement services shall be promptly dispatched via radio in order of severity.

The dispatching of calls shall not be delayed, except when:

- (a) Patrol units are busy with a call of greater urgency, and
- (b) An affected patrol supervisor has been notified of the pending call(s) as soon as possible after they are received
- (c) The number of patrol units dispatched to any call for service may be increased or decreased dependent upon the particular circumstances involved and /or the specific directions of a supervising officer.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

The authority of the dispatcher is at all times subordinate to the command of a supervising officer.

- **Use of Alert Tones**
 - Alert tone #1 (high pitched mono tone) will precede dispatching of serious in progress calls where it is reasonable to believe death or serious physical injury has or may occur.
 - Alert tone #2 will be used to reach a deputy after repeated attempts by radio are unsuccessful

Patrol units shall hold all non-emergency traffic until 911 or priority traffic in other districts are cleared. Dispatch will immediately notify that normal traffic can resume.

It is the responsibility of the dispatcher to advise non-assigned units to hold radio traffic when units handling an event have urgent need for radio communication. When restricted air is being used, a tone will be used by dispatch. The officer may request that the tone not be used, such as during building searches where a tone on portable radios is undesirable.

800.3 DISPATCH SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Dispatch, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Dispatch.

Access to Dispatch shall be limited to Dispatch members, the District Commander, command staff and office members with a specific business-related purpose.

800.3.1 WELFARE CHECKS

A welfare/status checks (CODE 500) shall be made at least once every half hour, when contact has not been initiated by the deputy.

800.3.2 COMMUNICATIONS CENTER SECURITY

- (a) A professional Communications Center Will be maintained
- (b) ACJIS (Arizona Criminal Justice Information System) security requirements shall be complied with by **All** personnel
- (c) Only authorized personnel conducting official business will be allowed entry into the Communications Center
- (d) Personnel entering the Communications Center will conduct themselves in a professional manner. There will be no loitering or disruptive behavior

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

- (e) Civilian visitors must obtain permission to enter the Communications Center from a supervisor, Chief Deputy or Sheriff with no exceptions
- (f) Copies of dispatch audiotapes may be requested by a supervisor. The request may be submitted via email to the dispatch supervisor or by completing a dispatch recording request from signed by a supervisor.

800.4 RESPONSIBILITIES

800.4.1 DISPATCH SUPERVISOR

The Sheriff shall appoint and delegate certain responsibilities to a Dispatch Supervisor. The Dispatch Supervisor is directly responsible to the Undersheriff or the authorized designee.

The responsibilities of the Dispatch Supervisor include, but are not limited to:

- (a) Overseeing the efficient and effective operation of Dispatch in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
 - 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of Dispatch information for release.
- (f) Maintaining Dispatch database systems.
- (g) Maintaining and updating Dispatch procedures manual.
 - 1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
 - 2. Ensuring Dispatch compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (i) Maintaining a current contact list of County personnel to be notified in the event of a utility service emergency.

800.4.2 ADDITIONAL PROCEDURES

The Dispatch Supervisor should establish procedures for:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

- (d) Availability of current information for dispatchers (e.g., District Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (g) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
- (h) Protection of radio transmission lines, antennas and power sources for Dispatch (e.g., security cameras, fences).
- (i) Handling misdirected, silent and hang-up calls.
- (j) Handling private security alarms, if applicable.
- (k) Radio interoperability issues.

800.4.3 DISPATCHERS

Dispatchers report to the Dispatch Supervisor. The responsibilities of the dispatcher include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
 - 1. Emergency 9-1-1 lines.
 - 2. Business telephone lines.
 - 3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
 - 4. Radio communications with members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
 - 5. Other electronic sources of office information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of office members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through Dispatch, office and other law enforcement database systems (e.g., the Arizona Criminal Justice Information System (ACJIS), Arizona Department of Transportation (ADOT) records and Arizona Law Enforcement Telecommunications System (ALETS)).
- (d) Monitoring office video surveillance systems.
- (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
- (f) Notifying the District Commander or field supervisor of emergency activity, including, but not limited to:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

1. Vehicle pursuits.
2. Foot pursuits.
3. Assignment of emergency response.

800.5 CALL HANDLING

This office provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Dispatch, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

800.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding office members and affected individuals.

Emergency calls should be dispatched immediately. The District Commander shall be notified of pending emergency calls for service when office members are unavailable for dispatch.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

800.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

800.6 RADIO COMMUNICATIONS

The sheriff's radio system is for official use only, to be used by dispatchers to communicate with office members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Dispatch Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

800.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Mohave County Sheriff's Office radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

800.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to office members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. The call sign system shall be adhered to by all personnel. EXAMPLE: "1Paul51...." "1" identifies the channel in which the deputy is currently transmitting on, "Paul" signifies the type of unit (Patrol) and "51" identifies the deputy's radio call sign. The complete call sign will be used at all times, without dropping the channel or unit designator.

Personnel shall wait for a response prior to broadcasting information when initiating contact: EXAMPLE: 1 Paul 51....(wait for response)

800.7 DOCUMENTATION

It shall be the responsibility of Dispatch to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communication Operations

be encountered at the scene of a serious in-progress crime. Desirable information would include, at a minimum:

- DR number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

800.8 CONFIDENTIALITY

Information that becomes available through Dispatch may be confidential or sensitive in nature. All members of Dispatch shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as ADOT records, warrants, criminal history information, records of internal sheriff's files or medical information, shall only be made available to authorized law enforcement personnel.

Dispatching 911 Calls for Service

801.1 PURPOSE AND SCOPE

To insure the prompt dispatching and routing of 9-1-1 calls for service and to coordinate emergency responses of allied agencies.

801.2 DEFINITIONS

A.L.I. - Automatic Location Identification (i.e. address)

A.N.I. - Automatic Number Identification (i.e. telephone number)

E-9-1-1 - The Enhanced 9-1-1 System which incorporates A.L.I. & A.N.I.

P.S.A.P. - Public Safety Answering Point

WPH1 - (Wireless Phase 1) A class of service on a wireless 9-1-1 call. A 9-1-1 call that indicates location of Cell Tower only

WPH2 - (Wireless Phase 2) A class of service on a wireless 9-1-1 call. A 9-1-1 call wherein the GPS location of the caller is received along with the Cell provider and a cell phone callback number

801.3 GENERAL

The Sheriff's Office is the designated PSAP for 9-1-1 calls, which originate within the unincorporated areas of Mohave County.

The incoming 9-1-1 lines will be used only for reception of information concerning events which are designated as Priority I or Priority II calls. Should a Priority III call be received on a 9-1-1 lines, the caller will be advised to consult the blue pages of their telephone directory for the appropriate number, or seek operator assistance. However, if the appropriate number is known to the dispatcher, the number should be given.

- (a) Non-emergency business calls (i.e. Priority III calls) or personal calls will not be accepted or transferred to another number or extension on 9-1-1 lines, nor will 9-1-1 lines be used to make outgoing non-emergency business or personal calls.

801.4 911 CALL RECEPTION

The 9-1-1 emergency lines shall be answered as promptly as possible with the following phrase: "9-1-1. What is the emergency?" Phase II 9-1-1 calls will be answered as promptly as possible with the following phrase: "Mohave County Sheriff 9-1-1 where is your emergency?"

Though the 9-1-1 system is equipped with ANI and ALI dispatchers must always verify the incident location including cross streets and verify information displayed on the ALI screen such as, caller's name, address, telephone number and community.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Dispatching 911 Calls for Service

- (a) Alarm companies will not be authorized to install automated dialer systems for use with 9-1-1 lines.
 - 1. Any use of an automated dialer system on a 9-1-1 line shall be reported in writing to the dispatch supervisor as soon as practicable when such an occurrence takes place.
- (b) 9-1-1 calls shall be recorded on department records in the same manner and to the same extent as service calls received on other lines; the name, address, and telephone number of the caller will be obtained.
- (c) When subsequent calls are received on previously reported events, the dispatcher shall advise the caller(s) that the event has been reported and thank the caller(s) for calling 9-1-1.
 - 1. Prior to disconnecting call, it is essential to insure that the caller is not reporting a change in circumstances or location.
- (d) 9-1-1 calls which are disconnected prior to the reception of essential information will be dispatched to the appropriate field units from ALI information as "Unknown problem, 9-1-1 disconnect at..."
 - 1. Using the ANI information, the dispatcher will recontact the caller to determine additional data.
 - 2. Any additional information will be relayed to field units.
 - 3. 9-1-1 calls which require only the response of Sheriff's Office Personnel will be dispatched in accordance with policy 802.
- (e) Phase II 9-1-1 calls which come in as WPH2 which are disconnected prior to the reception of nature of the call will be dispatched to the appropriate field units utilizing the ALI information as "unknown problem, 9-1-1 disconnect at... with an uncertainty factor of XX"
 - 1. Using the callback number, the dispatcher will attempt re-contact with the call.
 - 2. If unable to make contact through callback number the dispatcher will use ALI information to contact the cell phone provider to obtain additional data. For Calls with 9-1-1 prefixes or ALI information less than 200 meters.

(c) The dispatcher will plot the call utilizing the Lat/Long coordinates provided in the ALI

(d) Additional information will be relayed to the field units

801.5 911 CALL ROUTING

- (a) **Sheriff's Office Response**

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Dispatching 911 Calls for Service

1. Should a combined response of the Sheriff's Office and another agency be required, data necessary for departmental records will be obtained and notification to the other agency will be made by dispatch personnel.

- (a) Fire Department notification will be made immediately on all reports of auto and aircraft accidents.

(b) Other Agency Response

- (a) Should a 9-1-1 call require only the response of an agency or agencies other than the Sheriff's Office (e.g. another Law Enforcement Agency, Fire Department, or other emergency response unit), the caller will be advised to remain on the line which the call is being routed to the appropriate agency.

- (a) The dispatcher will:

- (a) Confirm the address with the R/P against the visible readout, and
 - (b) Ascertain the name of the household (Smith, Jones, etc.) and
 - (c) Determine what type of emergency exists (chest pain, difficulty breathing, structure fire, broken bone, etc) and
 - (d) PSAP the call to the appropriate fire department, and while keeping the R/P on the line, transfers the above information to the fire department or EMS. If the fire department or EMS should require any other specific information from the R/P, they can obtain it from the R/P and the dispatcher can disconnect, leaving the R/P and the fire department connected.

- (a) Calls will be routed by the "Conference Method" with speed-dial feature

- (b) The dispatcher will announce upon connection with the fire department or EMS "Mohave County Sheriff's Office with a...., transfer"

- (b) If two dispatchers are available, one may transfer information while the other solicits further information. As a last resort, when a dispatcher is alone and cannot give information, the R/P may be transferred directly to the fire department/EMS with the announcement: "Mohave County Sheriff's Office with a transfer, go ahead please", and disconnect once the conversation begins.

- (a) Legitimate 911 calls shall not be placed on HOLD unless absolutely necessary.

- (b) All 9-1-1 calls should be as brief as possible to free the incoming 9-1-1 line.

- (c) For informational purposes, the Sheriff's dispatch will notify patrol units in an affected area of a 9-1-1 response by other departments or agencies.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Dispatching 911 Calls for Service

801.6 TELETYPE FOR THE DEAF (T.T.D.)

Public Safety Dispatchers will receive emergency calls from TDD users.

- (a) When a call is received and no voice is heard, the Dispatcher must be aware of the possibility of the electronic tones associated with a TDD (Telecommunication Device for the Deaf) machine. When these tones are heard, the call must be transferred to the TDD application for completion of the call.
- (b) The hearing impaired community uses a visual gestural language, American Sign Language, for their normal communications. Typical emergency request that have the potential for confusion when received may be:
 - o "Feel bad me, hard air, afraid heart trouble"
 - o "Can't breath, heart hurt"
 - o "Break in house gone things"
- (c) Dispatch will notify the appropriate personnel/agency that the call was received from a TDD machine.

Evidence Room

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property. Property belonging to persons in custody should be handled pursuant to policies guiding Temporary Custody of Juveniles, Temporary Custody of Adults and jail operations, and the procedures for each facility or operation.

802.1.1 EVIDENCE ROOM SECURITY

The Evidence Room shall maintain secure storage and control of all property necessitating custody by the Office. The evidence custodian reports to the Evidence Supervisor and is responsible for the security of the Evidence Room. Evidence Room keys are maintained only by the evidence custodian and the Evidence Supervisor. An additional key is in a sealed and initialed envelope maintained in the safe in the Sheriff's office. The evidence custodian and the Evidence Supervisor shall not loan Evidence Room keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Evidence Room other than the evidence custodian must be accompanied by the evidence custodian or the Evidence Supervisor and must sign in and out on the logbook giving the date and time of entry and exit, and the purpose, including a specific case or property number. The entry shall be initialed by the accompanying individual.

802.2 DEFINITIONS

Definitions related to this policy include (ARS § 12-940):

Property - Includes items taken or recovered in the course an investigation, including photographs and latent fingerprints, that are held for use in a judicial or administrative proceeding.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Storage of property, other than evidence, having any value and that belongs to a known individual.

Found property - Property turned over to the Department where the owner may or may not be known and that has no apparent evidentiary value.

802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room, along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Whenever property is taken from an individual, a property receipt form will be completed. The receipt shall describe the property and contain a notice on how to retrieve the property from the

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

Office. A copy of the property receipt form shall be given to the individual from whom the property was taken (ARS § 12-944).

Any property seized by a deputy with or without a warrant shall be safely kept for as long as necessary for the purpose of being produced as evidence. Seized property held as evidence shall be returned to its rightful owner unless subject to lawful detention or ordered destroyed or otherwise disposed of by the court.

Where ownership can be established as to found property that has no apparent evidentiary value, such property may be released to the owner without the need for booking. The property documentation must be completed to document the release of property not booked. The owner shall sign the documentation acknowledging receipt of the item.

802.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the evidence and property control report form describing each item separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) The deputy shall mark each item of evidence appropriately.
- (c) Items too small to mark, or that will be damaged, degraded or devalued by marking, should be individually packaged, labeled and the package marked appropriately.
- (d) The completed evidence and property control report form shall be placed with the property in the temporary property locker or with the property if it is stored somewhere other than a property locker.
- (e) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in any office supply room or other location that can be secured from unauthorized entry. The location shall be secured to prevent entry and a completed property form placed into a numbered property locker indicating the location of the property.

802.3.2 CONTROLLED SUBSTANCES

All controlled substances shall be booked separately using a separate property record. Drug paraphernalia shall also be booked separately.

802.3.3 EXPLOSIVES

Explosives that are known or suspected to be armed or live, other than fixed ammunition, should not be retained in the sheriff's facility. All fireworks, railroad flares or fuses that are considered safe will be transported to the appropriate fire department on a regular basis by a evidence custodian or seizing deputy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

Deputies who encounter an explosive device shall immediately notify the immediate supervisor or on duty/on call sergeant. A Bomb Squad from a neighboring agency will be called to handle situations involving explosive devices and all such devices will be released to the Bomb Squad for disposal.

Suspected hazardous materials shall be packaged according to Arizona Department of Health Services (ADHS) Management Guidelines and placed in the HAZMAT locker pending transport to the ADHS State Public Health Laboratory.

802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air-dried prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the evidence custodian or placed in the designated container for return to the Arizona Department of Transportation's Driver and Vehicle Services. No formal property booking process is required.
- (c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the evidence custodian, or placed in the bicycle storage area until a evidence custodian can log the property.
- (d) All cash shall be counted in the presence of another deputy and the envelope initialed by both deputies. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count, and will initial and date the property documentation and specify any additional security procedures to be used.
- (e) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property form.
- (f) Items that are potential biohazards shall be appropriately packaged and marked to reduce the risk of exposure or contamination.

County property, unless connected to a known criminal case, should be released directly to the appropriate County department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.4 PACKAGING OF PROPERTY

Packaging will conform to the Property Packaging Procedures. Certain items require special consideration and shall be booked separately as follows:

- (a) Controlled substances.
- (b) Firearms (ensure they are unloaded and booked separately from ammunition).
- (c) Property with more than one known owner.
- (d) Drug paraphernalia.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

- (e) Fireworks.
- (f) Contraband.
- (g) Biohazards.

802.4.1 PACKAGING CONTAINER

Employees shall package all property, except controlled substances in a suitable container that is appropriate for its size. Knife boxes should be used to package knives, handgun boxes should be used for handguns and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

802.4.2 PACKAGING CONTROLLED SUBSTANCES

The deputy seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged and placed in the designated drug locker, accompanied by the completed evidence and property control report form. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. When conducted, the results of this test shall be included in the deputy's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size, available in the bag and tag room. The booking deputy shall initial the sealed envelope and the initials covered with cellophane tape. Controlled substances shall not be packaged with other property.

The booking deputy shall weigh the suspected narcotics or dangerous drugs in the container in which it was seized. A full description of the item, along with packaging and total weight of the item as seized, will be placed in the case report and on the evidence and property control report form. After packaging and sealing as required, the entire package will be weighed and the Gross Package Weight (GPW) will be written on the outside of the package, initialed and dated by the packaging deputy.

The GPW will be verified every time the package is checked in or out of the Evidence Room and any discrepancies noted on the outside of the package. Any change in weight should be immediately reported to the Evidence Supervisor.

A completed evidence and property control report form shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

802.4.3 RIGHT OF REFUSAL

The evidence custodian has the right to refuse any piece of property that is not properly documented or packaged. Should the evidence custodian refuse an item, he/she shall maintain secure custody of the item in a temporary property locker and inform the supervisor of the submitting deputy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

802.5 RECORDING OF PROPERTY

The evidence custodian receiving custody of evidence or property shall create a property control card for each piece of property received. The property control card will be the permanent record of the property in the Evidence Room. The evidence custodian will record his/her signature, GPW if it is a controlled substance to be used as evidence, the date and time the property was received and where the property will be stored on the property control card.

A property logbook shall be maintained and a unique property number created for each piece of property received. The logbook shall record by property number, the date received, case number, tag number, item description, item location and date disposed. A unique property number shall be obtained for each item or group of items from the logbook. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Mohave County Sheriff's Office shall be noted in the property logbook.

802.6 PROPERTY CONTROL

Each time the evidence custodian receives property or releases property to another person, he/she shall enter this information on the property control form. Deputies desiring property for court shall contact the evidence custodian at least three days prior to the court day.

802.6.1 RESPONSIBILITIES OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No property or evidence is to be released without first receiving written authorization from a supervisor or investigator.

Request for analysis for items other than controlled substances shall be completed on the appropriate forms and submitted to the evidence custodian. This request may be filled out any time after booking of the property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property control form and the request for laboratory analysis.

The evidence custodian releasing the evidence must complete the required information on the property control card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the deputy will record the delivery time on both copies and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be kept in evidence for filing with the case.

802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to deputies for investigative purposes, or for court, shall be noted on the property control card, stating the date, time and to whom it was released.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

The evidence custodian shall obtain the signature of the person to whom property was released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to the Evidence Room or released to another authorized person or entity.

The return of the property should be recorded on the property control card, indicating date, time and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The evidence custodian shall not release any property without a signed authorization from an appropriate authorized member of the Office. The Evidence Supervisor shall authorize the disposition or release of all evidence and property coming into the care and custody of the Office.

For property in custody of the Office for investigatory or prosecutorial purposes and owned by a victim or witness, a evidence custodian shall, upon the request of the owner:

- (a) Provide a list describing the property unless such release would seriously impede an investigation.
- (b) Return the property expeditiously unless the property is required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner of the property.

802.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or investigator and must conform to the items listed on the property form or must specify the specific item to be released.

A evidence custodian shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property documentation. After release of all property entered on the property control card, the card shall be retained by the evidence division.

Upon release or other form of disposal, the proper entry shall be recorded in all property documentation and logs.

802.6.6 STOLEN OR EMBEZZLED PROPERTY

Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this office shall be restored to the owner (ARS § 13-3941). Such property may be released from law enforcement custody when the following are satisfied:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

- (a) Photographs of the property are filed and retained by the Evidence Room.
- (b) Satisfactory proof of ownership of the property is shown by the owner.
- (c) A declaration of ownership is signed under penalty of perjury.
- (d) A receipt for the property is obtained from the owner upon delivery.

If stolen or embezzled property is not claimed by the owner within six months after the conviction of the person for such theft or embezzlement, the property shall be disposed of as specified in ARS § 13-3942.

802.6.7 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the office, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Office may be asked to file an interpleader in court to resolve the disputed claim.

802.6.8 RELEASE AND DISPOSAL OF FIREARMS

A firearm may not be released until it has been verified that the person receiving the weapon is not prohibited from receiving or possessing the weapon by 18 USC § 922 or ARS § 13-3101.

If a firearm is seized for safekeeping at a domestic violence incident under ARS § 13-3601, it may not be released for at least 72 hours or longer if the prosecutor files a notice of intent to retain or if ordered by a court. Prior to release, the Evidence Room shall inform the handling investigator that a request to release the firearm has been received. The handling investigator shall, as soon as is reasonably possible, notify the victim of the request. Once the victim has been notified, the investigator will contact the Evidence Room to clear the firearm for release.

The Office shall make best efforts for a period of 30 days after the seizure of an abandoned or stolen firearm to protect the firearm from harm and return it to the lawful owner. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal consistent with this policy.

802.7 DISPOSITION OF PROPERTY

All property not held for evidence and held for a minimum of 30 days may be disposed of as follows:

- (a) Property having a value of \$150 or more and whose owner is not known requires posting or publication of a notice in the local print media prior to disposal (ARS § 12-944). If, 30 days after notice has been posted or published, the owner or person entitled to the property has not appeared, the property shall be disposed of pursuant to ARS § 12-945.
- (b) If the property is a firearm, it shall be disposed of pursuant to ARS § 12-945.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evidence Room

- (c) Found property may be returned to the person who found and turned it in as provided in ARS § 12-941.

802.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances
- Animals, birds and equipment related to their care and containment that have been ordered forfeited by the court
- Counterfeiting equipment
- Gaming devices
- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Controlled substances
- Unclaimed, stolen or embezzled property
- Destructive devices

802.7.2 UNCLAIMED MONEY

If found, seized, or money held for safekeeping is no longer required as evidence and remains unclaimed after 30 days or after final disposition of the case, the money is presumed abandoned property and may be disposed as specified in ARS § 12-942.

ID and Records

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Mohave County Sheriff's Office ID and Records. The policy addresses office file access and internal requests for case reports.

803.2 POLICY

It is the policy of the Mohave County Sheriff's Office to maintain office records securely, professionally and efficiently.

803.3 RESPONSIBILITIES

803.3.1 RECORDS MANAGER

The Sheriff shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Administration Division Commander or the authorized designee.

The responsibilities of the Records Manager include but are not limited to:

- (a) Overseeing the efficient and effective operation of the ID and Records.
- (b) Scheduling and maintaining ID and Records time records.
- (c) Supervising, training, and evaluating ID and Records staff.
- (d) Maintaining and updating a ID and Records procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 1. Homicides.
 2. Cases involving office members or public officials.
 3. Any case where restricted access is prudent.

803.3.2 ID AND RECORDS

The responsibilities of the ID and Records include but are not limited to:

- (a) Maintaining a records management system for case reports.
 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

ID and Records

1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Office with access to case reports when needed for investigation or court proceedings.
 - (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
 - (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
 - (f) Identifying missing case reports and notifying the responsible member's supervisor.
 - (g) Providing the required data regarding sexual assault kits to the Department of Public Safety (DPS) as prescribed by DPS on or before Aug. 30 of each year (ARS § 13-1427).
 - (h) Providing the Arizona Department of Health Services (DHS) the required report for a suspected opioid overdose within five business days after a member's response to the call (AAC § R9-4-602).
 - (i) Providing records related to a drug overdose fatality as required by ARS § 36-198 and ARS § 36-198.01.
 - (j) Filing a certificate of service with the court for an emergency order of protection for domestic violence and registering the order with the national crime information center as required by ARS § 13-3624(F).
 - (k) Reporting use of force incident data as required by the Arizona Criminal Justice Commission (ARS § 38-1118).

803.4 CONFIDENTIALITY

ID and Records staff has access to information that may be confidential or sensitive in nature. ID and Records staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the ID and Records procedure manual.

Records Maintenance and Release

804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of office records. Protected information is separately covered in the Protected Information Policy.

804.2 POLICY

The Mohave County Sheriff's Office is committed to providing public access to records in a manner that is consistent with the Arizona Public Records Law (ARS § 39-121 et seq.).

804.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Sheriff shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to (ARS § 39-121.01; ARS § 41-151.14; ARS § 39-171):

- (a) Managing the records management system for the Office, including the security, preservation, retention, archiving, release, and destruction of office public records.
- (b) Maintaining and updating the office records retention schedule including:
 1. Identifying the minimum length of time the Office must keep records.
 2. Identifying the office division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of office public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available.
- (g) Acting as the coordinator and liaison with the Arizona State Library in the management of the office records.
- (h) Ensuring that the name, telephone number, and email address for the Custodian of Records is published on the office website.

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any office member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following (ARS § 39-121.01; ARS § 39-171):

- (a) The Office is not required to create records that do not exist.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Records Maintenance and Release

- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the office-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (c) A requester may request to examine or be furnished copies, printouts, or photographs during regular business hours or request that copies of records be mailed unless otherwise available on the office website.
 - 1. When records are requested to be mailed, the requester shall pay in advance any copying and postage charges.
- (d) An acknowledgement of a records request shall be provided to the requester within five days of receipt.
- (e) Records shall be provided to a requester promptly and fees charged as allowed by law.
 - 1. Crime victims, a victim's attorney, or family of deceased or incapacitated victims are entitled, upon request, a copy of the police report at no charge for certain crimes under ARS § 39-127.
- (f) If a request is denied, the requester should be provided a written denial and the reason for the denial.
- (g) Access to a public record is deemed denied if the Custodian of Records fails to promptly respond to a request for production of a public record.

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any office record, including traffic accident reports, are restricted except as authorized by the Office, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; ARS § 28-667).
- (b) Member home address and home telephone number (ARS § 39-123).
- (c) A photograph of a deputy when (ARS § 39-123):
 - 1. Working in an undercover capacity or scheduled to be serving in an undercover capacity within 60 days.
 - 2. The release is not in the best interest of the state after taking into consideration the privacy, confidentiality, and safety of the deputy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Records Maintenance and Release

3. An order pursuant to ARS § 28-454 is in effect (records maintained by the Arizona Department of Transportation).
 - (d) Limited information in member disciplinary records (ARS § 39-128).
 - (e) Victim and witness identifying information, including date of birth, Social Security number, driver license number, address, telephone number, email address, place of employment, and the name of a minor victim (ARS § 8-413; ARS § 13-4434; ARS § 39-123.01).
 - (f) Ongoing investigation materials only where release would hinder an investigation or interfere with official duties.
 - (g) Certain types of reports involving, but not limited to, child abuse and molestation (ARS § 13-3620).
 - (h) Arrests or booking reports for the commercial purpose of soliciting legal services (ARS § 39-121.03).
 - (i) Any other information that may be appropriately denied by Arizona law.

804.6 SET ASIDE ORDERS

Orders to set aside records received by the Office shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall set aside such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once the record is set aside, members shall not release copies or provide access to such records except by court order (ARS § 13-4051).

804.7 SECURITY BREACHES

Members who become aware that any Mohave County Sheriff's Office system containing personal information may have been breached should notify the Records Manager as soon as practicable.

The Records Manager shall ensure notice is given as provided in ARS § 18-552 to any person whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person and notice to any other required entity if the breach involves more than 1000 individuals (ARS § 18-552).

Notice shall be given within 45 days subject to the needs of a law enforcement investigation. Notice may be delayed if notification will impede a criminal investigation, but shall be made within 45 days once there is a determination that the investigation will not be compromised (ARS § 18-552).

For the purposes of the notice requirement, personal information means (ARS § 18-551):

- (a) An individual's first name or first initial and last name in combination with any one or more of the following:
 1. Social Security number
 2. Arizona driver license number or non-operating identification license

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Records Maintenance and Release

3. A private key that is unique to an individual and that is used to authenticate or sign an electronic record
 4. Financial account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
 5. Individual's health insurance identification number
 6. Information about an individual's medical or mental health treatment or diagnosis by a health care professional
 7. Individual's passport number
 8. Individual's taxpayer identification number or an identity protection personal identification number
 9. Unique biometric data generated from a measurement or analysis of human body characteristics to authenticate an individual when the individual accesses an online account
- (b) An individual's username or email address in combination with a password or security question and answer, that allows access to an online account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Records Manager should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

Protected Information

805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Mohave County Sheriff's Office. This policy addresses the protected information that is used in the day-to-day operation of the Office and not the public records information covered in the Records Maintenance and Release Policy.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Mohave County Sheriff's Office and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

805.2 POLICY

Members of the Mohave County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

805.3 RESPONSIBILITIES

The Sheriff shall select a member of the Office to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to (ARS § 41-1750; AAC § R13-1-204):

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), the Arizona Criminal Justice Information System (ACJIS), Arizona Department of Transportation (ADOT) records and Arizona Law Enforcement Telecommunications System (ALETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Protected Information

- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Mohave County Sheriff's Office policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (ARS § 41-1756).

805.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Office may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the ID and Records to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of deputies, other office members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

805.6 SECURITY OF PROTECTED INFORMATION

The Sheriff will select a member of the Office to oversee the security of protected information.

The responsibilities of this position include, but are not limited to (AAC § R13-1-201):

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Protected Information

- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Sheriff and appropriate authorities.

805.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

805.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination (ARS § 41-1750(E)).

Computers and Digital Evidence

806.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. This policy also establishes procedures for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

806.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Deputies should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

- (a) Photograph each item, front, back and surrounding desktop or office setup, specifically including cable connections to other items. Look for a telephone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
 1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
 2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery.
- (e) Label each item with case number, evidence sheet number and item number.
- (f) Handle and transport the computer and storage media (e.g., tape, disks, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Lodge all computer items into the Evidence Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, deputies should document the following in related reports:
 1. Where the computer was located and whether it was in operation.

Computers and Digital Evidence

2. Who was using it at the time.
 3. Who claimed ownership.
 4. If it can be determined, how it was being used.
- (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (e.g., printers, remote drives, hard drives, tape drives and disk drives) should be seized along with all media. Accessories (e.g., printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture or the equipment is proprietary (e.g. Apple keyboard and mouse) and necessary for examination of the associated media.

806.2.1 BUSINESS OR NETWORKED COMPUTERS

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

806.2.2 FORENSIC EXAMINATION OF COMPUTERS

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

- (a) Copy of reports involving the computer, including the Evidence/Property sheet.
- (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation or other legal authority for examination.
- (c) A listing of the items to search for (e.g., photographs, financial records, E-mail, documents).
- (d) A forensic copy of the media will be made, and subsequent forensic examination of the copy will be conducted by a trained digital forensic examiner.

806.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media including hard drives, floppy discs, CDs, DVDs, tapes, memory cards or flash memory devices should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Evidence Room to copy the contents to an appropriate form of storage media.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Computers and Digital Evidence

- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

806.4 SEIZING PCDS

Personal communication devices such as cellular phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

- (a) Deputies should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a Faraday bag, to prevent the device from sending or receiving information from its host network.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

806.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Deputies handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure its integrity and admissibility.

806.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

806.5.2 SUBMISSION OF DIGITAL MEDIA

The following are required procedures for the submission of digital media used by cameras or other recorders:

- (a) The recorded digital media (e.g., memory card, compact flash card or any other media) shall be transferred to compact disc by the case officer on designated office computers only. Once the transfer is verified, the memory card will be erased for reuse. The case officer will then book the compact disc into evidence.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Computers and Digital Evidence

- (b) Data that needs to be immediately transferred to storage media to be sent to the Mohave County Attorney's Office for filing of a felony criminal complaint will be transferred to two compact discs. One will be forwarded to the Mohave County Attorney's Office with the initial case package marked as "copy", the second will be placed into evidence by the case officer.
- (c) All other requests for copies of either digital images or compact disc must be submitted on a department "Request for Printed Images or Copies of Compact Disc" form to the Evidence Custodian.

806.5.3 DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

- (a) Files should not be opened or reviewed prior to downloading and storage.
- (b) Where reasonably possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

806.5.4 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only digital forensic examiners are authorized to copy original media seized as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

Animal Control

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

807.2 ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of Animal Control and include the following:

- (a) Animal-related matters during periods when Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.
- (d) Disposition of animals other than livestock that have been bitten by a rabid or suspected rabid animal or are showing symptoms suggestive of rabies (ARS § 11-1003; AAC § R9-6-502 et seq.).

807.3 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Animal Control Officers may carry assigned weapons, tools and instruments which aid in the performance of their job duties. These include, but are not limited to catch poles, animal traps, electronic devices, pepper ball guns, tranquilizer guns and catch snares. Any weapons, tools and instruments assigned to or used by each officer shall be used on animals only and shall never be used on humans.

Any weapons, tools, electronic devices (ie Taser, Dazer) or instruments used by or issued to the Animal Control Officers for use in their everyday job duties are to be solely used on animals during the officer's normal course of duties where use of those weapons, instruments, tools or electronic devices was warranted and the officer's safety was compromised. Failure to abide by these guidelines could result in disciplinary action against the officer.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to the public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Animal Control

- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
 - 2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
 - 3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

807.4 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag and properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

807.5 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts shall be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

807.5.1 INJURED WILDLIFE

Injured or deceased ranch animals or wildlife should be referred to the appropriate agency as listed by the Arizona Department of Game and Fish, the Bureau of Land Management or the Animal Services Division of the Arizona Department of Agriculture.

807.5.2 RESCUE OF ANIMALS IN VEHICLES

Members may use reasonable force to open a vehicle to rescue an animal if the animal is left confined and unattended in a vehicle and physical injury or death of the animal is likely to result (ARS § 13-2910). Members should:

- (a) Make a reasonable effort to locate the owner before entering the vehicle.
- (b) Take steps to minimize damage to the vehicle.
- (c) Refrain from searching the vehicle or seizing items except as otherwise permitted by law.
- (d) Leave notice on or in the vehicle identifying the location where the animal has been taken and the name and Office of the member involved in the rescue.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Animal Control

- (e) Make reasonable efforts to contact the owner or secure the vehicle before leaving the scene.

807.5.3 INJURED WILDLIFE

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- (b) Take steps to minimize damage to the vehicle.
- (c) Refrain from searching the vehicle or seizing items except as otherwise permitted by law.
- (d) Leave notice on or in the vehicle identifying the location where the animal has been taken and the name and Office of the member involved in the rescue.
- (e) Make reasonable efforts to contact the owner or secure the vehicle before leaving the scene.

807.6 CALL-OUT

The following is a list of calls to be handled by ACO after hours;

- (a) When an animal that is capable of transmitting rabies bites a human
- (b) An aggressive animal at large
- (c) A down or contained injured dog or cat
- (d) Anytime the animal's owner is taken into custody from a vehicle and there is no third party to release the animal to. Arrests at a residence will be handled the next day.

All call-outs must be approved by the Search and Rescue Coordinator or designee.

807.7 POLICY

It is the policy of the Mohave County Sheriff's Office to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

807.8 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to ARS § 13-2910 et seq. (cruelty to animals, animal fighting).

- (a) An investigation should be conducted on all reports of animal cruelty.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Animal Control

- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Members who lawfully seize an animal shall comply with the notice requirements of ARS 13-4281.

807.9 POLICY

It is the policy of the Mohave County Sheriff's Office to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

807.10 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

807.11 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate animal care facility.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

807.12 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to ARS § 13-2910 et seq. (cruelty to animals, animal fighting).

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Members who lawfully seize an animal shall comply with the notice requirements of ARS 13-4281.

807.13 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the District Commander will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

807.14 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality of life issues.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Animal Control

807.15 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate animal care facility.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

807.16 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

807.17 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

807.18 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the District Commander will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

807.19 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality of life issues.

807.20 DESTRUCTION OF ANIMALS

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Noncriminal Use of Criminal Justice Information or Criminal History Record Information

808.1 PURPOSE

Mohave County Sheriff's Office may use the Criminal Justice Information (CJI) or Criminal History Record Information (CHRI) obtained from the Arizona Department of Public Safety (DPS) only for the specific purpose of evaluating the fitness of current or prospective pawnbroker licensees on submission of the subject's fingerprints and the prescribed fee. CJI/CHRI may not be reused for any other purpose.

808.2 AUTHORITY

Mohave County Sheriff's Office has the authorization to submit fingerprints to the Arizona Department of Public Safety for Fee-Based State and Federal Criminal History Checks pursuant to ARS 41-1750.G.2. ARS 44-1627 requires the Sheriff shall submit the fingerprints of prospective pawnbroker licensees to the department of public safety for the purpose of obtaining a state and federal criminal records check pursuant to section 41-1750 and Public Law 92-544. The authority is listed in the Noncriminal Justice User Agreement between the Arizona Department of Public Safety and Mohave County Sheriff's Office.

808.3 AGENCY SECURITY CONTACT (PRIMARY LIAISON)

Mohave County Sheriff's Office Agency Security Contact (ASC) is the point of contact with DPS through which all communication with DPS regarding audits, agency/personnel information changes and training and security are conducted. The ASC will maintain all authorized personnel training on the NCJA Training Documentation Form (or similar document). This information will be available at time of audit. The ASC can receive and disseminate communication updates from DPS. The Agency Security Contact for the Sheriff's Office will be the Mohave County Sheriff's Office Administrative Lieutenant.

808.4 AUTHORIZED PERSONNEL

Mohave County Sheriff's Office staff may encounter CJI/CHRI. Authorized personnel will be given access to view and handle the CJI/CHRI after completing the required training (CJIS Online Security & Awareness training and reading our agency-specific policies and procedures) and the one-time signing of an acknowledgement statement. The Authorized Personnel consists of Background investigations, Pawn Broker licensing, Administrative Supervisor, Administrative Assistant, Volunteer Coordinator, Dispatch Supervisor, designated Agency Security Contact (ASC) and any other person designated by the Sheriff. Refer to the Authorized Personnel List for the most current authorized personnel. The authorized personnel are aware of the other personnel on this list. Upon termination of authorized personnel, the ASC will update the Authorized Personnel List with DPS as soon as possible.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Noncriminal Use of Criminal Justice Information or Criminal History Record Information

The personnel listed on the current Authorized Personnel List on file with the DPS Access Integrity Unity (AIU) are the only personnel authorized to access, discuss, use, handle, disseminate, file, log and destroy the CJI/CHRI. To prevent tampering, all terminated personnel, the public, all outside persons and entities are prohibited from handling or having any access to CJI/CHRI for any reason. Secondary dissemination to an outside agency is prohibited.

Mohave County Sheriff's Office does not store CJI/CHRI electronically.

To prevent unauthorized access or tampering, the fingerprint filing cabinet and drawers are locked throughout the day and one key is secured with the ASC and one other key is secured with the designated authorized personnel. All visitors to the area where CJI/CHRI are kept are accompanied by authorized staff personnel as well.

808.5 FINGERPRINT SUBMISSIONS

808.5.1 FINGERPRINT CARD PROCESSING

Mohave County Sheriff's Office requires that all applicants must provide a valid, unexpired form of government-issued photo identification during the application process and prior to fingerprinting to verify their identity. Accepted forms of primary and secondary identification have been approved through the National Crime Prevention and Privacy Compact Council Identity Verification Program Guide.

A copy of the applicant's FBI Privacy Rights Notification will be provided to the applicant prior to fingerprinting.

Mohave County Sheriff's Office requires that all applicants must be fingerprinted if they are applying for a Pawn Brokers License. Applicants that have their fingerprints taken at locations other than the Mohave County Sheriff's Office or other law enforcement agency, will be given a chain of custody verification form, so the finger printer can show they verified the identity of the applicant.

Mohave County Sheriff's Office staff that takes possession of the fingerprint card and will ensure the correct purpose and authority (see above) are written on the fingerprint card in the "reason fingerprinted" box. Once the fingerprint card is completed and at no point in time is the fingerprint card to be returned to the applicant. Chain of custody procedures are maintained to protect the integrity of the applicant's fingerprints prior to submission to DPS and/or the FBI.

The fingerprint cards are then placed in a manila folder and then into a locked drawer to be mailed with the inventory sheet to DPS. Only authorized personnel have access to this locked drawer and the key is stored in the ASC's office.

When a fingerprint card is mailed or provided to the applicant, authorized personnel or designated staff will provide a packet that contains the following:

- Pre-filled fingerprint card with the employer's address, reason for fingerprint (authorization and purpose) and OCA number.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Noncriminal Use of Criminal Justice Information or Criminal History Record Information

- Applicant FBI Privacy Rights Notification.
- Instructions for the applicant on how to handle and return the fingerprint card.
- Fingerprint technician instructions.

808.6 PRIVACY & SECURITY

808.6.1 HANDLING/RETENTION OF CJI/CHRI

The fingerprint results from DPS are delivered in a sealed envelope clearly labelled "Arizona Department of Public Safety". This mail should be considered to contain CJI/CHRI and should only be provided directly to authorized personnel or the ASC. Only authorized personnel will open mail that contains the CJI/CHRI.

During the course of suitability determination, here are the steps that authorized personnel will follow:

- Before suitability is determined, the CJI/CHRI is stored in a locked drawer for the authorized personnel to review and make a suitability determination.
- After suitability is determined, the CJI/CHRI is stored in a separate employee fingerprinting file. These records cannot be released for any public records request and are not archived with the Arizona State Library, Archives and Public Records.
- After the final determination is rendered, the CJI/CHRI are filed in the fingerprint filing cabinet which is locked throughout the day and all visitors to the area are accompanied by authorized personnel.
- All information received will be held for no longer than 30 days after the qualifying event is concluded. All information received from CJI/CHRI will be shredded and recorded on the destruction log.

808.6.2 COMMUNICATION

Authorized Personnel may discuss the contents of the CJI/CHRI with the applicant in a private secure place and extreme care should be taken to prevent overhearing, eavesdropping or interception of communication. The applicant may not be given a copy of the record or allowed to take a picture of it with an electronic device. The record is for Mohave County Sheriff's Office use only. Employees will not confirm the existence or non-existence of an individual's criminal history record to the public or to any unauthorized individual. The applicant should be informed that if he/she wishes to challenge the content of the record, they can contact:

- For a copy of an Arizona criminal history record contact the DPS Criminal History Records Unit at 602-223-2222 to obtain the fingerprint card and a review and challenge packet.
- For a copy of an FBI criminal history record contact the FBI at 304-625-5590. More information can be found at <https://www.fbi.gov/services/cjis/identity-history-summary-checks>

Mohave County Sheriff's Office provides all applicants the right to review and challenge his/her criminal history record if they deem the information has been inaccurately reported. Each applicant

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Noncriminal Use of Criminal Justice Information or Criminal History Record Information

will be provided 10 business days upon notification to provide the Mohave County Sheriff's Office authentic documentation that reports the criminal history information accurately and completely. This information must be provided prior to determination of suitability for applying for a Pawn Brokers License. CJI/CHRI shall not be copied, emailed, faxed or scanned nor disseminated to secondary parties or the employee. Any casual unauthorized release of information is not allowed (i.e. social media, discussion with friends or family members). CJI/CHRI shall only be discussed (written or verbally) between the authorized personnel as necessary to carry out the specific purpose for which the information was requested and all verbal discussions take place in private.

If the fingerprint-based check has a disqualifying factor, the authorized personnel who opened and reviewed the record will hand-carry the record to the ASC or occasionally other authorized personnel, to determine the next steps. The ASC or authorized personnel will discuss the contents of the record with the applicant in a private and secure manner to obtain any additional information.

808.6.3 STORAGE OF CJI/CHRI

Once the CJI/CHRI has met its purpose, it is filed by authorized personnel in a secured locked filing cabinet in room number 214 ST-2 a secure location located in the Administration area of the Mohave County Sheriff's Office. CJI/CHRI are retained in accordance with Mohave County Sheriff's Office record retention policy. This CJI/CHRI filing cabinet does not contain any other employment records or any files which may be considered public record to prevent unauthorized access or dissemination. The filing cabinet is locked throughout the day to prevent unauthorized access by non-authorized personnel. The keys to the filing cabinet are kept secure by the ASC and another back-up key is kept secure with other authorized personnel. Only authorized personnel are allowed access to the filing cabinets that contain the CJI/CHRI. If a key to the filing cabinet that contains the records is lost, the filing cabinet will be re-keyed to prevent unauthorized access. Authorized personnel are responsible for safeguarding the confidentiality of the information at all times and may not disclose or allow access to the information to anyone except authorized personnel. CJI/CHRI is always secured and never left unattended.

808.6.4 FBI NOTIFICATIONS

The authorized personnel will provide a copy of the FBI Applicant's Privacy Rights Notification to the applicant when they arrive to be fingerprinted. Copies of the FBI Applicant's Privacy Rights Notification are available at the front desk and it will contain the following information:

- Your fingerprints will be used to check the criminal history records of the FBI. If you have a criminal history record, the officials making a determination of your suitability for the job, license, or other benefits must provide you the opportunity to complete or challenge the accuracy of the information in the record. You should be afforded a reasonable amount of time 10 business days to correct or complete the record (or decline to do so) before officials deny you the job, license, or other benefits based on information in the criminal history record.
- The procedures for obtaining a change, correction or updating of your FBI criminal history record are set forth in Title 28 Code of Federal Regulations, section 16.30

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Noncriminal Use of Criminal Justice Information or Criminal History Record Information

through 16.34. Information on how to review and challenge your FBI criminal record can be found at www.fbi.gov under Identity History Summary Checks or by calling 304-625-5590.

- To obtain a copy of your Arizona criminal history in order to review, update or correct the record, you can contact the Arizona Department of Public Safety Criminal History Records Unit at 602-223-2222 and to obtain a fingerprint card and review and challenge packet. Information on the review and challenge process can be found on the DPS webpage at www.azdps.gov.

808.6.5 DISPOSAL OF CJI/CHRI

When the CJI/CHRI has met the destruction date in accordance with Mohave County Sheriff's Office record retention policy, authorized personnel will destroy the CJI/CHRI. All destruction will be done by shredding.

In the event of a third-party contractor that performs the shredding, authorized personnel will accompany the vendor to oversee the shredding and handling of the CJI/CHRI. The authorized personnel, will observe the contractor from the time the shredding receptacle is picked up through the complete destruction of the CJI/CHRI.

808.6.6 MISUSE OF CJI/CHRI

In the event of deliberate, reckless or unintentional misuse of CJI/CHRI, the employee will be disciplined in accordance with the signed acknowledgement statement and Mohave County Sheriff's Office policy which can include termination.

808.6.7 TRAINING AND ACKNOWLEDGEMENT STATEMENTS

All authorized personnel must be trained in the online security awareness (CJIS Online) training within six months of hire (or upon being added to the Authorized Personnel List) and then every two years thereafter.

All authorized personnel must be trained in all in-house privacy and security training on the access, use, handling, dissemination and destruction procedures regarding CJI/CHRI within six months of hire (or upon being added to the Authorized Personnel List) and then every two years thereafter.

All authorized personnel will sign an acknowledgement statement regarding the notification of the penalties for misuse of CJI/CHRI. It is a class 6 felony in Arizona for a person to misuse CJI/CHRI per Arizona Revised Statutes (A.R.S. § 41-1756).

All training and acknowledgement statements will be recorded on a training documentation log. This log is reviewed during audits by DPS.

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody and placed in a holding cell at a MCSO location by members of the Mohave County Sheriff's Office for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

Nothing in this policy shall be construed to replace the policies and procedures of the Mohave County Jail.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Office.

Safety checks - Direct, visual observation by a member of this office performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in a holding cell at the Mohave County Sheriff's Office location prior to being released or transported to a housing or other type of facility.

900.2 GENERAL CRITERIA AND SUPERVISION

Adults detained in a holding cell shall be released or transported to another facility as soon as reasonably possible.

900.2.1 SUPERVISION IN TEMPORARY CUSTODY

An authorized office member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female office member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process. Absent exigent circumstances, such as a medical emergency or a violent subject, office members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Adults

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.2.2 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the District Commander.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.3 INITIATING TEMPORARY CUSTODY

The deputy responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The Deputy should evaluate him/her for obvious signs or indications of suicidal intent. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the County jail or the appropriate mental health facility.

The deputy should promptly notify the District Commander of any conditions that may warrant immediate medical attention or other appropriate action. The District Commander shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.3.1 SCREENING AND PLACEMENT

The deputy responsible for an individual in custody shall:

- (a) Advise the District Commander of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 - 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
 - 2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 - 3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Custody of Adults

4. Ensure males and females are separated by sight and sound when in cells.
 5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband or hazardous items, shall be removed.
- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to office members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by office members shall occur no less than every 15 minutes.
 1. Safety checks should be at varying times.
 2. All safety checks shall be logged.
 3. The safety check should involve questioning the individual as to his/her well-being.
 4. Individuals who are sleeping or apparently sleeping should be awakened.
 5. Requests or concerns of the individual should be logged.

900.5 DEATH OF A PRISONER

In the event of a fatal injury or death of a prisoner while in custody of this office, the Shift Sergeant shall be notified and will make the appropriate notifications pursuant to policy and state law (ARS§ 11-593(A)(5)).

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Mohave County Sheriff's Office facility. Such items can pose a serious risk to the safety and security of office members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

A deputy should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any office vehicle.

Whenever practicable, a custody search should be conducted by a deputy of the same sex as the person being searched. If a deputy of the same sex is not reasonably available, a witnessing deputy should be present during the search.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Custodial Searches

901.4 SEARCHES AT SHERIFF'S FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Mohave County Sheriff's Office facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this office, such as weapons or large items. These items should be retained for safekeeping in accordance with the Evidence Room Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another office member. The inventory should include the case number, date, time, member's Mohave County Sheriff's Office identification number and information regarding how and when the property may be released.

901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The office member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.5 STRIP SEARCHES

No individual in temporary custody at any Mohave County Sheriff's Office facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Custodial Searches

- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on office members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Mohave County Sheriff's Office facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from the District Commander shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the person being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The written authorization for the search, obtained from the District Commander.
 - 4. The name of the individual who was searched.
 - 5. The name and sex of the members who conducted the search.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Custodial Searches

6. The name, sex and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, recovered during the search.
 10. The facts upon which the member based his/her belief that the person searched was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) A copy of the written authorization should be retained and made available upon request to the individual or the individual's authorized representative.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with District Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the District Commander authorization does not need to be in writing.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the District Commander and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Custodial Searches

- (b) Only a physician may conduct a physical body cavity search.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary office members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The District Commander's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any office members present.
 - 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and should be made available to the individual who was searched or other authorized representative upon request.

901.7 TRAINING

The Training Coordinator shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

Prison Rape Elimination

902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against prisoners in the Mohave County Sheriff's Office Temporary Holding Facilities (28 CFR 115.111).

902.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the prisoner does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the prisoner or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a prisoner or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY

The Mohave County Sheriff's Office has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Office will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Mohave County Sheriff's Office will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

902.3 PREA COORDINATOR

The Sheriff shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee office efforts to comply with PREA standards in the Mohave County Sheriff's Office Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of Mohave County Sheriff's Office arrestees or prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of prisoners (28 CFR 115.151).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and office leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
 - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 - 3. A process to document all referrals to other law enforcement agencies.
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 - 5. In accordance with security needs, provisions to permit, to the extent available, prisoner access to victim advocacy services if the prisoner is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
 - 1. The agency shall not rely on other prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the office's website:
 - 1. Information on how to report sexual abuse and sexual harassment on behalf of a prisoner (28 CFR 115.154).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

2. A protocol describing the responsibilities of the Office and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
 2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house prisoners overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

902.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Prisoners may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Office shall notify all prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Office and that is able to receive and immediately forward prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Office members shall accept reports from prisoners and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the District Commander any knowledge, suspicion or information regarding:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against prisoners or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any office member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 DISTRICT COMMANDER RESPONSIBILITIES

The District Commander shall report to the office's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the District Commander shall also report the allegation as required under mandatory reporting laws and office policy.

Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the District Commander shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The District Commander shall document such notification (28 CFR 115.163).

If an alleged prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Office shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS

The Office shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received office-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS

The first deputy to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not a deputy the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a prisoner or a member of the Mohave County Sheriff's Office.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the County Attorney for possible prosecution, including any time there is probable cause to believe a prisoner sexually abused another prisoner in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATORS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this office shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

Prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Sheriff, or if the allegations may reasonably involve the Sheriff, to the County Manager. The Sheriff or County Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for office members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Sheriff shall take appropriate remedial measures and consider whether to prohibit further contact with prisoners by a contractor or volunteer.

902.6 RETALIATION PROHIBITED

All prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The District Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The District Commander or the authorized designee shall identify a staff member to monitor the conduct and treatment of prisoners or members who have reported sexual abuse and of prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of prisoners, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

902.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Sheriff and the PREA Coordinator. The Sheriff or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the office's progress in addressing sexual abuse.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

The report shall be approved by the Sheriff and made readily available to the public through the office website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Mohave County Sheriff's Office facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the office website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Office, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING

All employees, volunteers and contractors who may have contact with prisoners shall receive office-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Coordinator shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Office's zero-tolerance policy and prisoners' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which prisoners are most vulnerable.
- The right of prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Prison Rape Elimination

- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Coordinator shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Mohave County Sheriff's Office and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Mohave County Sheriff's Office provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Office does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Office will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 SELECTION PROCESS

The Office shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Office should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer examination (when legally permissible) (AAC § R13-4-106)

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Recruitment and Selection

- (i) Medical and psychological examination (may only be given after a conditional offer of employment) (AAC § R13-4-107)
- (j) Review board or selection committee assessment

1000.3.1 VETERANS' PREFERENCE

Veterans of the armed forces of the United States, as well as spouses or surviving spouses, may qualify for a veterans' preference as provided by ARS § 38-492. Preference points shall be added after the applicant has received a passing score on an examination for employment without preference (ARS § 38-492).

1000.3.2 DISABLED PERSONS' PREFERENCE

A disabled person shall be given a preference of five points over persons who are not disabled on an examination for employment if the disabled person earns a passing score without the preference (ARS § 38-492(B)). For the purposes of the preference, "disabled person" means a person who has a physical or mental impairment that substantially limits one or more of the individual's major life activities, a person who has a record of such impairment or a person who is regarded as having such impairment.

1000.3.3 LATERAL TRANSFER

Sworn deputy applicants (laterals) currently employed full-time with other agencies may be deemed to have met various entry requirements and specific steps may be waived at the discretion of the Sheriff or a designee.

1000.4 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Mohave County Sheriff's Office (AAC § R13-4-106).

1000.4.1 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.4.2 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Recruitment and Selection

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.6 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (AAC § R13-4-105 et seq.). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Office and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.6.1 STANDARDS FOR DEPUTIES

Candidates shall meet the minimum standards established by the Arizona Peace Officer Standards and Training Board (AZPOST) (AAC § R13-4-105):

- (a) Free of any felony convictions or any offense that would be a felony if committed in Arizona
- (b) Citizen of the United States
- (c) At least 21 years of age
- (d) High school diploma, passed the GED examination or have an accredited degree from an institution of higher education
- (e) Undergo a medical examination that meets the standards of AAC § R13-4-107
- (f) Not have been dishonorably discharged from the United States Armed Forces
- (g) Never been previously denied certified status, have certified status revoked, have a current certified status suspended or have voluntarily surrendered certified status that prevents certification with AZPOST

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Recruitment and Selection

- (h) Meet the drug standards as described in AAC § R13-4-105
- (i) Not been convicted of or adjudged to have violated the traffic regulations that govern the movement of vehicles with a frequency within the past three years that indicates a disrespect for traffic laws or a disregard for the safety of others on the highway

Evaluations, Personnel Performance Records

1001.1 PURPOSE AND SCOPE

The Mohave County Sheriff's Office conducts formal employee evaluations annually. The evaluations are completed on approved County forms. In addition to the annual evaluation, semi-annual (six month) Personnel Performance Records (PPR) are conducted. These are used to supplement the annual evaluation. The evaluation process is used to aid in assessing job related accomplishments and deficiencies of employees.

1001.2 SUPERVISORY DOCUMENTATION

All supervisors shall maintain a PPR file for each subordinate. An entry shall be made every 180 days. Entries may be made more often if appropriate. The PPR file shall contain both documentation about both the positive and negative aspects of the employee's performance. Entries may include:

- (a) Commendations, compliments, or complaints.
- (b) Comments regarding job performance.
- (c) Compliance with Mohave County Personnel Policies and Procedures, Departmental policies, and supervisory directions.
- (d) Use of care of departmental vehicles and other equipment
- (e) Documentation of report writing skills
- (f) Other information about the employee that is considered appropriate by the supervisor.

Copies of Reports, memos, letters, etc., may be included and become a part of the PPR file.

The supervisor making any such entry shall affix his/her signature and date beneath any entry made.

1001.3 EMPLOYEE REVIEW

The affected employee is encouraged to include comments which he/she feels are relevant to the supervisor's entry.

The employee shall sign and date the PPR entry to document the review of the entry. Employees who disagree with the PPR entry prepared by the supervisor may write a rebuttal statement as provided above which shall become a part of the PPR file.

1001.4 RETENTION

No Sheriff's Office employee (except the Sheriff) may remove any PPR entry or attachment, letter of commendations or reprimand, employees rebuttal, or any other document, from the PPR file.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Evaluations, Personnel Performance Records

If a supervisor makes an entry and later determines it to be inaccurate, mistaken, otherwise inappropriate, the PPR entry will remain in the file and the supervisor shall write an explanation of the circumstances and include it in the employee's PPR file to correct the situation.

Upon request an employee shall be furnished with a copy, or requested portion thereof, of the employee's PPR file.

PPR files will be retained by the supervisor until the filing of the Mohave County Annual Review, at which time the PPR entries made during the annual review period will be attached to and become a part of the Mohave County Annual Review.

Conduct, Specific Rules for Employee

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish specific Rules of Conduct for the benefit of the department and the public as well as to provide personnel with specific guidelines as to required demeanor.

1002.2 POLICY

1002.2.1 ACCEPTANCE OF GIFT OR REWARDS

Employees shall not solicit or accept rewards for performance of duties, ask for gratuities, or use their position to seek favors of any kind. Employees shall not engage in any business or financial transaction with any person confined to the County Jail or in the custody of the Sheriff's Office.

1002.2.2 CIVIL PROCESS

Employees will not serve civil process, either on or off duty, unless assigned as a part of their duty, and only when such process has been recorded and processed through the Sheriff's Civil Division. Exceptions may be made in regard to orders of protection. Notification as to service of an order of protection will be made to the Sheriff's Dispatch Center and Civil Division as soon as practical.

1002.2.3 CHANGE OF ADDRESS OR TELEPHONE NUMBER

Employees shall immediately advise their supervisors of any change of address or telephone number and shall also notify their supervisor in writing within twenty-four (24) hours of the change.

1002.2.4 CONDUCT ON DUTY

Employees shall maintain a professional approach to their duties at all times; an indifferent attitude will not be tolerated. Employees shall be attentive to their duties and shall not sleep on duty.

1002.2.5 FALSE REPORTS

Employees shall not make false reports or knowingly enter or cause to be entered into any departmental books, records, or report inaccurate or false information.

1002.2.6 GAMBLING

Illegal games of chance will not be permitted in the County, nor will employees participate in illegal games of chance at any location while on duty or off duty, except as required to gain evidence in an investigation.

1002.2.7 IDENTIFICATION

Employees shall courteously supply their name and radio I.D. number when requested to do so by any person.

1002.2.8 LABOR DISPUTES

No employee shall enter any buildings, structures, or premises where persons have been placed to indicate a labor dispute in progress, except as is necessary to perform his/her duty as an officer.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conduct, Specific Rules for Employee

Officers at the scene of a labor dispute shall remain strictly impartial and shall not accept gratuities, including food and drink from the parties involved.

1002.2.9 LEAVING THE DISTRICT

An on duty employee shall not leave his/her district without authorization by a supervisor, unless a specific policy exempts the employee from this provision.

1002.2.10 LOITERING

No employee shall loiter in cafés, service stations, Department Offices, or other public places while on duty.

1002.2.11 NEIGHBORHOOD DISPUTES OR PERSONAL QUARRELS

Employees shall not attempt to adjudicate neighborhood quarrels while off duty. Such matters will be adjudicated by disinterested persons, including a patrol unit if necessary. Deputies will not make arrests in their personal quarrels, or those of their family, or neighbors, unless such action is warranted by the immediate threat of serious bodily harm or property damage. Officer will not apply for a warrant for assault upon themselves, or file suit for damages, or settle same, without reporting the matter (in writing) to the Sheriff through the chain of command.

1002.2.12 OFFICIAL BUSINESS

Employees shall not reveal official business of the Department except to those for whom it is intended or directed by a supervisor, or under due process of the law. This shall not prevent the release of information concerning daily Departmental activities to the press or television by authorized personnel.

1002.2.13 RECOMMENDATIONS PROHIBITED

Employees shall not recommend the employment of any particular attorney, bail bondsman, wrecker, or other service for which a fee is charged.

1002.2.14 PUBLIC DISCUSSIONS

Employees shall not engage in political or religious discussions in a public place while on duty, nor shall they speak critically of the nationality, color, creed, or beliefs of another person.

1002.2.15 REPORTING FOR DUTY

Employees of the Department will be punctual in reporting for duty at the time and place designated by their supervisor.

1002.2.16 REPORTING TO SUPERVISORS

All personnel shall keep their supervisors informed of any unusual activity, situation, or problem with which the Department would logically be concerned. Officers will notify their supervisor (in writing) any time they are involved as a witness, victim, or suspect in any situation under investigation by another law enforcement agency. Members of the Department will notify their supervisor (in writing) of any neglect of duty or misconduct, either on or off duty, on the part of any other employee of this Department. Any employee sued for any act performed while engaged

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conduct, Specific Rules for Employee

in police activity, either on or off duty, shall report this fact (in writing) to the Sheriff, through the proper channels.

1002.2.17 RESPECT FOR SUPERIORS AND DEPARTMENT EMPLOYEES

The Sheriff's Office chain of command will be preserved in order to maintain the principles of good administration. All Sheriff's Office employees must proceed through the Sheriff's Office chain of command to address internal Sheriff's Office matters before contacting any other County Departments.

Employees shall not speak critically or in a derogatory manner to any person regarding the Sheriff's Office, policies, procedures, orders, instructions, or supervisors when:

- (a) The Department's need for confidentiality would be breached;
- (b) The statement would damage working relationships with the immediate supervisor;
- (c) The statement threatens to undermine the authority of superiors, foment controversy, create disharmony among co-workers, or adversely effect department morale or discipline;
- (d) The content of the employee's speech demonstrates incompetence to perform public responsibilities.

1002.2.18 TELEPHONES

All commissioned employees shall maintain either a telephone at their place of residence or a cell phone, unless exempted by the Sheriff.

1002.2.19 RESIDENCY REQUIREMENTS

Mohave County has over 13,000 square miles and is the fifth largest county in the United States. Therefore, it is necessary to have our deputies living at a location from which they can respond swiftly should they be needed. Furthermore, the Sheriff's Office commitment to a Community Policing philosophy requires that the Deputies serving the community be part of that community.

Deputies are required to reside in the communities to which they are assigned.

For the purposes of this policy, "residing within the community" means living within thirty road miles from the assigned duty station.

An employee's residence is considered to be the location at which he/she spends the majority of off-duty time, where he/she could reasonably and directly be contacted in an emergency.

The Sheriff may make such exceptions to this policy as required to benefit the Mohave County Sheriff's Office.

Deputies at the rank of Sergeant and above will be assigned and reside as needed, at the discretion of the Sheriff.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Conduct, Specific Rules for Employee

Remote area deputies must reside within the generally accepted boundaries (as interpreted by the Sheriff) of the specific town or community to which they are assigned; the "thirty-mile" rule shall not apply.

1002.2.20 CONDUCT REFLECTING ADVERSELY ON THE OFFICE OR EMPLOYEE

Employees of the Sheriff's Office shall not conduct themselves, whether on or off duty, in a manner that might be construed by an observer as indecent, lewd, or disorderly, or which is of such nature as to cause discredit to the Sheriff's Office or employee.

Employees shall not be guilty of misconduct, malfeasance, misfeasance, nonfeasance, or acts tending to discredit the Sheriff's Office or themselves even though such improper conduct is not specifically otherwise prohibited by Arizona Revised Statutes, these General Orders, or Mohave County Personnel Policies and Procedures.

Employees shall maintain a level of moral conduct which is in keeping with the highest standards of the profession they have joined. Employees shall not participate in any incident involving moral turpitude which tends to impair their ability to perform as employees of the Sheriff's Office, or causes or has a significant potential to cause the Sheriff's Office to be brought into disrepute or ridicule.

1002.2.21 DEFINITIONS

Malfeasance: Performance of an act which is wholly wrongful; performance of an act that should not be done at all.

Misfeasance: The improper performance of an otherwise lawful act.

Nonfeasance: Nonperformance of some act which ought to be performed, omission to perform a required duty at all, or total neglect of duty.

Special Assignments and Promotions

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Mohave County Sheriff's Office.

1003.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Mohave County Sheriff's Office Department of Human Resources.

1003.3 POLICY

The Mohave County Sheriff's Office determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Sheriff or Chief Deputy.

1003.4 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Special Weapons and Tactics Team member
- (b) Detective/Evidence Technician
- (c) Civil Deputy
- (d) Search and Rescue Detective
- (e) Canine handler
- (f) Collision investigator
- (g) Field Training Officer
- (h) Training Officer/Academy RTO
- (i) School Resource and/or Drug Abuse Resistance Education (D.A.R.E.) deputy

1003.4.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Three years of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by AZPOST or law
- (d) Exceptional skills, experience, or abilities related to the special assignment

1003.4.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Special Assignments and Promotions

- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expressed an interest in the assignment.
- (d) Demonstrates the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership skills
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to office goals and objectives in a positive manner

1003.4.3 SELECTION PROCESS

The process for special assignments will include an administrative evaluation as determined by the Sheriff or Chief Deputy and may include:

- (a) Memo of Interest from candidate
- (b) Supervisor recommendations
- (c) Interview with candidate
- (d) Assignment by the Sheriff or Chief Deputy.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Sheriff or Chief Deputy.

Grievances

1004.1 PURPOSE AND SCOPE

Refer to Mohave County Personnel Policies and Procedures, governing this topic.

Reporting of Employee Convictions

1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Office of any past and current criminal convictions.

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Arizona and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; ARS § 13-3101(A)(7)(d)).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.3 CRIMINAL ARRESTS

Any certified member shall promptly notify his/her immediate supervisor in writing if a firearm used by the member as part of his/her assigned duties has been confiscated as a result of involvement in a domestic violence incident pursuant to ARS § 13-3601(C) (see the Standards of Conduct Policy).

1005.4 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Arizona (AAC § R13-4-105(A)(6)).

Upon conviction of a felony committed by any peace officer, the state shall revoke their certified status (AAC § R13-4-109(C)).

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this office may prohibit him/her from carrying out law enforcement duties such as being temporarily or permanently prohibited from carrying a firearm.

1005.4.1 COURT ORDERS

All employees shall promptly notify the office if they are part of any court order. Court orders or failure to comply with certain subpoenas or warrants may require suspension of their peace officer certificate (AAC § R13-4-109).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Reporting of Employee Convictions

1005.5 REPORTING PROCEDURE

All members of this office and all retired deputies with an identification card issued by the Office shall promptly notify their immediate supervisor (or the Sheriff in the case of retired deputies) in writing of any past or current criminal arrest or conviction regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired deputies with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Sheriff in the case of retired deputies) in writing if the member or retiree becomes the subject of a domestic violence restraining court order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on paid or unpaid administrative leave, reassignment and/or termination.

Additionally any employee who has contact with any police officer acting in their official capacity shall notify their supervisor as soon as practical. These incidents include, but are not limited to;

- (a) Traffic infractions (misdemeanor or civil)
- (b) Traffic accidents involving personal vehicles
- (c) Ordinance violations/citations
- (d) Witness to a crime investigated by another agency
- (e) Victim of a crime
- (f) All criminal offenses in which the employee is an alleged suspect
- (g) All arrests of employees including cite and release situations
- (h) Any contact with law enforcement in which allegations of misconduct may be filed against the employee

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1006.2 POLICY

It is the policy of this office to provide a drug- and alcohol-free workplace for all members.

1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on office time can endanger the health and safety of office members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the District Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work.

No employee shall consume any alcoholic beverage within eight (8) hours prior to reporting for duty.

This Office uses the Mohave County Personnel Policies and Procedures regarding alcohol and substance abuse rather than drafting additional policies and procedures.

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the County personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.).

1007.2 POLICY

It is the policy of the Mohave County Sheriff's Office to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences (ARS § 23-373). Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so (ARS § 23-373).

1007.3.1 NOTIFICATION

All members should notify the District Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Office with no less than 30 days' notice of the impending absence (ARS § 23-373).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sick Leave

to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

1007.4.1 ABSENCE BASED ON DOMESTIC VIOLENCE, SEXUAL VIOLENCE, ABUSE OR STALKING

Members taking paid sick leave for three or more days for a qualified absence related to domestic violence, sexual violence, abuse or stalking, may be requested to provide reasonable documentation that the sick leave is being used for a qualified absence. The member may choose the form of documentation to provide as provided in ARS § 23-373.

1007.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
- (c) If permitted in Arizona sick leave law, addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 1. Negatively affected the member's performance or ability to complete assigned duties.
 2. Negatively affected office operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

1007.6 NOTICE

The Human Resources Director shall ensure:

- (a) Notice is posted in a conspicuous place for employees to review information on paid sick leave as required by ARS § 23-364.
- (b) Employees receive written notice of sick leave provisions that meets the requirements of ARS § 23-375.
- (c) Required information regarding paid sick leave is included with the employee's regular paycheck (ARS § 23-375).

1007.7 CONFIDENTIALITY

The Office may not require an employee to disclose the details of an illness or circumstances involved as a condition of permitting sick leave use. If the Office possesses such information, then the information shall be deemed confidential and not disclosed except to the affected employee or with the permission of the affected employee (ARS § 23-377).

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sick Leave

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of office members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable Disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Mohave County Sheriff's Office. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Mohave County Sheriff's Office is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE PREVENTION AND MITIGATION

1008.3.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; AAC § R20-5-602):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or office vehicles, as applicable.
- (b) Wearing office-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communicable Diseases

- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.3.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; AAC § R20-5-602).

1008.4 POST EXPOSURE

1008.4.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

1008.4.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communicable Diseases

- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.4.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Office members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The Office should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the Office.

1008.4.4 COUNSELING

The Office shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

1008.4.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the Office and Risk Management. If the Office and Risk Management is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Seeking a court order pursuant to ARS § 13-1210.
- (c) Seeking HIV testing pursuant to ARS § 36-663.
- (d) Disclosure from a health care provider with communicable disease information under ARS § 36-665.

Since there is the potential for overlap between the different manners in which source testing may occur, the Office and or Risk Management is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Communicable Diseases

The Office or Risk Management should seek the consent of the individual for testing and consult the County Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.5 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (ARS § 36-664).

1008.6 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; AAC § R20-5-602):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Mohave County Sheriff's Office facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1009.2 POLICY

The Mohave County Sheriff's Office recognizes that tobacco use is a health risk and can be offensive to others .

Smoking and tobacco use also presents an unprofessional image for the Office and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all office facilities, buildings and vehicles, and as is further outlined in this policy (ARS § 36-601.01).

1009.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Mohave County Sheriff's Office.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside County facilities and vehicles.

1009.4 ADDITIONAL PROHIBITIONS

Members may not smoke tobacco products near any entrance, window or ventilation system, or at any facility where persons entering or leaving may be subject to breathing tobacco smoke (ARS § 36-601.01).

1009.4.1 NOTICE

The Sheriff or the authorized designee shall ensure that proper signage is posted at every entrance to the facility clearly indicating smoking is prohibited, and identifying where complaints regarding smoking violations may be made (ARS § 36-601.01(E)).

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Mohave County Sheriff's Office. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Mohave County Sheriff's Office takes seriously all complaints regarding the service provided by the Office and the conduct of its members.

The Office will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this office to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of office policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate office policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Office.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the District Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs Unit, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any office member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 ACCEPTANCE

All complaints will be courteously accepted by any office member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.4.2 COMPLAINANT NOTICE

Prior to accepting a complaint against a deputy, the complainant must be provided the following notice (ARS § 38-1120):

- Pursuant to ARS § 13-2907.01, it is a class 1 misdemeanor to knowingly make to a law enforcement agency a false, fraudulent, or unfounded report or statement, or to knowingly misrepresent a fact for the purpose of interfering with the orderly operation of a law enforcement agency or misleading a peace officer.

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form in Blue Team. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Sheriff or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed in Blue Team.
 - 1. The original complaint form will be directed to the District Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Sheriff, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - (a) Follow-up contact with the complainant should be made within 24 hours of the Office receiving the complaint.
 - (b) If the matter is resolved and no further action is required, the supervisor will note the resolution on the complaint form in Blue Team and forward the form to the District Commander.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the District Commander and Sheriff are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the District Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the District Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
 - (i) Ensuring that the procedural rights of the accused member are followed.
 - (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Officers' Bill of Rights:

- (a) Interviews that could reasonably result in dismissal, demotion, or suspension shall be conducted pursuant to ARS § 38-1104.
 - (b) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, the member shall be compensated.
 - (c) Unless waived by the member, interviews of an accused member shall be at the Mohave County Sheriff's Office or other reasonable and appropriate place.
 - (d) No more than two interviewers should ask questions of an accused member.
 - (e) Prior to any interview, an accused member shall be provided with written notice and a copy which may be retained at the member's discretion of the alleged facts that are the basis of the investigation, and with the specific nature of the investigation, the member's status in the investigation, all known allegations of misconduct that are the reason for the interview, and the member's right to have a representative present at the interview. The member shall also be provided with any relevant and readily available materials, including copies of all complaints that contain the alleged facts that are reasonably available, except complaints that are filed with the Office that include allegations of unlawful discrimination, harassment, or retaliation, or complaints that involve matters under the jurisdiction of the Equal Employment Opportunity Commission (ARS § 38-1104).
 - (f) All interviews should be for a reasonable period and the member's personal needs should be accommodated.
 - (g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.
 - (h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

- investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (i) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.
 - (j) In order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - (k) Any accused member may request to have a representative present during an interview at no cost to this office (ARS § 38-1104):
 1. The member shall select a representative who is available on reasonable notice so that the interview is not unreasonably delayed.
 2. The representative shall participate in the interview only as an observer, but may take notes for the purposes described in ARS § 38-1104. The member or the member's representative may record the member's own interview; however, this recording does not constitute an official record of the interview (ARS § 38-1104).
 3. Unless agreed to by the Sheriff or the authorized designee, the representative shall be from this office and shall not be an attorney.
 4. The member shall be permitted reasonable breaks of limited duration during any interview for telephonic or in-person consultation with others who are immediately available, including an attorney.
 5. A member shall not be disciplined, retaliated against, or threatened with retaliation for requesting that a representative be present or for acting as the representative for another deputy.
 6. The member may discuss the interview with the member representation or the member's attorney. A member or representative, if the representative is from this office, who releases confidential information without authorization may be subject to disciplinary action (ARS § 38-1104).
 - (l) If the member is designated as a witness, the member may request to have a representative present at no cost to this office. Unless agreed to by the Sheriff or the authorized designee, the representative shall be from this office and shall not be an attorney (ARS § 38-1105).
 1. Witnesses who learn of information during an interview shall keep the information confidential until served a notice of investigation by the office or released from the confidentiality requirement. However, the witness may discuss the interview with the witness's representation or that representative's attorney. A witness or representative if the representative is from this office, who releases

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

confidential information without authorization may be subject to disciplinary action (ARS § 38-1105).

2. The representative of the witness may take notes for the purposes outlined in ARS § 38-1105.
 - (m) All members shall provide complete and truthful responses to questions posed during interviews.
 - (n) No employee shall be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (ARS § 38-1108).
 - (o) At the conclusion of the interview, the member may consult with the member's representative and may make a statement that is not to exceed five minutes, addressing specific facts or policies that relate to the interview (ARS § 38-1104).
 - (p) A deputy who recorded a video of an incident where the deputy's use of force resulted in a death or serious physical injury to another person shall be allowed the opportunity to view the recorded video and provide any further information regarding the footage that the deputy believes is relevant, prior to the completion of the administrative investigation.
 - (q) Prior to viewing the video, the deputy shall be read the required notice provided in ARS § 38-1116.

No investigation should be undertaken against any deputy solely because the deputy has been placed on a prosecutor's *Brady* list (also known as Rule 15.1 database) or the name of the deputy may otherwise be subject to disclosure pursuant to *Brady v. Maryland*. However, an investigation may be based on the underlying acts or omissions for which the deputy has been placed on a *Brady* list or may otherwise be subject to disclosure pursuant to *Brady v. Maryland* (ARS § 38-1119).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve office members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within three months of the date a person authorized by this office to initiate an investigation receives notice of an allegation. This will allow time for review by the Sheriff or Chief Deputy and allow the Sheriff or Chief Deputy to provide the deputy with a notice of discipline or findings within 180 days, as provided in ARS § 38-1110.

Additional time to complete the investigation may be extended only if it is demonstrated that additional time is necessary to obtain or review evidence. Should additional time be required, a written request should be made to the Sheriff or Chief Deputy requesting an extension. A request for extension should include the reason for the request and the completion date requested. The extension may not exceed 180 days. Such a request must be approved by the Sheriff, Chief Deputy or the authorized designee in writing and a copy provided to the accused deputy before the end of the initial 180-day time period (ARS § 38-1110).

The investigation period may be suspended as follows (ARS § 38-1110):

- (a) During a pending criminal investigation or prosecution
- (b) The deputy under investigation is incapacitated or unavailable
- (c) For a period prescribed in a written waiver of the limitation by the deputy under investigation
- (d) Special circumstances as prescribed in ARS § 38-1110

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.6.7 NOTICE IN MULTIPLE DEPUTY INVESTIGATIONS

When an investigation involving multiple deputies reveals evidence that exonerates an individual deputy or fails to sustain any wrongdoing, the Sheriff or authorized designee shall issue the individual deputy a notice of findings. The deputy should be ordered to refrain from discussing the investigation with anyone except the deputy's counsel, spouse, representative, or medical provider (ARS § 38-1110).

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Office, the Sheriff or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any office badge, identification, assigned weapons and any other office equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Sheriff shall be notified as soon as practicable when a member is accused of criminal conduct. The Sheriff may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

The Mohave County Sheriff's Office may release information concerning the arrest or detention of any member, including a deputy, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Sheriff or Chief Deputy through the chain of command. Each level of command should review and include his/her comments in writing before forwarding the report. The Sheriff or Chief Deputy may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Sheriff, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Sheriff, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 SHERIFF RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Sheriff or authorized designee shall review the recommendation and all accompanying materials. The Sheriff or authorized designee may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Sheriff, or authorized designee is satisfied that no further investigation or action is required by staff, the Sheriff or authorized designee shall determine the amount of discipline, if any that should be imposed. In the event disciplinary action is proposed, the Sheriff or authorized designee shall, within 180 days, provide the member with a written notice and the following (ARS § 38-1110):

- (a) Access to all of the materials considered by the Sheriff or authorized designee in recommending the proposed discipline.
 1. If requested by the law enforcement officer, a basic summary or file copies of similar disciplinary cases within the last two years shall be provided, unless prohibited by court rule (ARS § 38-1104).
 2. No final action should be taken or hearing scheduled until the basic summary or file copies have been provided to the law enforcement officer.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

- (b) An opportunity to respond orally or in writing to the Sheriff or authorized designee within five days of receiving the notice.
 - (a) Upon a showing of good cause by the member, the Sheriff or authorized designee may grant a reasonable extension of time for the member to respond.
 - (b) If the member elects to respond orally, the presentation shall be recorded by the Office. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Sheriff or authorized designee shall consider all information received in regard to the recommended discipline. The Sheriff or authorized designee shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Sheriff or authorized designee has issued a written decision, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Sheriff or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Sheriff, or authorized designee after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Sheriff or authorized designee to consider.
- (d) In the event that the Sheriff or authorized designee elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Sheriff or authorized designee on the limited issues of the information raised in any subsequent materials.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by the Mohave County Personnel Policies and Procedures.

In the event of punitive action against a member covered by the Officers' Bill of Rights, the appeal process shall be in compliance with ARS § 38-1106.

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy.

Any probationary period may be extended at the discretion of the Sheriff in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate (see the Temporary Modified-Duty Assignments Policy).

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1010.16 NOTIFICATION TO THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

1010.16.1 MISCONDUCT REPORTING

The Office may report to the Arizona Peace Officer Standards and Training Board (AZPOST) any misconduct involving a certified deputy that could result in the suspension or revocation of his/her certified status (ARS § 41-1828.01(A)). Conduct that results in discipline may be reported for (AAC § R13-4-109):

- (a) Failure to meet the minimum qualifications for certification.
- (b) Providing false information related to certification as a peace officer.
- (c) A medical, physical, or mental disability that substantially limits the person's ability to effectively perform the duties of a peace officer.
- (d) Violation of a restriction or requirement for certified status.
- (e) Engaging in behavior related to controlled substances that would be disqualifying under AAC § R13-4-105.
- (f) Unauthorized use of, or being under the influence of, alcohol on-duty.
- (g) The commission of any offense that would be a felony if committed in Arizona or any offense involving dishonesty, unlawful sexual conduct, or physical violence.
- (h) Refusal, failure, or delay in performing the duties of a peace officer.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personnel Complaints

- (i) A conduct or pattern of conduct that tends to disrupt, diminish, or otherwise jeopardize public trust.

1010.16.2 TERMINATION REPORTING

The Office shall inform AZPOST of the termination, resignation or separation of any certified deputy for misconduct pursuant to AAC § R13-4-108 and ARS § 41-1828.01(A). A report shall be submitted within 15 days of a termination and include:

- (a) The effective date and nature of the termination.
- (b) A detailed description of any termination for cause.
- (c) A detailed description of the cause for the suspension or revocation of certified status, including supporting documentation for the decision.

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in office vehicles.

1011.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this office, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1011.3 TRANSPORTING CHILDREN

Child restraint systems shall be used for all children who are under 5 years of age or who are under 8 years old and are not more than 4 feet 9 inches tall (ARS § 28-907).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1011.4 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any office vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.5 INOPERABLE SEAT BELTS

Office vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Seat Belts

Office vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.6 POLICY

It is the policy of the Mohave County Sheriff's Office that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Mohave County Sheriff's Office to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all deputies when the deputy begins service at the Mohave County Sheriff's Office and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Deputies shall only wear agency-approved body armor.
- (b) Deputies shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Deputies may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when a deputy is working in uniform or taking part in Office range training.
- (e) A deputy may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

Body Armor

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.4 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Office approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates deputies about the safety benefits of wearing body armor.

Personnel Files

1013.1 PURPOSE AND SCOPE

Refer to the Mohave County Personnel Policies and Procedures governing this topic.

Civil Litigation

1014.1 PURPOSE AND SCOPE

The purpose of this policy is to insure the timely and appropriate response to civil litigation directed at Sheriff's Office Personnel for incidents arising out of the scope of official duties. This policy shall be effective upon all Sheriff's Office personnel, whether full or part time, paid or volunteer.

1014.2 PARTY IN ACTION

Any Sheriff's Office employee who is named as a party in a civil action for acts or omissions allegedly arising out of the scope of his/her official duties shall immediately notify the Sheriff's Secretary. A copy of each document received by the employee, and which pertains to the Civil action shall be immediately provided to the Sheriff's Secretary.

The employee shall inform the Sheriff's Secretary whether the employee will engage a private attorney, or whether representation through the County legal counsel is required.

The employee will be notified by the County's legal counsel whether the employee is eligible for representation or will be required to seek separate representation.

Where the employee has requested legal representation through the County's legal counsel, the employee has a duty to cooperate fully with his/her legal representative.

1014.3 RESPONSE TO MEDIA

No Sheriff's Office employee shall make public statements in his/her official capacity concerning civil litigation affecting the Sheriff's Office without the Sheriff's approval.

The Sheriff or his designee shall be responsible for coordinating all departmental statements pertaining to such litigation.

Fitness for Duty

1015.1 PURPOSE AND SCOPE

Refer to the Mohave County Personnel Policies and Procedures governing this topic.

Commendations and Awards

1016.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Mohave County Sheriff's Office and individuals from the community.

1016.2 COMMENDATIONS

Commendations for members of the Office or for individuals from the community may be initiated by any office member or by any person from the community.

1016.3 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1016.3.1 OFFICE MEMBER DOCUMENTATION

Members of the Office should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
 1. For members of the Office - name, division and assignment at the date and time of the meritorious or commendable act
 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

1016.3.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Office members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
 1. For members of the Office - name, division and assignment at the date and time of the meritorious or commendable act
 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Commendations and Awards

- (c) The signature of the person submitting the documentation.

1016.3.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Office should be forwarded to the appropriate Division Commander for his/her review via Blue Team. The Division Commander should sign and forward the documentation to the Sheriff for his/her review.

The Sheriff or the authorized designee will present the commendation to the office member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administration Division Commander. The documentation will be signed by the Division Commander and forwarded to the Sheriff for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1016.4 AWARDS

Awards may be bestowed upon members of the Office and individuals from the community. These awards include:

- Award of Valor.
- Lifesaving Award.
- Purple Heart
- Award of Merit
- Distinguished Service Award
- Longevity of Service
- Training Award
- Search and Rescue Management
- Master/Expert Shooter

Criteria for each award and the selection, presentation and display of any award are determined by the Sheriff.

A description of each award and specialty designations are contained in the Mohave County Sheriff's Office Awards Procedure Guide.

1016.5 POLICY

It is the policy of the Mohave County Sheriff's Office to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as reasonably possible shall conform to the policy governing all County employees.

1017.1.1 MEAL PERIODS

Sworn employees and dispatchers shall remain on-duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed deputies shall take their breaks within the County limits unless on assignment outside of the County.

The time spent for the meal period shall not exceed the authorized time allowed.

No more than two uniformed deputies shall take a meal break at a time, unless authorized by a supervisor.

1017.1.2 15 MINUTE BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the sheriff's facility shall remain in the sheriff's facility for their breaks. This does not prohibit them from taking a break if they are outside the facility on official business.

Field deputies will take their breaks in their assigned areas, subject to call, and shall monitor their radios. When field deputies take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of Dispatch.

Payroll Records

1018.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of office members who are eligible for the payment of wages.

1018.2 POLICY

The Mohave County Sheriff's Office maintains timely and accurate payroll records.

1018.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

1018.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the County payroll procedures.

1018.5 RECORDS

The Administration Division Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation Requests

1019.1 PURPOSE AND SCOPE

It is the policy of the Mohave County Sheriff's Office to avoid unnecessary overtime work. When overtime is necessary to protect the lives and property of the citizens of Mohave County or the efficient operations of sections within the Sheriff's Office overtime may be authorized by the Sheriff or designee. Because of the nature of law enforcement work, and the specific needs of the Office, a degree of flexibility concerning overtime policies must be maintained.

1019.1.1 OFFICE POLICY

Prior to performing work, which is classified as "overtime", non-exempt employees shall have the authorization of an on-duty supervisor or command staff officer of this Office, if one is on-duty.

If a supervisor or command staff officer is not currently on-duty in the county, the employee shall work the time reasonably necessary to complete the call, shift, detail, or report that is required by MCSO business practices, or written policies.

In either case, the employee shall notify their immediate supervisor of the hours worked as soon as practical, during that supervisors duty hours.

The immediate supervisor shall then evaluate the remaining schedule, workload, shift coverage, and other relevant factors and may alter the employee's schedule to minimize overtime accrual.

Overtime worked without the approval or notification, as required in this policy, shall be deemed unauthorized.

1019.2 ACCOUNTING FOR OVERTIME WORKED

Non-exempt employees are to record the actual time worked in an overtime status.

In the space provided on the reverse side of the time card, the employee shall identify the reason for any overtime worked, including the appropriate tracking code and supervisor's radio call sign who authorized the overtime.

Prior to submission of the time cards, the employee's supervisor shall verify time worked and/or taken off and sign the employee's time card.

1019.2.1 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case or court trial, and the amount of time for which payment is requested varies between the two, the District Commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

1019.2.2 VIOLATIONS

Any violation of this policy may result in disciplinary action up to and including dismissal.

Expenditure of Funds

1020.1 PURPOSE AND SCOPE

To establish specific rules and procedures regarding the expenditure of funds by departmental personnel.

1020.2 PURCHASING

Charges for items from \$1.00 to \$250.00 shall be approved in advance by the District or Division Commander. The District or Division Commander is responsible for making good decisions and maintaining his/her Division's fiscal health.

Charges for items exceeding \$250.00 shall receive prior approval from the Sheriff, the Chief Deputy, or the Administrative Supervisor via a written request for purchase.

Payment for any charges made without prior approval shall become the responsibility of the employee.

Outside Employment

1021.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Office employees engaging in outside employment, all employees shall initially obtain written approval from the Sheriff prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Sheriff in accordance with the provisions of this policy.

1021.1.1 DEFINITIONS

Definitions related to this policy include:

Outside Employment - The employment of any member of this office who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this office for services, products or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this office for services, products or benefits rendered.

Off-Duty Employment-The employment of any member of this office who is employed by an outside organization or company for the services of law enforcement type duties such as security, traffic control/road construction, etc. Generally this type of employment will require the employee to be in uniform..

1021.2 OBTAINING APPROVAL

No member of this office may engage in any outside employment without first obtaining prior written approval of the Sheriff. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

To obtain approval for outside employment, the employee must complete an application that shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Sheriff for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid for six months. Any employee seeking to continue outside employment shall submit a new application in a timely manner.

Any employee seeking approval of outside employment whose request has been denied shall be provided with a written reason for the denial of the application at the time of the denial and within 30 days of the application.

1021.2.1 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended after the employee has received written notification of the reasons for revocation or suspension.

The outside employment may be revoked:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Outside Employment

- (a) If an employee's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency, and the outside employment may be related to the employee's performance. The Sheriff may, at his/her discretion, notify the employee of the intent to revoke any previously approved outside employment permits. The revocation will remain in force until the employee's performance directly related to the outside employment has been reestablished to the minimum level of acceptable competency.
- (b) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of Office policy, or any law.
- (c) The outside employment creates an actual or apparent conflict of interest with the Office or County.

1021.3 PROHIBITED OUTSIDE EMPLOYMENT

The Office expressly reserves the right to deny any application submitted by an employee seeking to engage in any activity that:

- (a) Involves the employee's use of Office time, facilities, equipment or supplies, the use of the Office badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this office for the performance of an act that the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this office.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this office that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this office.
- (d) Involves time demands that would render performance of the employee's duties for this office below minimum standards or would render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours.

1021.3.1 OUTSIDE SECURITY EMPLOYMENT

Due to the potential conflict of interest no member of this office may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this office must submit a request to the Sheriff or designee in advance of the desired service.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Outside Employment

- (a) The private organization will further be required to provide for the compensation (current off duty rate of pay) of all employees requested for such outside security services.
- (b) If such a request is approved, any employee working off-duty employment shall be subject to the following conditions:
 - 1. The deputy shall wear the Office uniform/identification.
 - 2. The deputy shall be subject to all the rules and regulations of this office.
 - 3. No deputy may engage in such outside employment during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute.
 - 4. No deputy may engage in off-duty employment as a peace officer for any other public agency without prior written authorization of the Sheriff.

1021.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official law enforcement action while working in an approved off-duty employment assignment shall be required to complete all related reports in a timely manner pursuant to Office policy. Time spent on the completion of such reports shall be considered incidental to the off-duty assignment.

1021.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover deputies or deputies assigned to covert operations shall not be eligible to work off-duty employment or other assignments in a uniformed or other capacity that might reasonably disclose the deputy's law enforcement status.

1021.4 OFFICE RESOURCES

Employees are prohibited from using any Office equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this office or other agencies through the use of the employee's position with this office.

1021.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest. Prior to providing written approval for an outside employment position, the Office may request that an employee provide his or her personal financial records for review/audit in order to determine whether a conflict of interest exists.

Failure of the employee to provide the requested personal financial records could result in denial of the outside employment work permit. If, after approving a request for an outside employment position, the Office becomes concerned that a conflict of interest exists based on a financial reason, the Office may request that the employee provide his/her personal financial records for

Outside Employment

review/audit. If the employee elects not to provide the requested records, his/her outside work permit may be revoked pursuant to this policy.

1021.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his/her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Sheriff through the appropriate chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Sheriff any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material shall report the change.

1021.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY OR ADMINISTRATIVE LEAVE

Office members engaged in outside employment who are placed on disability or administrative leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether they intend to continue to engage in outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any work-related doctor's orders and make a recommendation to the Sheriff whether such outside employment should continue or the permit be suspended or revoked.

In the event the Sheriff determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding the work permit, a notice of intent to revoke the employee's permit will be forwarded to the involved employee and a copy attached to the original work permit. The revocation process outlined in this policy shall be followed.

Criteria for revoking or suspending the outside employment permit while on disability status or administrative leave include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the County's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.
- (c) The employee's failure to make timely notice of his/her intentions to their supervisor.
- (d) The outside employment is not compatible with the reason the employee is on administrative leave.

Occupational Disease and Work-Related Injury Reporting

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An accidental injury, mental illness or occupational disease arising out of and in the course of employment. An occupational disease does not include ordinary diseases to which the general public is exposed (ARS § 23-901; ARS § 23-901.01).

1022.2 POLICY

The Mohave County Sheriff's Office will address occupational diseases, mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (ARS § 23-901 et seq.).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1022.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded to Risk Management promptly. Any related Countywide disease- or injury-reporting protocol shall also be followed.

1022.3.3 SHERIFF RESPONSIBILITIES

The Sheriff and/or designee shall review and forward copies of the report to the Risk Management Office. Copies of the report and related documents retained by the Office shall be filed in the member's confidential medical file.

1022.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Risk Management Office.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Occupational Disease and Work-Related Injury Reporting

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1022.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1022.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Sheriff with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Sheriff. The purpose of such notice is to permit the County to determine whether the offered settlement will affect any claim the County may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the County's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1023.1 PURPOSE AND SCOPE

To project uniformity and neutrality toward the public and other members of the Office, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this office and for their assignment.

1023.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer health and safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Sheriff has granted exception.

1023.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male certified members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female certified members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, and worn up or in a tightly wrapped braid or ponytail.

For all members, hair must be of any natural occurring color.

1023.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Sheriff or a designee.

1023.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to deputies or others. For this reason, fingernails of certified personnel shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1023.2.6 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personal Appearance Standards

concern for the office member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small and worn only in or on the earlobe.
- (c) One ring or ring set may be worn on each hand of the office member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

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1023.3 TATTOOS

An employee shall not have any tattoos, body art, or branding on the head, face, neck, scalp, or hands, unless authorized by the Sheriff because of special circumstances.

While representing this office in any formal capacity, including but not limited to any court functions, grand jury, county attorney and/or defense interviews (whether in person or video), public presentations or any other formal situation where the visibility of any tattoos would be inappropriate and/or unprofessional, tattoos shall not be visible. Tattoos may be visible in informal situations such as normal law enforcement such as traffic enforcement, investigations, etc. where the need for formal attire is not necessary. At no time shall any member display any tattoos which are offensive in nature.. Examples of offensive tattoos would include but not be limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

1023.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body that is visible in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement or breast augmentation.
- (c) Abnormal shaping of the ears, eyes, nose or teeth.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Personal Appearance Standards

- (d) Branding or scarification.

Clothing/Uniform Regulations

1024.1 PURPOSE AND SCOPE

The uniform policy of the Mohave County Sheriff's Office is established to ensure that uniformed deputies, special assignment personnel and civilian employees will be readily identifiable to the public through the proper use and wearing of office uniforms. Employees should also refer to the following associated policies:

- Firearms Policy
- Office-Owned and Personal Property Policy
- Body Armor Policy
- Personal Appearance Standards Policy

The uniform and equipment specifications manual is maintained and periodically updated by the Sheriff or the authorized designee. The manual, and associated procedures, should be consulted regarding authorized equipment and uniform specifications.

Issuance of uniforms at the expense of the Mohave County Sheriff's Office will be limited to the initial set. Replacement uniforms will be the responsibility of the deputy via the uniform allowance.

1024.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Sheriff's employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) All peace officers of this office shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) Employees shall not loan any portion of the uniform to others.
- (e) Employees shall not permit the uniform to be reproduced or duplicated.
- (f) The uniform is to be worn in compliance with the specifications set forth in the Office's uniform specifications and procedures which are maintained separately from this policy.
- (g) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (h) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Clothing/Uniform Regulations

- (i) Uniforms are only to be worn while on-duty, while in transit to or from work, for court or at other official Office functions or events.
- (j) If the uniform is worn while in transit while driving a personal vehicle an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while off-duty.
- (k) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Office uniform, including the uniform pants.
- (l) Mirrored sunglasses will not be worn with any Office uniform.
- (m) Visible jewelry, other than those items listed below, shall not be worn with the uniform-unless specifically authorized by the Sheriff or a designee.
 - 1. Wrist watch.
 - 2. Wedding rings, class ring or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 - 3. Medical alert bracelet.

1024.2.1 OFFICE ISSUED IDENTIFICATION

The Office issues each employee an official Office identification card bearing the employee's name, identifying information and photo likeness. All certified employees shall be in possession of their Office-issued identification card at all times while on-duty or when carrying a concealed weapon.

- (a) Whenever on-duty or acting in an official capacity representing the Office, employees shall display their Office issued identification in a courteous manner to any person upon request and as soon as practicable.
- (b) Deputies working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1024.3 UNIFORM CLASSES

1024.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, promotions, ceremonies, court appearance or as directed. The Class A uniform is required for all certified members. The Class A uniform is fully described in the Uniform and Equipment Specifications Manual.

1024.3.2 CLASS B UNIFORM

All deputies will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform is fully described in the Uniform and Equipment Specifications Manual.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Clothing/Uniform Regulations

1024.3.3 CLASS C UNIFORM

The Class C uniform may be established to allow field personnel cooler clothing during the summer months or for special duty assignments. The Sheriff will establish the regulations and conditions for wearing the Class C Uniform and its specifications in the Uniform and Equipment Specifications Manual.

1024.3.4 SPECIALIZED UNIT UNIFORMS

The Sheriff may authorize special uniforms to be worn by deputies in specialized units such as Canine Team, SWAT, Commercial Vehicle Inspections, SRO's and other specialized assignments. The Sheriff will establish the regulations and conditions for wearing the Specialized Unit Uniforms and it's specifications in the Uniform and Equipment Specifications Manual.

1024.3.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications Manual lists the authorized uniform jacket and rain gear.

1024.4 INSIGNIA AND PATCHES

- (a) Shoulder patches - The authorized shoulder patch supplied by the Office shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve.
- (b) Service stripes and stars - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- (c) The regulation nameplate, embroidered name or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employees last name and the first name initial. If the employee desires other than the legal first name, the employee must receive approval from the Sheriff. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) Assignment Insignias - Assignment insignias, (e.g., SWAT, FTO or similar) may be worn as designated by the Sheriff or a designee.
- (e) An American flag patch of a size not to exceed 3 inches by 5 inches shall be worn above the right front pocket using appropriate flag display etiquette on all classes of uniforms
- (f) The Office-issued badge, or an authorized sewn-on cloth replica, must be worn and be visible at all times while in uniform. Sworn non-uniform personnel will wear or carry their badge in a manner that the badge is in reasonable proximity to their firearm and able to be displayed whenever appropriate.
- (g) The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Sheriff or a designee may authorize exceptions.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Clothing/Uniform Regulations

1024.4.1 MOURNING BADGE

Uniformed employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) A deputy of this office - From the time of death until midnight on the 14th day after the death.
- (b) A deputy from this State - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of a fallen deputy.
- (d) National Peace Officers Memorial Day (May 15) - From midnight through the following midnight.
- (e) As directed by the Sheriff or a designee.

1024.5 CIVILIAN ATTIRE

The intent of this policy is to clearly establish and promote professionalism within the Mohave County Sheriff's Office.

There are assignments within the Office that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary. These assignments are set forth by the Sheriff.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains and not damaged or excessively worn.
- (b) All certified personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style. Female skirts shall be moderate in style and shall rise no further than the knee. When authorized, polo shirts worn by certified personnel while on duty will conform with the description contained in 1023.5.f
- (c) All administrative and support personnel who are issued uniform polo shirts for work shall wear them with black or grey slacks or black denim jeans. Skirts are authorized and shall be moderate in style and shall rise no further than the knee. Skirts shall be black or grey in color and shall fit appropriately in the seated position.
- (d) Footwear will consist of business style closed toe shoes or business style heels.
- (e) Any exception to the above policy will be at the determination of the Sheriff with appropriate justification.
- (f) Issued polo uniform shirts are deemed departmental property and shall be returned upon separation. Additional shirts may be purchased by the employee in colors authorized by this policy. Shirts may be polo or collared button up style with the designated Mohave County Sheriff's Office emblem. Colors include

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Clothing/Uniform Regulations

1. Solids - Black, Grey and Blue
2. Two Tone - Grey/Black, Grey/Red, Grey/Blue, Grey/Purple and Grey/Pink.

1024.6 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM

Unless specifically authorized by the Sheriff, Mohave County Sheriff's Office employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a Office badge, patch or other official insignia, or cause to be posted, published or displayed, the image of another employee, or identify him/herself as an employee of the Mohave County Sheriff's Office to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction.

1024.7 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications Manual as optional shall be purchased at the expense of the employee.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).
- (c) Replacement of items listed in this order as optional shall be done as follows:
 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 2. When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced following the procedures for the replacement of damaged personal property in the Office-and Personal Property Policy.

1024.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Mohave County Sheriff's Office employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications Manual or by the Sheriff or a designee.

Mohave County Sheriff's Office employees may not use or carry any tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications Manual or by the Sheriff or a designee.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Clothing/Uniform Regulations

Sheriff's Explorers

1025.1 PURPOSE AND SCOPE

Explorers work under direct supervision and perform a variety of routine and progressively advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1025.2 EDUCATION REQUIREMENTS

Explorers are required to maintain a minimum grade point average of 2.0 ("C" grade) for all courses taken. High school age students shall continue to be enrolled in high school and maintain at least a 2.0 grade point average.

1025.3 PROGRAM COORDINATOR

The Sheriff will appoint a program coordinator. The program coordinator will be responsible for tracking the educational and job performance of explorers as well as making their individual assignments throughout the Office. The Program Coordinator will also monitor the training provided for all explorers and review all decisions affecting job assignments, status for compensation, school attendance and performance.

1025.3.1 PROGRAM ADVISORS

The program coordinator may select individual deputies to serve as advisors for the Explorer Program. These deputies will serve as mentors for each explorer. Explorers will bring special requests, concerns and suggestions to their program advisor for advice or direction before contacting the program coordinator. One advisor may be designated as the coordinator's assistant to lead scheduled meetings and training sessions involving the explorers. Multiple explorers may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the program coordinator.

1025.4 ORIENTATION AND TRAINING

Newly appointed explorers will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted. Training sessions will be scheduled as needed to train explorers for as many assignments as possible. In addition to job-specific training, information will be offered to prepare explorers to compete successfully in the sheriff's deputy selection process, as well as the academy training. All training will focus on improving job performance, as well as preparation to become sheriff's deputies. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

1025.5 EXPLORER UNIFORMS

Each explorer will be provided an initial uniform.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Sheriff's Explorers

1025.6 RIDE-ALONG PROCEDURES

All explorers are authorized to participate in the RideAlong Program, provided Ride-Along standards are met, on their own time and as approved by their immediate supervisor and the appropriate Shift Sergeant. Applicable waivers must be signed in advance of the ride-along. Explorers shall wear their uniform while participating in a ridealong.

Nepotism and Conflicting Relationships

1026.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices to include recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security, while maintaining positive morale by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between members of this office (See generally ARS § 38-481, AAC § R13-5-315).

1026.1.1 DEFINITIONS

Definitions related to this policy include:

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Office employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a Office employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with the authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1026.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Office will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions apply:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Nepotism and Conflicting Relationships

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Office will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Office reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever reasonably possible, Field Training Officers (FTOs) and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest members of this office shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
- (e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, probationer, parolee, fugitive, or registered predatory offender, or who engages in intentional violations of state or federal laws. This includes an inmate incarcerated at any correctional or detention facility or a former inmate, defined as an individual for whom less than six months has elapsed since release from custody or any type of supervision.

1026.2.1 EMPLOYEE RESPONSIBILITIES

Prior to entering into any personal or business relationship or other circumstance that the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, immediate supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Nepotism and Conflicting Relationships

the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1026.2.2 SUPERVISOR'S RESPONSIBILITIES

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever reasonably possible. Supervisors shall also promptly notify the Sheriff or a designee of such actual or potential violations through the chain of command.

Office Badges

1027.1 PURPOSE AND SCOPE

The Mohave County Sheriff's Office badge and uniform patch, as well as the likeness of these items and the name of the Mohave County Sheriff's Office, are property of the Office and their use shall be restricted as set forth in this policy.

1027.2 POLICY

The uniform badge shall be issued to Office members as a symbol of authority. The use and display of Office badges shall be in strict compliance with this policy. Only authorized badges issued by this office shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1027.2.1 FLAT BADGE

Certified deputies, with the written approval of the Sheriff or a designee, may purchase at their own expense a flat badge that can be carried in a wallet. The use of the flat badge is subject to all the same provisions of office policy as the uniform badge.

- (a) A deputy may sell, exchange or transfer the flat badge he/she purchased to another deputy within the Mohave County Sheriff's Office with the written approval of the Sheriff or a designee.
- (b) Should the flat badge become lost, damaged or otherwise removed from the deputy's control he/she shall make the proper notifications as outlined in the Office-Owned and Personal Property Policy.
- (c) An honorably retired deputy may keep his/her flat badge upon retirement.
- (d) The purchase, carrying or display of a flat badge is not authorized for civilian personnel.

1027.2.2 CIVILIAN PERSONNEL

Badges and Office identification cards issued to civilian personnel shall be clearly marked to reflect the position of the assigned employee (e.g. dispatcher).

- (a) Civilian personnel shall not display any Office badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.
- (b) Civilian personnel shall not display any Office badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a certified deputy.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Office Badges

1027.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

1027.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Office badges are issued to all certified employees and civilian uniformed employees for official use only. The Office badge, shoulder patch or the likeness thereof, or the Office name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Office name for all material (e.g., printed matter, products or other items) developed for Office use shall be subject to approval by the Sheriff or a designee.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1027.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the Office badge shall not be used without the express authorization of the Sheriff or a designee and shall be subject to the following:

- (a) The employee associations may use the likeness of the Office badge for merchandise and official association business provided it is used in a clear representation of the association and not the Mohave County Sheriff's Office. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the Office badge for endorsement of political candidates shall not be used without the express approval of the Sheriff or a designee.

Temporary Modified-Duty Assignments

1028.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, County rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Office to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1028.2 POLICY

Subject to operational considerations, the Mohave County Sheriff's Office may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Office with a productive employee during the temporary period.

1028.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Mohave County Sheriff's Office shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Office. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Sheriff or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1028.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Modified-Duty Assignments

Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Sheriff regarding temporary modified-duty assignments that may be available based on the needs of the Office and the limitations of the employee. The Sheriff or the authorized designee shall confer with the Department of Human Resources or the County Attorney as appropriate.

1028.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate office operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

1028.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Division Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1028.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Temporary Modified-Duty Assignments

- (a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1028.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Office may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Mohave County Personnel Policies and Procedures.

1028.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1028.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the County's personnel rules and regulations regarding family and medical care leave.

1028.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1028.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Employee Speech, Expression and Social Networking

1029.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Office.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1029.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

1029.2 POLICY

Because public employees occupy a trusted position in the community their statements have the potential to contravene the policies and performance of this office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this office be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public the Mohave County Sheriff's Office will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1029.3 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Mohave County Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, employee's family or associates or persons that this office has had professional contact with, such as crime victims or the staff of

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Employee Speech, Expression and Social Networking

other organizations. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working undercover.
- Disclosing the address of a fellow deputy.
- Otherwise disclosing where another deputy can be located off-duty.

1029.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the organization's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or deputy associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Mohave County Sheriff's Office or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Mohave County Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Mohave County Sheriff's Office or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Office. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Mohave County Sheriff's Office.
- (f) Use or disclosure through whatever means of any information, photograph, video or other recording obtained or accessible as a result of employment with the Office for financial gain, or data classified as not public by state or federal law or any disclosure of such materials without the express authorization of the Sheriff or the authorized designee.

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Employee Speech, Expression and Social Networking

- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Mohave County Sheriff's Office on any personal or social networking or other website or web page without the express authorization of the Sheriff.
- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or Office-owned, for personal purposes while on-duty, except in the following circumstances:
 1. When brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours).
 2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1029.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or deputy associations, employees may not represent the Mohave County Sheriff's Office or identify themselves in any way that could be reasonably perceived as representing the Mohave County Sheriff's Office in order to do any of the following, unless specifically authorized by the Sheriff:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support, or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

Additionally, when it can reasonably be construed that an employee acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group, etc.), is affiliated with this office, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Mohave County Sheriff's Office.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or deputy associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Employee Speech, Expression and Social Networking

indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1029.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace, etc.) that is accessed, transmitted, received or reviewed on any office technology system.

The Office reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Office, including the Office e-mail system, computer network, radio or other communication system or medium or any information placed into storage on any office system or device.

This includes records of all key strokes or web-browsing history made at any office computer or over any Office network. The fact that access to a database, service or website requires a user name or password does not create an expectation of privacy if accessed through office computers or networks.

1029.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Sheriff or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Office or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Office.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Office.

1029.7 TRAINING

Subject to available resources, the Office should provide training regarding employee speech and the use of social networking to all members of the Office.

Arizona Peace Officer Standards and Training Board (AZPOST) Certification

1030.1 PURPOSE AND SCOPE

Maintaining valid AZPOST certification is a critical element of a deputy's ability to continue employment and is his/her sole professional responsibility. Deputies of this office are required to possess and maintain a valid certification (AAC § R13-4-103).

1030.2 CERTIFICATION RETENTION

The certified status of a peace officer may be cancelled, suspended or revoked by AZPOST pursuant to AAC § R13-4-109. Deputies shall meet the continuing training, proficiency training and firearms qualification requirements determined by AZPOST to retain certification (AAC § R13-4-111). The Office shall maintain records for each member's AZPOST requirements pursuant to AAC § R13-4-108.

1030.2.1 RESTRICTION OF CERTIFICATION

Deputies who fail to complete the retention requirements will have their certification restricted by AZPOST (AAC § R13-4-109.01). The deputy may, at the discretion of and based on the needs of the Office, be placed in a temporary administrative assignment until any training or qualification restriction has been removed. It is the deputy's responsibility for removing the AZPOST restriction.

A deputy who fails the firearms qualification shall not carry or use a firearm on-duty (AAC § R13-4-109.01(B)). Any deputy who fails to satisfy AZPOST continuing training or proficiency training requirements shall not engage in enforcement duties, carry or use a firearm on duty, wear or display a badge, wear a uniform, make arrests, perform patrol functions, or operate a marked police vehicle (AAC § R13-4-109.01(C)).

Deputies who fail to meet certification requirements may also face administrative discipline up to and including termination.

Attachments

Org Chart.xlsx

Mohave County SO Policy Manual

Mohave County SO Policy Manual

INDEX / TOPICS

..... 278

A

ACCOUNTABILITY TO SUPERVISOR	17
ACKNOWLEDGEMENTS	
Policy revisions.	14
ADMINISTRATIVE INVESTIGATIONS	
Criminal parallel.	512
Officer-Involved Shootings and Deaths.	57
Recorded media files.	303
Vehicle damage.	415
ADMINISTRATIVE LEAVE	512
ADULT ABUSE	112
ADULT ABUSE, INVESTIGATIONS	373
AIRCRAFT	
Flying while armed.	67
Temporary flight restrictions.	155
AIRCRAFT ACCIDENTS	284
ALCOHOL	
Vehicle use.	412
ALCOHOL	496
ALCOHOL USE	496
ALCOHOL, INTOXICANTS	145
AMMUNITION	62
ANIMAL CONTROL PROCEDURES	451
ANIMALS	
Dangerous.	66
Euthanize.	67
Injured.	67
APPOINTMENTS	
Communications supervisor.	421
Petty cash fund manager.	416
Press information officer (PIO).	154
ARREST OF TEACHER	186
ARRESTS	
Child and dependent adult safety.	190
Citations.	270
First amendment assemblies.	334
Seat belts.	517
ASSET FORFEITURE	381
AUDIO/VIDEO RECORDING	
Body cameras.	299
OIS.	59
AUDIO/VIDEO RECORDING, CUSTODIAL INTERROGATION	373
AUDIO/VIDEO RECORDING, HOLDING CELLS INSPECTIONS, Holding cells.	464

AUDITS	
Petty cash.	416
AUDITS, INFORMANT FILES	389
AUTHORITY	
Canine handler.	87
MEMBERS.	17
Policy manual.	12
AUTHORITY, ETHICS	141

B

BACKGROUNDS	482
BADGE	
Mourning Badge.	542
BADGES, PATCHES AND IDENTIFICATION	
Administrative leave.	512
BARRICADED INCIDENTS	256
BATON	40
BIAS-BASED POLICING	235
BIOLOGICAL SAMPLES	
Hazards.	286
BIOLOGICAL SAMPLES	188
BLOOD TEST	362
BODY ARMOR	519
BODY-WORN CAMERAS	299
BOMBS	261
Aircraft accidents.	286
MDT/MDC.	298

C

CANINE	
Training.	90
CASH	416
CASH, AUDIT	
AUDITS, Informant funds.	391
CERTIFICATION AND TRAINING	554
CHILD ABUSE	118
CHILD AND DEPENDENT ADULT SAFETY	190
CHILDREN	
Child abuse.	118
Child safety.	190
Drug endangered.	122
Firearms.	65
CHILDREN	
Fatality review team.	122
CITATIONS	270
CIVIL COMMITMENTS	266
CIVIL RESPONSE TEAM	58
COMMAND PROTOCOL	16
COMMAND STAFF	

Mohave County Sheriff's Office

Mohave County SO Policy Manual

Petty cash audit.	416	DAMAGE BY PERSONNEL	152
Policy review.	14	DEATH	
COMMENDATIONS AND AWARDS	524	Native American Graves (NAGPRA).	204
COMMUNICABLE DISEASE		DEATH INVESTIGATION	172
Health orders.	238	DEATH NOTIFICATION	173
COMMUNICABLE DISEASES	500	DEFECTIVE VEHICLES	408
COMMUNICATIONS CENTER	419	DEFINITIONS	
COMMUNICATIONS WITH PERSONS WITH DISABILITIES		Terms use in policy manual.	12
Eyewitness identification.	393	DEPARTMENT/OFFICE-OWNED PROPERTY	
COMPUTERS, DIGITAL EVIDENCE		402
EVIDENCE, Digital.	374	Loss Or Damage.	403
CONDUCT		DEPARTMENTAL DIRECTIVES	18
Meritorious.	525	DEPENDENT ADULTS	
Personnel complaints.	505	Safety.	190
CONDUCT	139	DISCIPLINE	140
CONDUCT, STANDARDS OF CONDUCT	143	DISCLAIMER	12
CONFIDENTIALITY		DISCRIMINATION	
Child abuse reports.	122	Personnel complaints.	507
Communications center.	425	DISPUTED CLAIMS	436
Personnel complaints.	507	DNA SAMPLES	188
Surreptitious recording.	301	DOMESTIC VIOLENCE	96
CONFIDENTIALITY, COMMUNICABLE		DRIVING	
DISEASE INFORMATION	503	MDT/MDC.	296
CONTACT AND TEMPORARY DETENTIONS		DRIVING TACTICS	77
Bias-based policing.	235	DRIVING, SAFETY	
CONTROL DEVICES		SAFETY, Conduct.	144
First amendment assemblies.	333	DRUG USE	496
Training.	277		
CONTROL DEVICES	40	E	
CONTROL DEVICES, DECONTAMINATION		ELECTRICAL LINES	283
HAZARDOUS MATERIAL (HAZMAT)		ELECTRONIC CIGARETTES	504
RESPONSE, Precautions.	500	ELECTRONIC MAIL	
CORRESPONDENCE	24	Email.	22
COURT APPEARANCES	157	Personnel complaints.	506
COURT ORDERS		EMDT	45
Adult abuse.	114	EMERGENCY OPERATIONS PLAN	19
Child custody.	191	EMERGENCY UTILITY	283
Subpoenas.	157	EMPLOYEE CONVICTIONS	494
Surreptitious recording.	301	ENFORCEMENT	340
COURT ORDERS, JUVENILE INFORMANTS		EVIDENCE	
.	387	Bombs.	265
COURT ORDERS, SOURCE TESTING	502	NAGPRA.	204
CRIME SCENE AND DISASTER INTEGRITY		Personnel complaints.	510
.	237	Seizing recordings.	322
CRISIS INTERVENTION INCIDENTS	324	EVIDENCE	430
CRISIS NEGOTIATION TEAM	239	EXPLOSIONS	264
CUSTODIAL INTERROGATIONS	373	EXPOSURE	254
CUSTODIAL SEARCHES	465	EYEWITNESS IDENTIFICATION	393

D

F

Mohave County Sheriff's Office

Mohave County SO Policy Manual

FIELD STRIP SEARCHES	468
FIELD TRAINING OFFICER	288
FIREARMS	
Retiree carry.	25
FIRST AMENDMENT ASSEMBLIES	330
FLYING WHILE ARMED	67
FOREIGN DIPLOMATIC AND CONSULAR REPRESENTIVES	271
FOUND PROPERTY	430

G

GANGS, EMPLOYEE AFFILIATION	141
GRIEVANCES	
Supervisor authority.	12
GROOMING STANDARDS	536

H

HATE CRIMES	136
HAZARDOUS MATERIAL	253
HAZARDOUS MATERIAL (HAZMAT) RESPONSE	
Aircraft accidents.	286
HELICOPTER ASSISTANCE	291
HIGH-VISIBILITY VESTS	341
HOSTAGE AND BARRICADE INCIDENTS	
Rapid response and deployment.	275
HOSTAGES	256

I

IDENTITY THEFT	176
IMMUNIZATIONS	501
IMPAIRED DRIVING	361
INFORMANTS	387
INFORMATION TECHNOLOGY USE	146
INITIATE A PURSUIT	73
INSPECTIONS	
Firearms.	60
Vehicles.	411
INVESTIGATION AND PROSECUTION	372
INVESTIGATION AND PROSECUTION	372

J

JURISDICTION	
Aircraft accidents.	285
Authority.	9

Emergency management.	19
Federal reservations.	9

K

KEYS	
Vehicle.	412
KINETIC PROJECTILES	42

L

LAW ENFORCEMENT AUTHORITY	8
LIMITED ENGLISH PROFICIENCY	
Communications center.	423
Eyewitness identification.	393
LIMITED ENGLISH PROFICIENCY	178

M

MDT/MDC	
Use.	411
Vehicles.	411
MEAL PERIODS AND BREAKS	526
MEDIA	
Aircraft accidents.	287
First amendment assemblies.	334
MEDIA RELATIONS	154
MEDIA REQUEST	154
MEDICAL	
Adult involuntary detention.	114
Aircraft accidents.	284
Child involuntary detention.	121
Examinations - Child abuse.	122
Examinations - Adult abuse.	115
For canines.	92
Leave Act (FMLA).	497
Releases.	337
MEDICAL, TREATMENT FOR COMMUNICABLE DISEASE EXPOSURE	502
MOBILE AUDIO/VIDEO (MAV)	
OIS.	59
MOBILE DIGITAL TERMINAL USE	296
MODIFIED-DUTY	552
MUTUAL AID	
First amendment assemblies.	333
Interstate peace officer powers.	9

N

Mohave County Sheriff's Office

Mohave County SO Policy Manual

NATIVE AMERICAN GRAVES (NAGPRA)	204	POLICY MANUAL	12
NONSWORN		POLICY MANUAL, ISSUING	14
Vehicles.	412	PREGNANCY	554
NONSWORN		PRESS INFORMATION OFFICER (PIO)	154
Investigation and prosecution.	372	PRIVACY EXPECTATIONS	
NOTIFICATIONS		Audio/video recordings.	299
Aircraft accidents.	285	MDT/MDC.	296
Cash.	417	Personnel complaints.	507
Impaired driving.	363	Technology use.	147
NAGPRA.	204	Vehicles.	411
OIS.	53	PROBATIONARY EMPLOYEES, PERSONNEL	
Sick leave.	497	COMPLAINTS	515
O		PROPERTY PROCEDURES	
OC SPRAY	41	Controlled Substances.	431
OFFICER SAFETY		Disputed Claims.	436
Communications center	423, 424	Packaging Of Property.	432
Crime scene and disaster integrity.	237	Property Booking.	431
LEOSA.	25	Property Handling.	430
Seat belts.	517	Property Release.	435
OFFICER-INVOLVED SHOOTINGS AND		PROTECTED INFORMATION	
DEATHS	51	Communications center.	425
OLEORESIN CAPSICUM	41	PROTECTED INFORMATION	444
ORGANIZATIONAL STRUCTURE AND		PROTECTIVE CUSTODY	
RESPONSIBILITY	16	Dependent adults.	114
OUTSIDE AGENCY ASSISTANCE	163	PUBLIC RECORDING OF LAW ENFORCEMENT	
OUTSIDE EMPLOYMENT	530	ACTIVITY	321
Change in Status.	533	PURSUIT INTERVENTION	80
Obtaining Approval.	530	PURSUIT POLICY	72
Prohibited Outside Employment.	531	PURSUIT UNITS	75
Security Employment.	531	PURSUIITS	
OVERTIME		Foot.	310
Court.	158	R	
P		RANGEMASTER	
PARKING	412	Firearms.	60
PATROL FUNCTION	231	Inspections.	60
PEPPER PROJECTILES	41	RAPID RESPONSE AND DEPLOYMENT	275
PERFORMANCE EVALUATIONS		RECORDS BUREAU	
Sick leave.	498	Administrative hearings.	366
PERSONAL APPEARANCE	536	Impaired driving.	365
PERSONAL PROPERTY	402	Suspicious activity reports.	329
Loss Or Damage.	403	RECORDS RELEASE	
PERSONNEL COMPLAINTS		Adult abuse.	116
Portable audio/video review.	303	RECORDS RETENTION	
PHOTOGRAPHS		Audio/video recordings.	304
Aircraft accidents.	286	RECRUITMENT AND SELECTION	481
First amendment assemblies.	331	REFLECTORIZED VESTS	341
PHYSICAL BODY CAVITY SEARCH	468	REGISTERED OFFENDER INFORMATION	165
		RELIGION	
		NAGPRA.	204
		REPORT CORRECTIONS	153

Mohave County Sheriff's Office

Mohave County SO Policy Manual

REPORT PREPARATION	150	TRAFFIC CITATIONS	341
REPORTING CONVICTIONS	494	TRAFFIC DEPUTY	340
Family Violence	494, 494	TRAFFIC FUNCTION	340
RESERVE DEPUTIES	159	TRAFFIC SIGNAL	283
Coordinator.	160	TRAINING	
Duties.	160	Adult abuse.	116
RESPONSE TO CALLS	84	Emergency operations plan.	19
REVIEWS		First amendment assemblies.	335
Emergency operations plan.	19	Rapid response and deployment.	277
Policy manual.	14	Social media.	229
Portable audio/video.	303	State mandated.	20
Public records on social media.	229	UAS.	399
RIDE-ALONG		TRAINING	
Eligibility.	250	SWAT.	242
S		TRAINING PLAN	20
SAFE HAVEN LAW	121	TRAINING, COMMUNICABLE DISEASE	503
SAFETY		TRAINING, PROTECTED INFORMATION	446
Communications center.	420	TRAINING, SEARCHES	469
First responder.	237	TRANSPORTING	
Media.	154	Children.	517
Temporary flight restrictions.	155	U	
SAFETY EQUIPMENT		UNIFORM REGULATIONS	539
Seat belts.	517	UNITY OF COMMAND	17
SCHOOL EMPLOYEE REPORTING	186	UNLAWFUL ASSEMBLY	333
SEARCH AND SEIZURE	102	UNMANNED AERIAL SYSTEM	399
SEARCHES		URINE TEST	362
Administrative.	512	USE OF FORCE	
Crime scene.	238	First amendment assemblies.	333
Dead bodies.	172	USE OF SOCIAL MEDIA	227
Police vehicle inspections.	411	UTILITY SERVICE	283
SEAT BELTS	517	V	
SECURITY EMPLOYMENT	531	VEHICLE MAINTENANCE	408
SICK LEAVE	497	VEHICLES	411
SMOKING AND TOBACCO USE	504	VIDEO RECORDINGS	
SOCIAL MEDIA	227	First amendment assemblies.	331
STRIP SEARCHES	466	W	
SUCCESSION OF COMMAND	16	WARNINGS	
SUSPICIOUS ACTIVITY REPORTING	328	Canine.	89
T		Shots.	67
TACTICAL OPERATIONS UNIT	239	WASHING OF VEHICLES	410
TAKE HOME VEHICLES	413	WORK-RELATED ILLNESS AND INJURY	
TATTOOS	537	REPORTING	534
TEAR GAS	41		
TECHNOLOGY USE	146		
TEMPORARY CUSTODY, ADULTS	462		
TEMPORARY MODIFIED-DUTY	552		
TERMINATE A PURSUIT	74		