

Plum Borough Police Department

Plum Borough Police Department Policy Manual

CHIEF'S PREFACE

The efficiency of our department depends largely on the conduct and disciplined performance of its members. The Administrative leadership of the Plum Borough Police Department is charged with ensuring that the performance of all members, including themselves, follows established guidelines.

The rules and regulations detailed in this manual have been adopted to provide guidance and information to all members of this department.

Every attempt has been made to provide the most thorough and updated information available. We have tried to confine this manual to official conduct which effects the operation of the department and to avoid unwarranted or unnecessary intrusion upon the private life of department personnel. However, it should be noted that in the eyes of the public, members are always subject to scrutiny whether on- or off-duty and therefore conduct must be judged relative to the best interests of the Plum Borough Police Department and the Borough of Plum.

It is our intent that this manual be considered a positive tool and shall be read by all personnel. This manual provides information and guidelines that will successfully lead personnel through the maze created by the demands of modern-day law enforcement. Any violations of these rules and regulations may result in disciplinary action; ignorance of any provision will not be accepted as a valid excuse or defense.

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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.

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MISSION STATEMENT

The mission of the Plum Borough Police Department is to affirmatively promote, preserve, and provide a feeling of security and safety within our agency's jurisdiction, while serving all people with fairness and respect. regardless of their race, sex, ethnicity, religion, political affiliation or sexual orientation.

OUR ORGANIZATIONAL VALUES

Commitment to Service

We believe our primary duty is to safeguard lives and property while respecting the human and constitutional rights of all.

Commitment to Community Involvement

We believe community partnerships are critical elements of our organization. Collaboration, cooperation, and communication with our citizens and businesses are the framework for successful community-oriented policing model.

Commitment to our Employees

We believe that our employees are the greatest and most valuable assets of our organization and that through regular training, education, career development, exemplary leadership, and organizational support, our employees will reach the highest standards of performance and professional satisfaction while fulfilling the needs of our community.

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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 the members of the Plum Borough Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Plum Borough Police Department to limit its members to only exercise the authority granted to them by law.

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

100.3 LAW ENFORCEMENT OFFICER POWERS

Certified members of this department are authorized to exercise law enforcement officer powers pursuant to applicable federal, state, and local laws and ordinances.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE PLUM BOROUGH POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Plum Borough Police Department includes any lawful arrest, including:

- (a) Arrests made in compliance with an arrest warrant (Pa.R.Crim.P. 515).
- (b) Arrests made without a warrant for:
 - (a) A crime committed in the officer's presence (42 Pa.C.S. § 8952; Pa.R.Crim.P. 502).
 - (b) A crime not committed in the officer's presence based upon probable cause for:
 - (a) A felony offense (Pa.R.Crim.P. 502).
 - (b) A summary offense below when there is ongoing conduct that imperils the personal security of any person or endangers public or private property (42 Pa.C.S. § 8902):
 1. Disorderly conduct (18 Pa.C.S. § 5503).
 2. Public drunkenness (18 Pa.C.S. § 5505).
 3. Obstructing highways and other public passages (18 Pa.C.S. § 5507).
 4. Purchase, consumption, possession, or transportation of liquor or malt or brewed beverages (18 Pa.C.S. § 6308).
 - (c) A crime against a family or household member involving (18 Pa.C.S. § 2711):
 1. Involuntary manslaughter (18 Pa.C.S. § 2504).

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2. Simple assault (18 Pa.C.S. § 2701).
 3. Aggravated assault (18 Pa.C.S. § 2702).
 4. Recklessly endangering another person (18 Pa.C.S. § 2705).
 5. Terroristic threats (18 Pa.C.S. § 2706).
 6. Stalking (18 Pa.C.S. § 2709.1).
 7. Strangulation (18 Pa.C.S. § 2718).
- (d) A violation of the motor vehicle code involving (75 Pa.C.S. § 3811):
1. Driving while operating privilege is suspended or revoked (75 Pa.C.S. § 1543).
 2. Driving under the influence of alcohol or controlled substance (75 Pa.C.S. § 3802).
 3. Operating a motor vehicle not equipped with ignition interlock (75 Pa.C.S. § 3808).
- (e) A crime involving recent scattering of rubbish from a trash, garbage, or debris collection vehicle (18 Pa.C.S. § 6501).
- (f) A violation for failure to comply with sexual offender registration requirements (18 Pa.C.S. § 4915.1; 18 Pa.C.S. § 4915.2).
- (g) A theft of any grade (18 Pa.C.S. § 3904).
- (h) Any other statutorily authorized arrest.

[See attachment: Borough Ordinance 784-07 Warrantless Summary Arrest.pdf](#)

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE PLUM BOROUGH POLICE DEPARTMENT

The arrest authority of officers extends outside the jurisdiction of the Plum Borough Police Department when (42 Pa.C.S. § 8953):

- (a) The officer is acting pursuant to a court order and any applicable permission has been obtained pursuant to 42 Pa.C.S. § 8953.
- (b) The officer is in fresh pursuit of a person who has committed an offense within Plum Borough.
- (c) The officer is assisting another law enforcement officer at his/her request or has probable cause to believe a law enforcement officer is in need of assistance.
- (d) The officer has obtained prior consent of the chief law enforcement officer of another jurisdiction to enter the other jurisdiction for the purpose of conducting official duties.
- (e) The officer is on official business and views an offense, or has probable cause to believe that an offense has been committed, makes a reasonable effort to identify himself as a police officer, and the offense is a misdemeanor, breach of the peace, or other act that presents an immediate clear and present danger to persons or property.

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- (f) The officer views a felony offense or has probable cause to believe that a felony has been committed, and makes a reasonable effort to identify himself/herself as a police officer.
- (g) The officer has authorization to participate in a federal, state, or local task force from the Chief of Police or authorized designee.

An officer who makes an arrest outside his/her jurisdiction shall notify the appropriate state or municipal official and relinquish authority and control over the person apprehended (42 Pa.C.S. § 8953).

100.4 LAW ENFORCEMENT OFFICER POWERS

Law enforcement authority may be extended to other states for the pursuit and arrest of an individual who has committed a felony offense:

- (a) New York (CPL § 140.55)
- (b) New Jersey (N.J.S.A. 2A:155-4)
- (c) Maryland (Md. Code CP § 2-305)
- (d) West Virginia (W.V. Code § 62-11-1)
- (e) Ohio (ORC § 2935.30)
- (f) Delaware (11 Del. C. § 1932)

New York allows a pursuit into their state and a subsequent arrest in their state for any act, including a misdemeanor, that would constitute a crime in New York.

Delaware allows a pursuit into their state and a subsequent arrest in their state for a misdemeanor as well as a felony.

100.5 CONSTITUTIONAL REQUIREMENTS

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

100.6 AGENCY AUTHORITY

The Plum Borough Police Department derives its legal authority from the Commonwealth of Pennsylvania as well as other applicable statutes or ordinances.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the Commonwealth of Pennsylvania are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Plum Borough Police Department, who is required to exercise the powers and duties of the office as prescribed by state law (8 Pa.C.S. § 1121; 42 Pa.C.S. § 2921; 71 P.S. § 646; 53 P.S. § 66905).

101.2 POLICY

It is the policy of the Plum Borough Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department, as a condition of continued employment, shall be certified by the Municipal Police Officers' Education and Training Commission (53 Pa.C.S. § 2167).

Oath of Office

102.1 PURPOSE AND SCOPE

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

102.2 POLICY

It is the policy of the Plum Borough Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE PROCEDURES

The oath of office will be administered orally by the Mayor, a Magisterial District Justice, or a Common Pleas Judge. Plum Borough police department officers shall sign and attest to the Oath of Office.

102.4 OATH OF OFFICE

All department members, upon appointment, shall take and subscribe to the oaths or affirmations applicable to their positions (Pa. Const. Art. VI, § 3; 53 Pa.C.S. § 1141).

The form of the oath shall be as follows:

I, (employee name), do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will enforce the laws of this Commonwealth and the Ordinances of Plum Borough, and that I will discharge the duties of my office with fidelity. I do further swear (or affirm), that I will uphold, obey and enforce the law without consideration to a person's race, color, sex, religious creed, sexual orientation, age, national origin, ancestry, handicap or disability.

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."

102.5 MAINTENANCE OF RECORDS

The oath of office shall be filed as required for any other public record and retained in accordance with the established records retention schedule.

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Plum Borough Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. 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, orders and other regulations that have not been included herein shall remain in effect where 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 that circumstances may arise that 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 department 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 Plum Borough Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Borough, its officials or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training or discipline. The Plum Borough Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Command Staff 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 Chief of Police, Assistant Chief, or the authorized designee is authorized to issue Special Orders, which shall modify those provisions of the manual to which they pertain. Special Orders 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:

Adult - Any person 21 years of age or older (1 Pa.C.S. § 1991). For criminal purposes, an adult is defined as any person 18 years of age or older.

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Borough - The Borough of Plum Borough.

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

Command Staff - The Chief and Assistant Chief of Police

Department/PPD - The Plum Borough Police Department.

Employee - Any person employed by the Department.

Manual - The Plum Borough Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Plum Borough Police Department, including:

- Full- and part-time employees
- Certified police officers
- School Crossing Guards
- Civilian employees
- Volunteers

Minor - An individual under the age of 21 years (1 Pa.C.S. §1991). For criminal purposes, a minor is defined as any person under 18 years of age.

Officer - Those employees, regardless of rank, who are certified peace officer employees of the Plum Borough Police Department (18 Pa.C.S. § 501).

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.

Rank - The title of the classification held by an officer.

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 assignments, reward or discipline of other department members, or directing the work of other members. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge) given specific responsibility for the general direction of the work of others.

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103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Command Staff.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and Special Orders. 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 Command Staff 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 electronically 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 supervisor will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisor, who will consider the recommendations and forward them to the Command Staff as appropriate.

103.8 DISSEMINATION PROHIBITED

Agency members are prohibited from disclosing policies. Any requests for disclosure shall be submitted to a member of Command Staff.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The Plum Borough Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment has clearly identified responsibilities and a defined chain of command.

[See attachment: Organizational Chart.pdf](#)

200.3 DIVISIONS

The Chief of Police is responsible for administering and managing the Plum Borough Police Department. There are five divisions in the Department:

- Administration Division
- Patrol Division
- Investigations Division
- Evidence Division
- Records Division

200.3.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Chief of Police, who is responsible for providing general management, direction and control for the Administration Division. The Administration Division consists of technical and administrative services.

200.3.2 PATROL DIVISION

The Patrol Division is commanded by the Command Staff, who is responsible for providing general management, direction, and control for the Patrol Division. The Patrol Division consists of uniformed patrol and special operations, which includes the Traffic Division.

200.3.3 INVESTIGATIONS DIVISION

The Investigations Division is commanded by the Command Staff, who is responsible for providing general management, direction and control for the Investigations Division. The Investigations Division consists of the Investigations Division, crime analysis and forensic services.

200.3.4 EVIDENCE DIVISION

The Evidence Division is commanded by the Assistant Chief of Police, who is responsible for providing general management, direction, and control for the Evidence Division.

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200.3.5 RECORDS DIVISION

The Records Division is commanded by the Chief of Police, who is responsible for providing general management, direction, and control for the Records Division.

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the Plum Borough Police Department. During planned absences, the Chief of Police will designate the Command Staff to serve as the acting Chief of Police.

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

- (a) Assistant Chief of Police
- (b) On-duty Shift Supervisor

200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member 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, any supervisor may temporarily direct any subordinate if an operational necessity exists. Members should proceed directly up the chain of command for resolution should they believe they have received conflicting or unlawful orders.

200.5 AUTHORITY AND RESPONSIBILITIES

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

Special Orders

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing Special Orders.

201.2 POLICY

Special Orders will be used to modify policies of the Plum Borough Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department.

201.3 PROTOCOL

Special Orders will be incorporated into the Policy Manual, as required, upon approval. Special Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Command Staff should ensure that all Special Orders are disseminated appropriately. Special Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a Special Order is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 COMMAND STAFF

Command Staff shall periodically review Special Orders to determine whether they should be rescinded or formally incorporated into the Policy Manual. Only the Command Staff may approve and issue Special Orders.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the Special Orders. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Special Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Plum Borough Police Department and responsibilities of its members pertaining to large-scale emergencies and the Commonwealth of Pennsylvania Emergency Operations Plan.

202.2 POLICY

The Plum Borough Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The Borough Emergency Operations Plan shall comply with the Commonwealth of Pennsylvania's Emergency Operation Plan. This plan provides guidance for Borough emergency operations within and outside its borders as may be required (35 Pa.C.S. § 7101 et seq.; 35 Pa.C.S. § 7313).

202.2.1 PLUM BOROUGH CODES/ORDINANCES

An emergency management organization shall be established by the Borough of Plum Borough. This ordinance shall be approved by the Borough Council (35 Pa.C.S. § 7501).

202.2.2 RELATED PROCEDURES

For procedures related to the Emergency Operations Plan, see the Plum Borough Police Department Procedures Manual: [Emergency Mobilization](#) and [Mutual Aid Agreements](#).

202.3 DEPARTMENT RESPONSIBILITIES

The Department is responsible for completing any reporting required by the Pennsylvania Emergency Incident Reporting System (PEIRS) and Pennsylvania Emergency Management Agency (PEMA) pursuant to PEMA Emergency Management Directives.

The major categories for incident reporting include, but are not limited to:

- Hazardous material (HAZMAT)
- Petroleum product/other spill releases
- Fire (including firefighter deaths)
- Adverse/severe weather
- Geological emergency
- Nuclear/radiological emergency
- Explosives
- Public health emergency
- Search and rescue
- Terrorist activity
- Civil disorder

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Emergency Operations Plan

- Transportation emergency
- Utility emergency
- Agricultural/animal emergency
- Aerial/ground-based activity
- Other event/special procedure

202.4 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Plum Borough Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the Emergency Operations Plan in response to a major emergency.

Upon activation of the plan, the Chief of Police or the authorized designee should contact the County Emergency Operations Center (County EOC). The County EOC will contact the State Emergency Operations Centers (SEOC) to assist with mutual aid response from local, state and federal law enforcement agencies.

202.4.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Plum Borough Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

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

Once a disaster has been declared, every effort will be undertaken to provide for the welfare and safety of the officer's immediate family based on the available resources.

202.4.2 RELATED PROCEDURES

For procedures related to activating the Emergency Operations Plan, see the Plum Borough Police Department Procedures Manual: [Emergency Mobilization](#).

202.5 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in the Sergeant's Office and in the office of the Assistant Chief of Police. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Command Staff should ensure that all department members are familiar with the roles they will play when the plan is implemented.

[See attachment: Allegheny County EOP V1 BASIC August 2020 FINAL v2.pdf](#)

202.6 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least once every two years and ensure that the plan conforms to any revisions made by the

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National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions.

202.6.1 EQUIPMENT INSPECTION

Equipment maintained by the Police Department that is designated for emergency operations will be inspected for operational readiness by the Chief of Police or designee.

202.7 TRAINING

The Department should provide regular training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

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 Department shall administer a training program that will meet the standards of federal, state, local and the Pennsylvania Municipal Police Officers' Education and Training Commission (MPOETC). It is a priority of this department 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 department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with MPOETC rules and regulations concerning law enforcement training.

203.4 TRAINING MANAGER

The Command Staff will be responsible for developing, reviewing, updating, and maintaining the Department training plan so that required training is completed. The Command Staff should review the training plan annually.

203.5 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

203.5.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all-inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training

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Training

- (b) The Department does and will comply with the requirements of the Pennsylvania Municipal Police Officers' Education and Training Act regarding certification of all officers. State-mandated minimum training for officers requires completion of (53 Pa.C.S. § 2161 et seq.; 37 Pa. Code § 203.11 et seq.):
 - 1. No less than the minimum number of academy training hours as may be periodically set by MPOETC in the following areas (53 Pa.C.S. § 2164; 37 Pa. Code § 203.51):
 - (a) Pennsylvania criminal law
 - (b) Pennsylvania Rules of Criminal Procedure
 - (c) Pennsylvania Vehicle Code
 - (d) Antisocial behavior
 - (e) Professional relations
 - (f) Physical conditioning
 - (g) Human relations skills
 - (h) Application of force
 - (i) Firearms training
 - (j) Patrol procedures and operations
 - (k) Investigations
 - (l) Communications
 - (m) Handling violent and dangerous people
 - (n) Custody
 - (o) First aid and CPR
 - (p) Operation of patrol vehicle
 - (q) Other subjects MPOETC deems necessary
 - 2. Annual MPOETC in-service training. Training shall consist of (53 Pa.C.S. § 2167; 37 Pa. Code § 203.52):
 - (a) Annual qualification on a police firearms course with any firearm, shotgun, or rifle authorized for use, including personal weapons carried in lieu of issued weapons or as a second weapon.
 - (b) Maintenance of first-aid and CPR certification.
 - (c) 12 hours of academic in-service training, which may include course materials on federal and Pennsylvania court cases and legal updates.
- (c) School resource officer training, when applicable (24 P.S. § 13-1313-C).
- (d) Any other mandated training as determined by the Plum Borough Police Department (37 Pa. Code § 203.53).

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203.5.2 ACCREDITATION-MANDATED TRAINING

The Pennsylvania Law Enforcement Accreditation Commission requires the following training:

- (a) Affected members with responsibilities for the cell area shall receive initial training and then refresher training at least once per accreditation cycle on the operations of the cell area, including the use of fire suppression and other emergency equipment provided by the department.
- (b) All members who will have any responsibility for individuals in temporary custody within the temporary holding area shall receive initial training and in-service training at least once during the accreditation period.
- (c) All members with the responsibility of supervising individuals in temporary custody shall be trained to recognize potential medical emergencies and provide medical assistance, and be adequately trained in self-defense to protect themselves in cases of assault or subterfuge.
- (d) All members assigned to specialized vehicles (e.g., bicycles, motorcycles, boats, mobile command units) shall receive in-service training at least once during the accreditation period.
- (e) All civilian members shall receive training appropriate for their duties or anticipated duties.

203.6 TRAINING COMMITTEE

The Command Staff may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should be composed of at least three members, the Assistant Chief of Police will select the committee's chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Command Staff may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury, or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene as determined by the Command Staff, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Command Staff. The recommendation shall not identify specific facts of any incidents, such as identities of members involved or the date, time, and location of the incident, but should focus on the type of training being recommended.

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The Command Staff will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the available resources. Training recommendations as determined by the Command Staff shall be submitted to the Chief of Police for review.

203.7 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by the Command Staff. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify the Assistant Chief of Police immediately upon learning of the conflict and shall:
 - 1. Document his/her absence in an email to Command Staff.
 - 2. Make arrangements through Command Staff to attend the required training on an alternate date.

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Plum Borough Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Command Staff.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Command Staff. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time, and 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-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

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

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203.9 TRAINING RECORDS

The Command Staff is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

203.10 PLUM BOROUGH POLICE DEPARTMENT-ADMINISTERED TRAINING RECORDS

The Command Staff is responsible for the creation, filing and storage of records of all department-administered training. Training records should include:

- (a) Course content and lesson plans.
- (b) Names of all attendees.
- (c) Performance of individual attendees and the measuring instruments/tests used, if applicable.

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 Department.

204.2 POLICY

Plum Borough Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., Pennsylvania Right-to-Know Law (RTKL)).

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

204.5 EMAIL RECORD MANAGEMENT

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

The Open Records Officer (ORO) shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy (65 P.S. § 67.502).

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Plum Borough Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

205.3 COMMAND STAFF MEMORANDA

Command Staff Memoranda may be issued periodically by a member of Command Staff to announce and document all promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, special announcements, or other changes in status.

205.4 SUPERVISOR'S MEMORANDA

Supervisor's communicating official internal correspondence shall be on the Supervisor's Memorandum.

205.5 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. Official correspondence and use of letterhead requires approval of a member of Command Staff. Department letterhead may not be used for personal purposes.

205.6 SURVEYS

Any surveys made in the name of the Department shall be authorized by a member of Command Staff.

205.7 OTHER COMMUNICATIONS

Special Orders and other communications necessary to ensure the effective operation of the Department shall be issued by a member of Command Staff (see the Special Orders Policy).

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Divisions.

206.2 POLICY

The Plum Borough Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Chief of Police. The supervision staffing levels should support proper supervision, span of control, compliance with any collective bargaining agreement, and activity levels to meet the needs of members and the goals of the Department.

License to Carry a Firearm

207.1 PURPOSE AND SCOPE

This policy provides guidance to the officers of the Plum Borough Police Department with regard to applications for a license to carry a firearm by a sheriff pursuant to Pennsylvania law (18 Pa.C.S. § 6109).

207.2 POLICY

It is the policy of the Plum Borough Police Department to refer all persons wishing to apply for a Pennsylvania license to carry a firearm to the [Allegheny County Sheriff's Office](#), 436 Grant Street, Courthouse 111, Pittsburgh, PA 15216, 412-350-3045 or the Sheriff's Office of the county in which they reside.

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 department 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 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 officer 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 officer at the time, taken as a whole, including the conduct of the officer 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. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers 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 Plum Borough Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

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300.2.1 DUTY TO INTERCEDE AND REPORT

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

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer 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.

300.2.3 WRITTEN REPORTS REGARDING INTERCESSION

Any officer interceding shall also submit a written report to the supervisor, documenting observations and any actions taken in regard to those observations.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer 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 officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers 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 an officer might encounter, officers 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 officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers 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 an officer to retreat or be exposed to possible physical injury before applying reasonable force.

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300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers shall use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers may use any reasonable force necessary to effect an arrest or to defend him/herself or another from bodily harm while making an arrest. The officer need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance (18 Pa.C.S. § 508).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer 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 officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers 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 officer 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 officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (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 officer or others.

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- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers 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 officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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

300.3.5 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. Due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether the individual was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.6 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized.

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300.3.7 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers shall 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. Officers are encouraged to use techniques and methods taught by the Plum Borough Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer 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 [officer_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) An officer 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) An officer may use deadly force to stop a fleeing subject when the officer 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 officer 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.

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 an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer 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 officer 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, officers 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.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer 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 officer or others.

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

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300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why the officer believed the use of force was reasonable under the circumstances.

A use of force report shall be submitted to and reviewed by the Chief of Police or the authorized designee whenever any member of this department:

- (a) Takes any action that results in, or is alleged to have resulted in, any injury to another person.
- (b) Uses physical force, or is alleged to have used physical force, upon another person.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

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 officer 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 conducted energy device 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.

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 the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

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Based upon the officer'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 officer 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 officer 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 officer 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, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers 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 RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. 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 officers. 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.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual 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 an incident 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.

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1. 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.
 - (g) 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 request an administrative investigation if there is a question of policy noncompliance 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.

300.7.1 SHIFT SUPERVISOR RESPONSIBILITY

The Shift Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING

All members authorized to carry weapons shall receive annual training on department policy pertaining to use of force, deadly force, de-escalation tactics including alternatives to force, and duty to intercede.

Subject to available resources, officers should receive periodic training on guidelines regarding vulnerable populations including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.

Members shall receive annual training on empty-hand controls, arrests, post-arrest positioning, and defensive techniques.

300.9 USE OF FORCE ANALYSIS

At least annually, the Assistant Chief of Police in coordination with the department's Use of Force instructors, should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report shall not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

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 Plum Borough Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department 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 Plum Borough Police Department-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, officers 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 when in a secure location (e.g. exam room, DUI processing area, police department) 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 officers and others. When deciding whether to remove restraints from a detainee, officers 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 officer has a reasonable suspicion that the person may resist, attempt escape, injure herself or others, or damage property.

No person should be handcuffed or restrained who is in labor, delivery, recovery after delivery, or who is being transported to a medical facility after the first trimester or for any pregnancy-

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related condition, except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others. An officer should remain with the person in order to remove restraints due to a medical necessity or at the request of medical staff (61 Pa.C.S. § 5905).

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 officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

301.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer 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.

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, officers 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 officer 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.

Officers 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. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid commingling those wearing spit hoods with other detainees.

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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 department-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 Department shall be used.

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

- (a) Whether the officer 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 vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).
- (d) Whether the individual in custody is a flight risk.

301.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

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

- (a) If practicable, officers 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 officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

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- (c) Once secured, the person should be placed in a seated or upright position, secured with a safety 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 an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer 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 an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer 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 officer shall document the details of the detention and the need for handcuffs or other restraints.

Officers 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 other than handcuffs.
- (b) Supervisor notification of the use of restraints other than handcuffs.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained with restraints other than handcuffs.
- (e) When restraints other than handcuffs are used, documentation on 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, Command Staff should ensure that officers 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 Department.
- (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.

Control Devices

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 individuals who are violent or who demonstrate the intent to be violent, the Plum Borough Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only those members who have successfully completed department-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 person 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.

302.4 RESPONSIBILITIES

302.4.1 COMMAND STAFF RESPONSIBILITIES

The Command Staff shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, or outdated control devices are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Command Staff or the designated instructor for a particular control device. The inspection shall be documented.

302.4.2 USER RESPONSIBILITIES

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

Any damaged, inoperative, or outdated control devices along with documentation explaining the cause of the damage, shall be returned to the Command Staff 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

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except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to him/herself 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 assignments or at the direction of their supervisors.

302.6 TRAINING FOR CONTROL DEVICES

The Command Staff shall ensure that those members 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, and no less than every two years.

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

302.7 REPORTING USE OF CONTROL DEVICES

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

Conducted Energy Device

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

303.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

303.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

303.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

303.4 VERBAL AND VISUAL WARNINGS

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

The purpose of the warning is to:

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

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

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

303.5 USE OF THE CED

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

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

303.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

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

303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED 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 officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the potential 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.

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- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

303.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

303.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

303.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

303.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

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303.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that any department-issued TASER devices are secured in the armory at the end of their shift.

303.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports and the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

303.6.1 CED REPORT FORM

As applicable based on the device type, items that shall be included in the CED report form are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (e.g., probe deployment, drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Command Staff should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Command Staff should also conduct audits of CED device data downloaded to an approved location and reconcile CED report forms with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the public.

303.6.2 REPORTS

The officer shall include the following in the arrest/crime report:

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- (a) Identification of all personnel firing CEDs
- (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 officers trained in probe removal and handling should remove CED probes from a person's body. Used CED 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 CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes 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.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED 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 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 officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

303.8 SUPERVISOR RESPONSIBILITIES

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

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A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a CED instructor and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

303.9 TRAINING

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

Proficiency training for personnel who have been issued CEDs shall occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Command Staff. All training and proficiency for CEDs will be documented in the officer's training files.

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

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Command Staff is responsible for ensuring that all members who carry CEDs have received initial and annual qualification training. Periodic audits should be used for verification.

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Command Staff shall ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient 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 to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Evaluation by a certified instructor.
- (j) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.

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- (k) Proper tactics and techniques related to multiple applications of CEDs.

All officers authorized to carry the CED shall demonstrate satisfactory skill and proficiency as applicable on any newly implemented CED to carry on-duty and if applicable off-duty.

303.9.1 REMEDIAL TRAINING

Officers who fail to demonstrate proficiency with the CED or knowledge of the Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with the CED or knowledge of the Use of Force Policy after remedial training, the officer will be restricted from carrying the CED and may be subject to discipline.

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 or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

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

304.2 POLICY

The policy of the Plum Borough Police Department 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 and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

304.4 CONTROL OF INVESTIGATIONS

Investigators from outside agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths.

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 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Plum Borough Police Department would control the investigation if the suspect's crime occurred in Plum Borough.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

304.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this Department is

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involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

304.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

304.5 INVESTIGATION PROCESS

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

304.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

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

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Secure any department-issued firearms or weapons used in the incident.
- (c) Secure any other firearms or weapons used in the incident taking care to preserve evidence.
- (d) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (e) Request additional resources from the Department or other agencies.
- (f) Coordinate a perimeter or pursuit of suspects.
- (g) Check for injured persons and evacuate as needed.
- (h) Brief the supervisor upon arrival.

304.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved PPD 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.
- (b) If necessary, the supervisor may administratively order any PPD officer to immediately provide public safety information necessary to the Plum Borough Police Department or allied agencies in securing the scene, identifying injured parties and pursuing suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 2. The initial on-scene supervisor shall not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Command Staff and County Dispatch. If feasible, sensitive information should be communicated over secure networks.

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- (d) Take command of and secure the incident scene with additional PPD 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 PPD officer should be given an administrative order not to discuss the incident with other involved officers or PPD 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 officers.

304.5.3 SHIFT SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by a member of Command Staff.

All outside inquiries about the incident shall be directed to Command Staff.

304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Command Staff
- Outside agency investigators (if appropriate)
- Psychological/peer support personnel (if available)
- 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 PPD officers 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.
 - 2. Requests from involved non-PPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with employee groups/agency representatives will be privileged only as to the discussion of non-criminal information.

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- (d) A licensed psychotherapist shall be provided by the Department to each involved PPD officer within 30 days of the incident. A licensed psychotherapist shall also be provided to any other affected PPD members, upon request or upon recommendation of the Chief of Police or authorized designee (44 Pa.C.S. § 7203).
 - 1. Interviews with a licensed psychotherapist will be considered privileged.
 - 2. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
 - 3. As part of the evaluation, the officer shall be assessed for post-traumatic stress disorder (PTSD).
 - i. The officer shall be assigned to administrative duties, if the officer fails to undergo an evaluation for PTSD when required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member, critical incident stress management team members and coparticipants are 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 PPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Command Staff to make schedule adjustments to accommodate such leave.

304.6 CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District 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) PPD supervisors and Command Staff personnel should not participate directly in any voluntary interview of PPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (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, he/she shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

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- (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 obtained statement will be provided to any criminal investigators unless the officer consents.

304.6.1 REPORTS BY INVOLVED PPD OFFICERS

In the event that suspects are not apprehended and are subject to prosecution for related offenses, this department shall retain the authority to require involved PPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

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

Nothing in this section shall be construed to deprive an involved PPD officer 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 but should also be included for reference in the investigation of the officer-involved shooting or death.

304.6.2 WITNESS IDENTIFICATION

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.
- (b) Witnesses who are willing to provide a formal interview should be referred to the investigating agency.
- (c) Any information regarding the suspect's known family and associates should be provided to the investigating agency as soon as practicable.

304.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Investigations Division supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with

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investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Investigations Division supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Chief of Police.

304.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved PPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Command Staff and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer 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 officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer 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 officer.
 - 1. If a further interview of the officer 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 officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer 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.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer 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 officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
 - 3. Administrative interviews may be recorded by the investigator.
 - 4. The officer shall be informed of the nature of the investigation. If an officer 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 officer shall be

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informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Command Staff shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

304.8 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available In-Car Video, body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

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 MVR, body-worn video, or other video or audio recordings with the approval of assigned investigators, the Borough Solicitor, and Command Staff.

Any MVR, body-worn video, 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 Borough Solicitor's Office, and Command Staff as appropriate.

304.9 DEBRIEFING

Following an officer-involved shooting or death, the Plum Borough Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

304.9.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to the criminal and/or administrative investigators.

304.10 MEDIA RELATIONS

Any media release shall be prepared by the Command Staff. Releases will be available to the Public Information Officer in the event of inquiries from the media.

No involved PPD officer shall make any comment to the media unless he/she is authorized by the Command Staff.

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Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

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.

305.2 POLICY

The Plum Borough Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department 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 Department 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 department range.

All other weapons not provided by the Department, 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 department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief of Police.

305.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 23 .40 or Glock Model 22 .40.

305.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington 870P 12 gauge. The following additional shotguns are approved for on-duty use:

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

305.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the Bushmaster AR-15 .223.

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.

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- (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 department training in a locking weapons rack in the patrol vehicle.

305.3.4 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as police officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (d) The member will successfully qualify with the firearm prior to it being carried.
- (e) 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.
- (f) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (g) When armed, officers shall carry their badges and Plum Borough Police Department identification cards under circumstances requiring possession of such identification.

305.3.6 AMMUNITION

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

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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 Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-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 department-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 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 department--issued patrol rifles 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 department-issued rifle, the member shall qualify with the rifle to ensure proper functionality and sighting of the rifle prior to carrying it.

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

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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 Department, 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 department 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 Department 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 Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the 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. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally and department-owned firearms may be safely stored and locked in their assigned lockers at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

305.5.2 STORAGE AT HOME

Members shall ensure that all department issued 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 department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

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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, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the member's senses or judgment.

305.6 FIREARMS TRAINING AND QUALIFICATIONS

All members will qualify at least annually with their duty firearms (37 Pa. Code § 203.52). Members will qualify with off-duty firearms annually. Training and qualifications must be on an approved range course evaluated by a certified instructor.

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 on their first shooting attempt 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:
 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.

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 the on-duty 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 reports shall be made as follows:

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- (a) If on-duty at the time of the incident, the member shall submit a written report explaining the incident to his/her Shift Supervisor prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall submit a written report explaining the incident 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.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device, 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, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

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 Command Staff after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally 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 it has been inspected and approved by the Rangemaster.

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The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least 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 Command Staff 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 Department, a list of each member who completes the training.

The Rangemaster should keep accurate records of all training shoots, qualifications, firearm repairs, maintenance, firearms inventory or other records as directed by the Command Staff.

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 officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers 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 Department based on the law and published TSA rules.
- (b) Officers must carry their Plum Borough Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Plum Borough Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Plum Borough Police Department an NLETS message containing a unique alphanumeric identifier. The officer 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 Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer'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 officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

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- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer 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) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers 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 officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Plum Borough Police Department identification card whenever carrying such firearm.
- (b) The officer may not be the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers 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 an officer 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.

Foot Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

307.2 POLICY

It is the policy of this department that officers, 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 department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

307.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support (e.g. Unmanned Aerial System/Drone).

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- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

307.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no

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immediate threat to department members or the public if the suspect is not immediately apprehended.

- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

307.5 RESPONSIBILITIES IN FOOT PURSUITS

307.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

307.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers maximum access to the radio frequency.

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307.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

307.5.4 COUNTY DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit has been initiated, the County Dispatch will follow their own established policies and procedures. Generally, the dispatcher will assist with:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a shift supervisor is notified of the foot pursuit.
- (e) Coordinate with officers to notify and coordinate with other involved or affected agencies as practicable.

307.6 REPORTING REQUIREMENTS

The initiating officer 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 officers.
- (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.

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Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

308.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

308.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

308.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (75 Pa.C.S. § 3105; 75 Pa.C.S. § 4571).

Officers should only respond to a call as an emergency response when circumstances reasonably indicate an emergency response is appropriate. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide available information such as:

- Identifying call sign
- Location of the emergency situation
- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required

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- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the dispatcher.

308.5 SAFETY CONSIDERATIONS

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others (75 Pa.C.S. § 3548).

The officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (75 Pa.C.S. § 3105):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement, overtaking vehicles or turning in specified directions.
- Park or stand in the roadway.

308.5.1 NUMBER OF OFFICERS ASSIGNED

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

An emergency response involving more than one police vehicle should be coordinated by Shift Supervisor. The Shift Supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

308.6 EMERGENCY EQUIPMENT

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to responding vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Shift Supervisor, of the equipment failure so that another officer may be assigned to the emergency response.

308.7 OFFICER RESPONSIBILITIES

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify

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the Shift Supervisor. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer should give the location from which he/she is responding if an extended response time is anticipated.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the officer in charge of the scene unless a supervisor assumes this responsibility.

308.8 SUPERVISOR RESPONSIBILITIES

Upon being notified that an emergency response has been initiated or requested, the Shift Supervisor shall verify that:

- (a) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (b) When appropriate, the Shift Supervisor may request that any affected outside jurisdictions are notified as practicable.

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

Domestic Violence

309.1 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 the Plum Borough Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence (23 Pa.C.S. § 6105).

309.1.1 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 the common pleas, of this state or another, whether civil or criminal, to include orders of protection, regardless of whether service has been made.

309.2 POLICY

The Plum Borough Police Department'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 department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

309.3 OFFICER SAFETY

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

309.4 INVESTIGATIONS

The following guidelines should be followed by officers 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, officers 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) Officers 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.

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- (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 (e.g. female officer or female EMS). Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations Division in the event that the injuries later become visible.
- (f) Officers 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, officers 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) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence (18 Pa.C.S. § 2711; 23 Pa.C.S. § 6113).
 - 1. Any seized weapon relating to a violation of a protection order shall be placed into the custody of the county sheriff (23 Pa.C.S. § 6113).
- (i) When completing an incident or arrest report for violation of a court order, officers 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.
- (j) Officers 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 violence 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.
 - 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.

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309.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers:

- (a) Should advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Should provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Should advise the victim whether any type of court order will be in effect when the suspect is released from jail.
- (d) Shall notify persons protected by the order within 24 hours of an arrest for a violation of the court order (23 Pa.C.S. § 6105).

309.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer 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 assistance).
- (b) Document the resolution in a report.
 1. If no evidence of a crime exists that would mandate an arrest under this general order, the following statement shall be entered into the "comment" section in the Informant Complaint module for the incident: "No recent physical injury or other corroborative evidence was observed".
 2. Complaint entries that do contain this notation **shall not be approved** by the supervisor until such statement is entered. Entries into the Complaint module with the verbiage "*All parties advised*" are not acceptable.

309.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department domestic violence information handout, even if the incident may not rise to the level of a crime (18 Pa.C.S. § 2711; 23 Pa.C.S. § 6105).
- (b) Victims shall also be alerted to any available victim advocates, shelters and community resources (18 Pa.C.S. § 2711; 23 Pa.C.S. § 6105).
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
- (d) If the victim has sustained injury or complains of pain, officers should seek medical assistance for the victim as soon as practicable.

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- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order.

309.6 DISPATCH ASSISTANCE

When responding to a domestic violence incident, officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

309.7 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 officers 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.

309.8 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, officers 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, 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.

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

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309.9 STANDARDS FOR ARRESTS

- (a) Officers who have probable cause to believe a person has committed one of the following domestic violence offenses against a family or household member (as defined by 23 Pa.C.S. § 6102) should make an arrest:
 - 1. Involuntary manslaughter (18 Pa.C.S. § 2504)
 - 2. Simple assault (18 Pa.C.S. § 2701)
 - 3. Aggravated assault (18 Pa.C.S. § 2702(a)(3); 18 Pa.C.S. § 2702(a)(4); 18 Pa.C.S. § 2702(a)(5))
 - 4. Reckless endangerment (18 Pa.C.S. § 2705)
 - 5. Terroristic threat (18 Pa.C.S. § 2706)
 - 6. Stalking (18 Pa.C.S. § 2709.1)
 - 7. Strangulation (18 Pa.C.S. § 2718)
- (b) Any decision not to arrest when there is probable cause to do so shall be made by a supervisor.
- (c) Officers who have probable cause to believe that a domestic violence offense was committed against a family or household member may make an arrest even if the offense was not committed in the officer's presence if (18 Pa.C.S. § 2711):
 - 1. The officer personally observes a recent, visibly physical injury to the victim.
 - 2. Other corroborative evidence indicates that an offense has occurred.
- (d) Officers shall make an arrest when there is probable cause to believe a violation of a protection order has occurred (other than for non-payment of court-ordered payments/support), regardless of whether the violation occurred within the presence of the officer (23 Pa.C.S. § 6113).
 - 1. Officers shall obtain a written statement from the complainant as to the date, time and description of the violation when the alleged violation did not occur in their presence.

309.10 REQUIRED DOCUMENTATION

The supervisor of rank involved in making the decision not to arrest when there is probable cause to do so shall author a supervisor's memorandum detailing the reasons why the arrest was not affected while the officers were on scene.

309.11 REPORTS AND RECORDS

The Records Administrator shall ensure the following actions are completed for all domestic violence reports (23 Pa.C.S. § 6105):

- (a) The reports are on forms prescribed by Pennsylvania State Police (PSP).
- (b) Information related to crimes of domestic violence is transmitted to PSP as required.

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309.12 SERVICE OF COURT ORDERS

The Department's Warrant Control Officer shall verify that court orders obtained by the Plum Borough Police Department are entered into the Commonwealth Law Enforcement Assistance Network (CLEAN). Reasonable efforts shall be made to communicate updates to the County Dispatch to maintain accurate information in CLEAN, including the removal of expired orders (23 Pa.C.S. § 6109).

309.13 COURT ORDERS TO RELINQUISH FIREARMS

The duty supervisor or the officer-in-charge shall be notified immediately when a court order for relinquishment of firearms is received by the department. The duty supervisor or the officer-in-charge shall monitor whether the required relinquishment occurs within 24 hours or within the time frame specified in the order (18 Pa.C.S. § 6105; 18 Pa.C.S. § 6105.2; 23 Pa.C.S. § 6108).

The investigation officer shall provide immediate notice to the court and, as applicable, the victim, appropriate law enforcement authorities, and the prosecutor, if a person fails to either (18 Pa.C.S. § 6105; 18 Pa.C.S. § 6105.2; 23 Pa.C.S. § 6108):

- (a) Relinquish the firearms listed by the court within 24 hours of issuance of an order or a conviction, as applicable, or within a different time frame provided for in the order.
- (b) Provide the department with an affidavit indicating that the listed firearms have been relinquished, transferred, or sold to a third party as permitted by law.
- (c) For persons relinquishing under protection from abuse orders, provide an affidavit listing the firearms and their current location, if they cannot reasonably be retrieved within the time frame.

309.13.1 RELINQUISHMENT OF FIREARMS

Members shall accept a firearm from an individual who has been ordered by a court to relinquish a firearm pursuant to state law (18 Pa.C.S. § 6105.2; 23 Pa.C.S. § 6108). Members should book the firearm into property in accordance with this policy and the procedures set forth in the Evidence Division Policy.

The receiving member shall also prepare a signed and dated receipt, which shall include a detailed description of the firearm (e.g., manufacturer, model, serial number) (18 Pa.C.S. § 6105.2; 23 Pa.C.S. § 6108).

309.14 TRAINING

The Command Staff shall ensure that members receive training related to this policy and the Protection from Abuse (PFA) Act as required by 23 Pa.C.S. § 6105.

New officers shall receive training on this policy and the PFA Act as part of their field training.

Search and Seizure

310.1 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 Plum Borough Police Department personnel to consider when dealing with search and seizure issues.

310.2 POLICY

It is the policy of the Plum Borough Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

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

310.3 SEARCHES AND INVENTORIES

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 to the rule 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:

- 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 may 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.

Further exceptions may include the following:

- Pat-down weapons search (i.e., stop and frisk as outlined in *Terry v. Ohio*) (see the Contacts and Temporary Detentions Policy for additional guidance)
- Crime scenes (i.e., protective sweep, though further investigation may require a search warrant)
- Inventories of property (see the Vehicle Towing Policy and the Custodial Searches Policy for additional guidance)
- Plain view, plain touch, and plain smell searches

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- Open field searches
- Seizures of suspended, revoked, canceled, or disqualified driver's licenses
- Emergency aid

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

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

310.3.1 PENNSYLVANIA SEARCH RESTRICTIONS

Pennsylvania court rulings are generally more restrictive when interpreting the Pennsylvania Constitution than the federal courts' interpretation of the United States Constitution.

310.4 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 department will strive to conduct searches with dignity and courtesy.
- (b) Officers 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) When possible, after considering all ramifications such as officer safety and the impact on the integrity of the search, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated in order to minimize the need for forcible entry.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by sheer clothing or clothing that could not reasonably conceal a weapon.

310.5 DOCUMENTATION

Officers are responsible for documenting any search and ensuring that any required reports are sufficient including, at minimum, documentation of:

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- 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 documented in the appropriate designated fields in the Records Management System.
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer.

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

310.6 PROCEDURES

310.6.1 CONSENT SEARCHES

An officer may seek consent to a search consistent with the following:

[Insert your specific procedures consistent with standard 1.2.3 - see the Guide Sheet for additional guidance.]

310.6.2 VEHICLE SEARCHES

An officer may search a motor vehicle consistent with the following:

[Insert your specific procedures consistent with standard 1.2.3 - see the Guide Sheet for additional guidance.]

310.6.3 PLAIN VIEW, PLAIN TOUCH, OR PLAIN SMELL SEARCHES

An officer may seize evidence of a crime or contraband based on plain view, plain touch, or plain smell consistent with the following:

[Insert your specific procedures consistent with standard 1.2.3 - see the Guide Sheet for additional guidance.]

310.6.4 OTHER SEARCHES

[Insert your specific procedures consistent with standard 1.2.3 - see the Guide Sheet for additional guidance.]

310.7 TRAINING

The Command Staff shall ensure that officers receive periodic training on this policy.

Child Abuse

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Plum Borough Police Department members are required to notify the Pennsylvania Department of Human Services (DHS) of suspected child abuse.

311.1.1 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 agency.

311.2 POLICY

The Plum Borough Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DHS is notified as required by law.

311.3 MANDATORY NOTIFICATION

Members of the Plum Borough Police Department shall notify DHS when there is reasonable cause to suspect a child is a victim of child abuse. DHS shall also be notified when the Department receives a report of suspected child abuse (23 Pa.C.S. § 6313; 23 Pa.C.S. § 6334):

In cases where a child has died as a result of suspected child abuse, the Medical Examiner shall be notified (23 Pa.C.S. § 6317).

If the suspected abuse involves a student and is committed by a school employee, the county Children and Youth Social Service Agency shall also be notified as soon as practicable (55 Pa. Code § 3490.161).

For purposes of notification, abuse includes intentionally, knowingly, or recklessly causing or creating a reasonable likelihood of bodily injury through any recent act or failure to act; causing or substantially contributing to serious mental injury through any act or failure to act; causing or creating a likelihood of sexual abuse or exploitation through any act or failure to act; leaving a child with certain sex offenders/predators; causing serious physical neglect; or as additionally defined in 23 Pa.C.S. § 6303. Fights between children, lawful parental supervision, or any conduct as provided in 23 Pa.C.S. § 6304 is excluded from the definition of child abuse.

311.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (23 Pa.C.S. § 6313; 23 Pa.C.S. § 6334):

- (a) Notification shall be made immediately to DHS via ChildLine either electronically or by telephone.

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- (b) Members who make an oral notification of suspected child abuse shall also prepare a written report, which may be submitted electronically to DHS or to the county Children and Youth Social Service Agency assigned to the case within 48 hours in the proper DHS format.

311.3.2 PLUM BOROUGH POLICE DEPARTMENT NOTIFICATION TO CHILDLINE

Members of the Plum Borough Police Department shall make notifications to ChildLine electronically. Phone notification shall only be made if the electronic notification is not available/possible.

311.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations (23 Pa.C.S. § 6334.1). These investigators:

- (a) Should work cooperatively with forensic interviewers to ensure that interviews are conducted in child-appropriate interview facilities (e.g. A Child's Place at Mercy, Child Advocacy Center at Children's Hospital).
- (b) Should be familiar with forensic interview techniques specific to child abuse investigations.
- (c) When appropriate, detectives will present cases of alleged child abuse to the District Attorney for review.
- (d) Shall coordinate with other enforcement agencies, social service agencies and school administrators, if applicable (55 Pa. Code § 3490.172).
 - (a) Any requests for child abuse information from DHS shall be in writing as provided in 55 Pa. Code § 3490.92.
- (e) Should provide referrals to victim advocates who can assist with therapy services and support for the child and family as appropriate.
- (f) Shall, advise the county Children, Youth, and Family Social Service Agency, as soon as possible and **without jeopardizing the criminal investigation or prosecution**, whether a criminal investigation has been undertaken and the results of the investigation and of any criminal prosecution in cases of suspected child abuse (55 Pa. Code § 3490.109).
- (g) Shall treat all reporting sources and persons who cooperated in the investigation as confidential informants (23 Pa.C.S. § 6340(c); 55 Pa. Code § 3490.92).

311.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, officers 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 officer in all circumstances where a suspected child abuse victim was contacted.

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- (b) The exigent circumstances that existed if officers 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 (23 Pa.C.S. § 6314).
- (f) Whether the child victim was transported for medical treatment or a medical examination (23 Pa.C.S. § 6314).
- (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.
- (k) Any prior reports of child abuse involving a subject of the reported child abuse obtained through ChildLine (23 Pa.C.S. § 6335).

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).

311.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the county Children and Youth Social Service Agency. 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 department 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 officer 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 officer shall ensure that the child is delivered to the county Children and Youth Social Service Agency.

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

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Children may be taken into protective custody in the following situations (23 Pa.C.S. § 6315; 42 Pa.C.S. § 6324):

- (a) Pursuant to a court order.
- (b) When an officer has reasonable grounds to believe a child is suffering from illness or injury or in imminent danger from his/her surroundings and removal is necessary to protect the child.

The county Children and Youth Social Service Agency shall be notified immediately once a child is taken into custody. The officer shall ensure that the parent, guardian or other custodian is notified within 24 hours in writing of the whereabouts of the child, unless prohibited by court order, and the reasons for protective custody.

311.6.1 NEWBORN PROTECTION ACT

An officer shall accept a newborn (under 28 days old) at the Plum Borough Police Department when surrendered by a parent and place the child into protective custody under 23 Pa.C.S. § 6315(a)(5). The officer shall ensure that the newborn is transported to a hospital and transfer custody to a health care provider under 23 Pa.C.S. § 6504. The officer should document any medical history of the newborn that the parent may, but is not required to, provide. Officers should not ask the parent for any personal information and should be aware that the parent is not required to provide answers to any questions (23 Pa.C.S. § 6504.1).

311.7 INTERVIEWS

311.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers shall not record the preliminary interview with suspected child abuse victims. Officers shall gather general information necessary to file the report but shall not interview the victim regarding the allegation. When practicable, investigating officers shall 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.

311.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer 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.

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- (b) A court order or warrant has been issued.

When detaining a victim for an interview, a detective shall be contacted immediately.

311.7.3 SCHOOL ABUSE

Per state code, law enforcement officials and the Children, Youth, and Family Agency shall coordinate their investigations to the fullest extent possible. Interviews with the student shall be conducted jointly. However, the joint interview may be waived on an individual case-by-case basis if it is in the best interest of the student (55 Pa. Code § 3490.172).

311.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer 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, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

311.9 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.

311.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations Division supervisor should:

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

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311.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the on-call detective so an interagency response can begin (See [Plum Borough Police Department Procedures Manual: 403.2 CALLOUT SCHEDULE](#)).

311.10 STATE MANDATES AND OTHER RELEVANT LAWS

Pennsylvania law requires or permits the following:

311.10.1 PROCESSING REPORTS AND RECORDS

The Shift Supervisor shall ensure that all initial written reports of suspected child abuse are submitted electronically to DHS or to the county Children, Youth, and Family Agency assigned to the case within 48 hours in the proper DHS format (23 Pa.C.S. § 6313).

311.10.2 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 (23 Pa.C.S. § 6340).

311.10.3 CHILD FATALITY REVIEW TEAMS

The Department should participate in the state or county child fatality or near fatality review team as appropriate (23 Pa.C.S. § 6365).

311.10.4 PUBLIC HEALTH CHILD DEATH REVIEW TEAMS

The Department should participate in the state or county Child Death Review Team as appropriate (11 P.S. § 2150.4; 11 P.S. § 2150.5).

311.11 TRAINING

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

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Availability of victim services for children and families (e.g. Victim's Advocate Services, Crime Victim's Rights).
- (c) Availability of specialized forensic medical exams.
- (d) Cultural competence (including interpretive services) related to child abuse investigations.
- (e) Availability of victim advocate or guardian ad litem support.
- (f) Recognizing abuse that requires mandatory notification to another agency.

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312.1 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 Plum Borough Police Department members as required by law.

312.1.1 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.

Caregiver - An individual or institution that has assumed the responsibility for the provision of care needed to maintain the physical or mental health of an adult. This responsibility may arise voluntarily, by contract, by receipt of payment for care, as a result of family relationship or by order of a court of competent jurisdiction. It is not the intent of this act to impose responsibility on any individual if the responsibility would not otherwise exist in law (35 P.S. § 10210.103).

Facility - A facility designed to serve adults (35 P.S. § 10210.103) or older adults (35 P.S. § 10225.103).

312.2 POLICY

The Plum Borough Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

312.3 MANDATORY NOTIFICATION

Members of the Plum Borough Police Department should notify Adult Protective Services (APS) when the member has reason to believe that an adult or older adult is the victim of abuse and may require protective services. Notification should be made as soon as practicable by contacting APS via the Protective Services Hotline (35 P.S. § 10210.302; 35 P.S. § 10225.302).

For purposes of notification, abuse includes the infliction of injury, unreasonable confinement, intimidation or punishment resulting in physical harm, pain or mental anguish; the willful deprivation by a caretaker of goods or services that are necessary to maintain physical or mental health; sexual harassment; rape; exploitation; neglect; or abandonment by desertion of a caretaker (35 P.S. § 10210.103; 35 P.S. § 10225.103).

An adult is a resident of the Commonwealth between 18 and 59 years of age who has a physical or mental impairment that substantially limits one or more major life activities (35 P.S. § 10210.103). An older adult is a resident of the Commonwealth age 60 years or older (35 P.S. § 10225.103).

Members receiving a report that an adult or older adult is being abused in a facility must notify the administrator of the facility where the alleged abuse occurred as soon as practicable, unless

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notification would jeopardize the investigation or subject the adult or older adult to further risk. (35 P.S. § 10210.501; 35 P.S. § 10225.701).

Members having reasonable cause to believe that an adult or older adult has been sexually abused or suffered serious physical or bodily injury, or is the victim of a suspicious death in a facility, shall notify APS. Notification may be delayed if it would jeopardize the investigation or subject the adult or older adult to further risk (35 P.S. § 10210.503; 35 P.S. § 10225.703).

312.4 QUALIFIED INVESTIGATORS

Qualified investigators shall be available to investigate cases of adult abuse or older adult abuse (35 P.S. § 10210.503; 35 P.S. § 10225.703). These investigators:

- (a) Should conduct interviews in appropriate interview facilities.
- (b) Should be familiar with forensic interview techniques specific to adult abuse or older adult abuse investigations.
- (c) Should present all cases of alleged adult abuse or older adult abuse to the prosecutor for review.
- (d) Shall coordinate with other enforcement agencies, social service agencies and facility administrators as needed (35 P.S. § 10210.503; 35 P.S. § 10225.703).
- (e) Should provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Should participate in or coordinate with multidisciplinary investigative teams as applicable.
- (g) Shall treat all reporting sources (persons who made the report of abuse or cooperated with the investigation) as confidential information (35 P.S. § 10210.505; 35 P.S. § 10225.705).

312.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse or older 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 or older adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse or older 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.

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- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (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.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Appropriate agencies and facilities where the adult abuse or older adult abuse occurred shall be notified of a decision regarding criminal charges (35 P.S. § 10210.503; 35 P.S. § 10225.703).

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

312.6 PROTECTIVE CUSTODY SERVICES

Before taking an adult abuse or older adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse or older 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 department should remove an adult abuse or older 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 or older adult abuse victim into protective custody, the officer 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 officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse or older adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody. A court order for protective services of an adult abuse or older adult abuse victim may occur when APS has obtained a court order to provide services necessary to remove the conditions creating the need (35 P.S. § 10210.307; 35 P.S. § 10225.307).

When adult abuse or older 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

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to have APS 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.

312.7 INTERVIEWS

312.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse or older adult abuse victim. Officers are reminded that interviews involving a sexual assault victim shall not be recorded. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

312.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer 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:
 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.

312.8 MEDICAL EXAMINATIONS

When an adult abuse or older adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer 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, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers 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.

312.9 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 or older adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

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312.9.1 INVESTIGATIONS DIVISION RESPONSIBILITIES

The investigations division 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 or older adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigations Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse or older adult abuse victim is present or where evidence indicates that an adult abuse or older adult abuse victim lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

312.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse or older adult abuse victim is present or where there is evidence that an adult abuse or older 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 Investigations Division supervisor so an interagency response can begin.

312.10 STATE MANDATES AND OTHER RELEVANT LAWS

Pennsylvania requires or permits the following:

312.10.1 RECORDS DIVISION RESPONSIBILITIES

The Records Division is responsible for:

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

312.10.2 RELEASE OF REPORTS

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

312.11 TRAINING

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

- (a) Participating in multidisciplinary investigations, as appropriate.

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- (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 or older adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

313.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department 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.

313.2 POLICY

The Plum Borough Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

313.3 DEFINITIONS

Definitions related to this policy include:

313.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on 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 (43 P.S. § 955).

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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313.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

313.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

313.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Pennsylvania Human Relations Commission guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with borough or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

313.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor. Complaints may also be filed with the Chief of Police, the Director of Human Resources, or the Borough Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

313.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a member of Command Staff, the Director of Human Resources, or the Borough Manager for further information, direction, or clarification.

313.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying a member of Command Staff of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation immediately.
 1. The supervisor shall follow up an oral notification with a written report (supervisor's memorandum) detailing the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation within 24 hours.

313.4.3 SUPERVISOR'S ROLE

Supervisors shall be aware of the following:

- (a) Behavior of supervisors should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors from discharging supervisory responsibilities, such as providing recommendations in a manner that is consistent with established procedures.

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313.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

313.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor who is a rank higher than the alleged transgressor.

313.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Director of Human Resources, or the Borough Manager.

313.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

313.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

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- (a) Approved by the Chief of Police, or the Borough Manager, in consultation with the Director of Human Resources, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

313.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

313.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member prior to acknowledgment.

All members shall receive annual training on the requirements of this policy.

313.8 PLUM BOROUGH POLICE DEPARTMENT MEMBER REQUIREMENT

By acknowledging this policy, members of the Plum Borough Police Department certify that they have been advised of this policy, are aware of and understand its contents, and agree to abide by its provisions during their term with the Department.

Missing Persons

314.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

314.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - Includes persons who:

- (a) Are 17 years of age or younger (18 Pa.C.S. § 2908).
- (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 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™ pursuant to 35 P.S. § 7025.1.
- (d) Are 20 years of age or younger and reported missing by a social services agency (23 Pa.C.S. § 5701).

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown.

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 Commonwealth Law Enforcement Assistance Network (CLEAN).

314.2 POLICY

The Plum Borough Police Department 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. Priority shall be given to missing person cases over property-

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related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

The Department shall have no waiting period before initiating an investigation of a missing person younger than 21, and the Department shall report that person to the NCIC of the Department of Justice in accordance with 34 USC § 41307 and 34 USC § 41308.

314.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Command Staff shall ensure the following forms are developed and available in the attached [Missing Persons Forms and Checklist](#) Package & Missing Person Declaration:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Located child school notification form
- Missing child notification for submission to the Department of Health
- Biological sample collection kits

314.4 ACCEPTANCE OF REPORTS

Any member encountering an individual 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 could be accepted in cases regardless of where the person was last seen, where the person resides or any question of jurisdiction. However, if there is no indication of the person being present in Plum Borough immediately prior to being reported missing, the reporting person should be directed to the agency that has jurisdiction.

314.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person shall 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) Contact the Child Abduction Response Team (CART Team).

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- (e) Broadcast an alert if 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 at risk.
- (f) Ensure that entries are made into the appropriate missing person networks:
 - (a) Immediately, when the missing person is at risk.
 - (b) Immediately, when the individual is at least 18 years old and not older than 21.
 - (c) In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- (g) Complete the appropriate report forms (e.g. Missing Persons Declaration, when applicable) accurately and completely and initiate a search as applicable under the facts.
- (h) Collect and/or review:
 - (a) A photograph and fingerprint card of the missing person, if available.
 - (b) A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - (c) Any documents that may assist in the investigation, such as court orders regarding custody.
 - (d) Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (i) When circumstances permit and if appropriate, attempt to determine the missing person's location through the person's telecommunications carrier.
 - 1. The officer shall provide a written request to the wireless telecommunication provider with the officer's name, the Plum Borough Police Department name, the reason for the request and the need for disclosure, and the officer's signature with a declaration that the disclosure of the tracking information is an emergency that involves the risk of death or serious harm to the holder of the phone (18 P.S. § 42).
- (j) 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.
- (k) In the case of a missing child, the Pennsylvania Department of Health's Division of Vital Records shall be notified immediately (35 P.S. § 450.402-A).

314.5.1 BIOLOGICAL SAMPLE COLLECTION AND SUBMISSION

For purposes of this subsection, a high-risk missing person means a person 18 years of age or older who has a temporary or permanent residence that is in the state or believed to be in the

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state, whose whereabouts are unknown, and who has been reported missing under any of the following circumstances (44 Pa. C.S. § 2303):

- As a result of a stranger abduction
- Under suspicious, unknown, or dangerous circumstances that reasonably appear to indicate that the person is at risk of injury or death
- The person has been missing for more than 30 days
- The person has been designated as a high-risk missing person by another law enforcement agency

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation shall collect biological samples as follows (44 Pa. C.S. § 2316.2; 44 Pa. C.S. § 2316.3):

- (a) For missing children and for high-risk missing persons, within seven days of receipt of the missing persons report or the beginning of the investigation, whichever is earlier.
- (b) For any other missing person, within 30 days of receiving the missing person's report or the beginning of the investigation, whichever is earlier.

Within 48 hours of collection, all biological samples shall be delivered to the Pennsylvania State Police for testing (44 Pa. C.S. § 2316.2; 44 Pa. C.S. § 2316.3) and submission to the National Missing and Unidentified Persons System, as soon as reasonably practicable (44 Pa. C.S. § 2319).

314.6 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.

Members shall also consider the age of the missing person and follow the Missing Person procedure to ensure proper documentation.

314.6.1 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 Records Division.
 2. The case will be referred to Investigations for proper follow-up.
- (b) Ensure the Child Abduction Response Team is contacted, if appropriate.
- (c) Ensuring resources are deployed as appropriate.
- (d) Initiating a command post as needed.
- (e) Ensuring applicable notifications and public alerts are made and documented.
- (f) Ensuring that records have been entered into the appropriate missing person networks.

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- (g) 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.

314.6.2 INITIAL RESPONDING OFFICER RESPONSIBILITIES

The responsibilities of the initial responding officer 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 agency of jurisdiction for 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 agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Submit the completed case report to the supervisor and request forwarding to the Investigations Division.
- (e) Coordinating with the NCIC Terminal Contractor for Pennsylvania to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

314.7 INVESTIGATIONS 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 district is notified as soon as practicable if the missing person is a juvenile (35 P.S. § 450.402-A).
 - 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) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update CLEAN, NCIC 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).

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- (e) Shall maintain a close liaison with state and local child 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).
- (f) Should make appropriate inquiry with the Medical Examiner.
- (g) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (h) 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 any other agency that requires them and the Pennsylvania State Police (PSP) and enter the photograph into applicable missing person networks (34 USC § 41308).
- (i) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (j) 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).

314.8 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 initial investigating officer in coordination with the assigned detective shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) The missing child's school district and the Pennsylvania Department of Health's Division of Vital Records are notified (35 P.S. § 450.402-A).
- (b) Entries are made in the applicable missing person networks, including CLEAN (18 Pa.C.S. § 2908).
- (c) When a person is at risk, the fact that the person has been found shall be reported within 24 hours to CLEAN.
- (d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

314.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying the person:

- (a) Should obtain a complete description of the person.
- (b) Should enter the unidentified person's description into the NCIC Unidentified Person File.

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- (c) Should use available resources, such as those related to missing persons, to identify the person.
- (d) Shall immediately make an entry into CLEAN in cases where an unidentified child is found (18 Pa.C.S. § 2908).

Additional requirements relating to deceased unidentified children are addressed in the Death Investigation Policy.

314.9 CASE CLOSURE

The Command Staff 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 Plum Borough or this department 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.
- (c) If this department is not the lead agency, the case can be closed (referred-other agency) 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 shall 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.

314.10 TRAINING

Subject to available resources, the Command Staff should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 1. Assessments and interviews
 2. Use of current resources, such as In-Car Video
 3. Confirming missing status and custody status of minors
 4. Evaluating the need for a heightened response
 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile, catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.

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- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., internet use, cell phone use).
- (n) Media relations.

Public Alerts

315.1 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.

315.2 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.

315.3 RESPONSIBILITIES

315.3.1 MEMBER RESPONSIBILITIES

Members of the Plum Borough Police Department should notify their Shift Supervisor or Command Staff as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

315.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible for making the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify a member of Command Staff and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for:

- (a) Ensuring alerts are updated.
- (b) Ensuring alerts are cancelled.
- (c) Ensuring all appropriate reports are completed.
- (d) When requested, preparing an after-action evaluation of the investigation to be forwarded to the Command Staff.

315.4 AMBER ALERTS™

AMBER Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding abducted children.

315.4.1 CRITERIA

The following criteria are utilized to determine if an AMBER Alert should be requested:

- (a) The victim of the abduction is a child under 18 years of age.
- (b) An officer has a reason to believe the child is in imminent danger of death or serious injury.
- (c) Other factors should also be considered, including, but not limited to:

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1. Known descriptive information of the suspect.
2. The time elapsed since the abduction.
3. Witness reliability.

315.4.2 PROCEDURE

The following is the procedure for initiating an AMBER Alert:

- (a) The assigned officer will respond to the scene and initiate a missing child investigation.
- (b) Upon establishing the facts of the abduction, the officer will determine if the facts fit the criteria for an AMBER Alert.
- (c) If the criteria is met, the officer will notify the Pennsylvania State Police (PSP) by phone and through the Commonwealth Law Enforcement Assistance Network (CLEAN) and provide the appropriate information.

315.5 MISSING ENDANGERED PERSON ALERT

The Missing Endangered Person Alert (MEPA) system provides information about an endangered missing person to the public by use of the local media with distribution to other law enforcement agencies.

315.5.1 CRITERIA

The following criteria are utilized to determine if a MEPA should be issued:

- (a) The incident circumstances do not qualify as an AMBER Alert.
- (b) The person is missing under unexplained, involuntary or suspicious circumstances.
- (c) One of the following factors places the missing person at risk of death or serious injury:
 1. Age
 2. Health
 3. Mental or physical disability
 4. Weather or environmental conditions
- (d) The notification to the public has the potential to assist in the recovery of the missing person.
- (e) Other factors to consider:
 1. The quality of the descriptive information
 2. The amount of time the person has been missing
 3. The reliability of the witness

315.5.2 PROCEDURE

The following is the procedure for initiating a MEPA:

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- (a) The assigned officer will respond to the scene and initiate a missing person investigation.
- (b) Upon establishing the facts of the disappearance of the missing person, the officer will determine if the facts fit the criteria for a MEPA.
- (c) If the criteria are met, then the officer will contact the PSP through the PSP Watch Center and request the MEPA.

315.6 ALERTPA

The Commonwealth of Pennsylvania Alert System (AlertPA) is an all-hazards alert tool that may be used to provide notice to the public regarding any active event that poses a risk to the public. When the Plum Borough Police Department is the lead agency on such an event, the incident commander, or the authorized designee, should consider using the AlertPA system to disseminate the critical information to the public. The AlertPA system is accessible through the AlertPA website.

Victim and Witness Assistance

316.1 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.

316.2 POLICY

The Plum Borough Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Plum Borough Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

316.3 CRIME VICTIM LIAISON(S)

The Chief of Police may appoint members of the Department to serve as the crime victim liaisons. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Plum Borough Police Department 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.

316.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison shall ensure that (18 P.S. § 11.212):

- (a) The Department maintains a supply of the crime victim forms developed by Pennsylvania's Commission on Crime and Delinquency's Office of Victims' Services.
- (b) Records of victim notification are maintained by the Department.
- (c) Victims or, if appropriate, victims' family members receive written information regarding the availability of crime victims' compensation, including an application form for compensation as soon as reasonably practicable upon initial contact with the Department.
- (d) Victims or, if appropriate, victims' family members receive the Crime Victims Act written information as soon as reasonably practicable upon initial contact with the Department.
- (e) Department police reports include a place to designate whether the victim or, if appropriate, victim's family members received information on victim's rights and services.
- (f) Victims of a personal injury rights crime (as defined by 18 P.S. § 11.103) are notified of the arrest or detention of a suspect and of the filing of a complaint related to the crime within 24 hours.
- (g) Victims of a personal injury rights crime are notified of the escape of an individual from the custody of the Department as soon as practicable.

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- (h) Property belonging to victims that was seized as evidence is returned in a timely manner after determination is made by the prosecutor that the property is no longer needed.
- (i) Victims of sexual violence or intimidation that are protected by an order issued under 42 Pa.C.S. § 62A04 (Protection of Victims of Sexual Violence or Intimidation Act) are notified when an arrest has been made. Notice should be within 24 hours after preliminary arraignment unless the person cannot be located.
- (j) Victim information is provided to the appropriate court as required by 18 P.S. § 11.201.

316.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers 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. Officers 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 department material or available victim resources.

316.5 VICTIM INFORMATION

The Command Staff 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 (18 Pa.C.S. § 2711; 23 Pa.C.S. § 6105).
- (b) An advisement that a sexual assault victim has a right to a medical forensic examination (35 P.S. § 10172.5).
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams or evidence preservation during the criminal statute of limitations, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; 35 P.S. § 10172.5).
- (d) Information regarding victims' right to consult with a sexual assault counselor, if applicable (35 P.S. § 10172.5).
- (e) 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.
- (f) Information concerning the availability of protective orders and policies related to the enforcement of protective orders for victims of sexual assault (35 P.S. § 10172.5).
- (g) A clear explanation of relevant court orders and how they can be obtained.
- (h) Information regarding available compensation for qualifying victims of crime (18 P.S. § 11.701 et seq.; 35 P.S. § 10172.5).
- (i) Pennsylvania Statewide Automated Victim Information and Notification (PA SAVIN) information, 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.

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- (j) Notice regarding U visa and T visa application processes. (See [LAW ENFORCEMENT RESOURCES](#))
- (k) Resources available for victims of identity theft.
- (l) A place for the officer's name, badge number, and any applicable case or incident number.
- (m) The rights provided to victims of crime as provided in 18 P.S. § 11.201 and 35 P.S. § 10172.5.
- (n) Information regarding the address confidentiality program administered by the Pennsylvania Office of Victim Advocate (23 Pa.C.S. § 6704).

316.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

316.7 TRAINING

The Command Staff shall ensure that all members of this department receive appropriate training related to this policy, including familiarity with the availability of crime victims' compensation (18 P.S. § 11.212).

Hate Crimes

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

317.1.1 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.

317.2 POLICY

The Plum Borough Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

317.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by providing victim assistance and community follow-up or identifying available resources to do so.

317.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

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- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers 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 (Protection from Abuse (PFA) Order) through the courts or the Pennsylvania Legal Aid Network (i.e., Legal Services).

317.4.1 RESPONDING OFFICER/INVESTIGATIONS DIVISION RESPONSIBILITIES

Any member authoring a case of a suspected hate crime shall submit case reports to enable the Records Division to maintain statistical data and tracking of suspected hate crimes, as indicated or required by state law.

If a hate crime case is assigned to the Investigations Division, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the District Attorney's Office and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.

317.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.

Standards of Conduct

318.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Plum Borough Police Department and are expected of all department 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 department or a member's supervisors.

318.2 POLICY

The continued employment or appointment of every member of this department 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.

318.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor.

318.3.1 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 department 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, department 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.

The person countermanding the original order shall notify, in writing, the Assistant Chief of Police and the person issuing the original order, indicating the action taken and the reason.

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318.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors 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, acquiescing to such a violation or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

318.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Pennsylvania 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.

318.5 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 department service.

318.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in department or Borough manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

318.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Plum Borough Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

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- (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) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state (e.g. food perishables, small gifts or gift cards by thankful citizens shall be determined by the Command Staff to ensure they are not contrary to the policies of this department and/or any applicable laws).
- (d) Offer or acceptance of a bribe.
- (e) Misappropriation or misuse of public funds, property, personnel or services.
- (f) Any other failure to abide by the standards of ethical conduct.

318.5.3 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.

318.5.4 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 financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted.
- (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 department.
- (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 or authorized by this department.

318.5.5 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.

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- (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.

318.5.6 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 department.
- (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 department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department 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 unless authorized.

318.5.7 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.
- (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 Department within 24 hours or in accordance with the CBA, 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.

318.5.8 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 or manipulation 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 department record, public record, book, paper, document, audio or video recording.

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- (c) Failure to participate in investigations, 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 department-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 department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department 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:
 - (a) While on department premises.
 - (b) At any time, while on-duty or while in uniform, or while using any department equipment or system or personal device.
 - (c) Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - (a) Unauthorized attendance while on-duty at official legislative or political sessions.
 - (b) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Borough policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by Borough policy, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

318.5.9 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 that may result in criminal prosecution or discipline under this policy.
- (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.

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- (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 department or the Borough.
- (g) Use of obscene or derogatory language while on-duty or in uniform while in view of the public.
- (h) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department 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, including 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 Chief of Police 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 department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

318.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (f) Any personal action contributing to a preventable traffic accident.
- (g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury immediately.

318.5.11 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.

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- (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.

318.5.12 INTERVENTION AND REPORTING

Any member who observes another member engaged in or about to engage in what the member reasonably believes to be a serious policy violation, criminal conduct, or unconstitutional behavior, through force, action or inaction, shall have a duty to intervene.

This policy is not intended to prescribe a particular method of intervention to all members in all situations, and each member shall consider the totality of the circumstances when deciding how and when to intervene. For example, the most appropriate intervention may be identifying the behavior and reporting it up the chain of command.

Any member who intervenes in accordance with this policy shall submit a written report to the member's supervisor that documents the observed action or inaction that is inconsistent with department policies, procedures, or training that constituted a serious violation, criminal conduct, or resulted in a deprivation of civil rights.

Information Technology Use

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

319.1.1 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 Plum Borough Police Department 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 Department or department 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.

319.2 POLICY

It is the policy of the Plum Borough Police Department that members shall use information technology resources, including computers, smartphones, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

319.3 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 department computer system.

The Department 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 Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all key strokes or Web-browsing history made at any department computer or over any department 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 department computers, electronic devices or networks.

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319.4 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 Shift Supervisors.

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.

319.4.1 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 department computer. Members shall not install licensed personal copies of any software on any department computer without prior approval from a member of Command Staff.

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 Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or Borough-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.

319.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department 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 department-related purpose to access such data. Any exceptions to this policy must be approved by Command Staff.

319.4.3 INTERNET USE

Internet access provided by or through the Department should be limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department 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.

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319.5 PROTECTION OF 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 department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals shall 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.

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.

319.6 INSPECTION AND REVIEW

Command Staff 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 Department involving one of its members or a member's duties, an alleged or suspected violation of any department 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 department computer system when requested by Command Staff or during the course of regular duties that require such information.

Department Use of Social Media

320.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the 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 department (see the Investigation and Prosecution Policy).

320.1.1 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 department website or social networking services.

320.2 POLICY

The Plum Borough Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

320.3 AUTHORIZED USERS

Only members authorized by a member of Command Staff may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Command Staff 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 department social media by members who are not authorized to post require approval from a member of Command Staff.

320.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

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- (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 department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

320.4.1 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 a member of Command Staff.

320.5 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 Plum Borough Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, 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 member of Command Staff.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a member of Command Staff who will ensure its removal from public view and investigate the cause of the entry.

320.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

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320.6 MONITORING CONTENT

The Chief of Police will appoint a department member to review, at least annually, the use of department 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.

320.7 RETENTION OF RECORDS

The Command Staff should work with the designated department member 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.

320.8 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 department sites.

Report Preparation

321.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

321.2 POLICY

It is the policy of the Plum Borough Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

321.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

321.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody shall not be held. In no event shall a report be delayed more than 24 hours.

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. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such. Officers shall attempt to answer basic questions pertaining to the who, what, when, where, and how when authoring reports.

321.4.1 HANDWRITTEN OR TYPED REPORTS

County, state and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for department consistency.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly make corrections and resubmit the report.

Members who generate reports on computers are subject to all requirements of this policy.

321.4.2 ELECTRONIC SIGNATURES

The Plum Borough Police Department has established an electronic signature procedure for use by all members of the Plum Borough Police Department. The Command Staff shall be responsible

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for maintaining the electronic signature system where each member creates a unique, confidential password for his/her electronic signature and that the use of electronic signatures otherwise complies with the law (73 P.S. § 2260.303).

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

321.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor. Members completing reports on department-approved forms should ensure that all pertinent data are included in accordance with form instructions and data fields.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if the member deems it necessary or as directed by a supervisor.

321.5.1 CRIMINAL ACTIVITY

When a 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 criminal incidents involving threats or stalking behavior.
- (d) Situations covered by separate policy. These include:
 - (a) Use of Force Policy
 - (b) Domestic or Family Violence Policy
 - (c) Child Abuse Policy
 - (d) Adult Abuse Policy
 - (e) Hate Crimes Policy
 - (f) Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes.

321.5.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.

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- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents above the minimum reporting level (see the Traffic Accidents Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

321.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

321.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

321.5.5 BOROUGH PERSONNEL OR PROPERTY

Incidents involving Borough personnel or property shall require a report when:

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- (a) An injury occurs as the result of an act of a Borough employee or on Borough property.
- (b) There is damage to Borough property or equipment (e.g. criminal damage).
- (c) Directed by a member of Command Staff.

321.6 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor shall reject the report as outlined in the Supervisor's Guide to Informant.

It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner as outlined in the Informant Reporting Guide.

321.6.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report or with the approval of a member of Command Staff.

Media Relations

322.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

322.2 POLICY

It is the policy of the Plum Borough Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

322.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Command Staff. In situations not warranting immediate notice to the Command Staff and in situations where the Command Staff has given prior approval, and designated Public Information Officers (PIOs) may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

322.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as the movement of persons in custody or the execution of an arrest or search warrant, shall not be disclosed to the media, nor shall media representatives be invited to be present at such actions.

Any release of information regarding the movement of persons in custody shall require prior approval from Command Staff. Prior to approving any such release, the Command Staff will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or is otherwise prohibited by law.

322.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the Command Staff. Prior to releasing any information to the media, members shall consider the following:

- (a) Except for the PIO, at no time shall any member of this department make any comment or release any official information to the media without consultation with the PIO and approval from Command Staff.
- (b) In situations involving multiple agencies or government departments, 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 department.
- (c) Under no circumstance shall any member of this department make any comment to the media regarding any law enforcement incident not involving this department without

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prior approval of the Command Staff. Under these circumstances, the member shall direct the media to the agency handling the incident.

322.6 MEDIA INFORMATION REQUESTS

Authorized media representatives shall be provided information regarding scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law. All comments to the media shall be coordinated through Command Staff or the PIO.

322.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation shall be handled in the same manner as a crime scene, the media shall not be permitted within the perimeter of the incident. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through Command Staff or the PIO.

322.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the shift supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

322.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

322.7.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon approval from Command Staff.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the Command Staff.

Requests should be reviewed and fulfilled by the Open-Records Officer with approval from Command Staff. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., Pennsylvania Right-to-Know Law (RTKL)).

322.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public

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concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

322.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the PIO and Records Administrator.

The daily information log will generally include:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals 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, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

Subpoenas and Court Appearances

323.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Plum Borough Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

323.2 POLICY

Plum Borough Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

323.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

323.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify at the request of any party other than the District Attorney shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the Borough 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 Plum Borough Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Plum Borough Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

323.3.2 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.

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323.3.3 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member (42 Pa.C.S. § 5903).

323.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

323.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

323.6 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 department uniform or attire appropriate for the court.
- (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.

323.6.1 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.

323.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current collective bargaining agreement.

Outside Agency Assistance

324.1 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.

324.2 POLICY

It is the policy of the Plum Borough Police Department 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 department.

324.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Supervisor's office for approval. In some instances, a memorandum of understanding, mutual aid agreement, or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Shift 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 department.

Officers 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 department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to supervisor approval, will this department 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.

324.3.1 INITIATED ACTIVITY

Any on-duty officer 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 Plum Borough Police Department shall notify the Shift Supervisor and County Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

324.4 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.

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The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

324.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities shall be documented in an incident report or as directed by the Shift Supervisor.

324.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Command Staff or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to all members of Command Staff to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Command Staff should maintain documentation that the appropriate members have received the required training.

Registered Offender Information

325.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Plum Borough Police Department will address issues associated with certain offenders who are residing in the jurisdiction, and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

325.2 POLICY

It is the policy of the Plum Borough Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

325.3 MONITORING OF REGISTERED OFFENDERS

The Chief of Police 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 (PSP) Megan's Law website.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the PSP.

The Chief of Police should also establish a procedure to routinely disseminate information regarding registered offenders to Plum Borough Police Department members, including timely updates regarding new or relocated registrants.

325.4 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members 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 Chief of Police if warranted. A determination will be made by the Chief of Police, 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 PSP Megan's Law website.

The Records Administrator shall release local registered offender information to residents in accordance with 42 Pa.C.S. § 9799.27 and 42 Pa.C.S. § 9799.62 and in compliance with a Pennsylvania Right-to-Know Law (RTKL) request.

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325.4.1 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.

325.4.2 DISSEMINATION

The Chief of Police shall provide written notice of a sexually violent predator or sexually violent delinquent child (as defined in 42 Pa.C.S. § 9799.12 and 42 Pa.C.S. § 9799.53) within the jurisdiction of the Plum Borough Police Department.

- (a) The notice shall contain (42 Pa.C.S. § 9799.27; 42 Pa.C.S. § 9799.62):
 1. The offender's name.
 2. The offender's address in accordance with 42 Pa.C.S. 9799.27 or 42 Pa.C.S. 9799.62, as applicable, dependent upon the date that the offense was committed.
 3. Photographs of the offender.
 - (a) For offenders who committed an offense before December 20, 2012, a photograph is required if available.
 4. The offense for which the offender was convicted.
 5. A statement that the offender has been determined to be a sexually violent predator or sexually violent delinquent child and when such a determination expires.
- (b) The notice shall not contain any information that might reveal the victim's name, identity, and residence.
- (c) The notice shall be sent to the general public upon request and may be provided by electronic means. Neighbors of the offender shall receive notice within five days of receipt of the information by the Department. Neighbors may be notified verbally if written notification would cause a delay past the deadline. The following shall be notified within seven days of receipt of the information by the Department (42 Pa.C.S. § 9799.27; 42 Pa.C.S. § 9799.62):
 1. The director of the county Children and Youth Social Service Agency in the county where the offender resides or where the offender was last known to live

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2. The superintendent of each school district or the equivalent official for private and parochial schools where the offender resides or was last known to live, and the superintendent of each school district or the equivalent official for private and parochial schools within a one-mile radius of the offender's residence or last known location
 3. The licensee of each certified day-care center, licensed preschool program, and the owner or operator of a registered family day-care home in the municipality where the offender resides or where the offender was last known to live
 4. The president of each college, university, and community college located within 1,000 feet of the offender's residence or where the offender was last known to live
- (d) This Department will cooperate with the PSP, or any other agency, for the registration of sexual violent predators and for the provision of requested records and information as provided in 42 Pa.C.S. § 9799.15 and 42 Pa.C.S. § 9799.58.

325.4.3 VICTIM NOTIFICATION

The Plum Borough Police Department shall give written notice to the victim of a sexually violent predator or sexually violent delinquent child within 72 hours of the offender's initial registration or any subsequent verification. The following information about the offender shall be included in the notice (42 Pa.C.S. § 9799.26; 42 Pa.C.S. § 9799.61):

- (a) Name
- (b) The address(es) of residence
 1. For a sexually violent predator or sexually violent delinquent child who committed an offense after December 20, 2012, and who is transient, the notice should include the temporary residence or last known temporary place of abode, including a homeless shelter or park. In addition, the notice shall include a list of places the transient eats, frequents, and engages in leisure activities.
- (c) Address of employment
- (d) Address of any school the offender is attending

325.5 FAILURE TO COMPLY ENFORCEMENT

If the Plum Borough Police Department is notified by the PSP that an offender has failed to comply with initial registration or to attend required counseling, after proper verification the Department shall make reasonable efforts to cooperate with the local district attorney to seek an arrest warrant for the offender's arrest and make a reasonable effort to locate and arrest the offender. The member obtaining the warrant shall also ensure that the warrant is entered into the National Crime Information Center (NCIC) Wanted Person File (42 Pa.C.S. § 9799.22).

If requested by the PSP, members of the Plum Borough Police Department will make a reasonable effort to locate and arrest any offender who has failed to appear and verify information as required by 42 Pa.C.S. § 9799.25 (42 Pa.C.S. § 9799.60).

Major Incident Notification

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Plum Borough Police Department in determining when, how and to whom notification of major incidents should be made.

326.2 POLICY

The Plum Borough Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

326.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a significant interest are also of interest to the Command Staff. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Homicides or deaths related to law enforcement activity
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions
- At-risk missing children (e.g. abduction)
- In-custody deaths
- Aircraft, train, boat or other transportation accidents with major damage and/or injury or death
- Traffic accidents with fatalities
- Death of a prominent Plum Borough official
- Significant injury or death to a member of the Department, whether on- or off-duty
- Arrest of a member of the Department or prominent Plum Borough official
- Any other incident that has attracted or is likely to attract **significant** media attention

326.4 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor is responsible for making the appropriate notifications. The Shift Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notifications as soon as practicable.

326.4.1 COMMAND STAFF NOTIFICATION

In the event an incident occurs as identified in the Criteria for Notification section above, the Command Staff shall be notified following the established chain of command.

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326.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the detective shall be contacted in accordance with the [Detective Callout Procedures](#).

326.4.3 PUBLIC INFORMATION OFFICER

After members of the Command Staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

Death Investigation

327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

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 and use of appropriate resources and evidence gathering techniques is critical.

327.2 POLICY

It is the policy of the Plum Borough Police Department to respond to, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

327.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the on-call detective (See [PROCEDURE 403.2 CALLOUT SCHEDULE](#)). The Shift Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy (See [POLICY 330.4.1 COMMAND STAFF NOTIFICATION](#)).

327.3.1 REPORTING

All incidents involving a death shall be documented appropriately in the records management system (RMS).

327.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death unless they are also Medical Examiners, Deputy Medical Examiners or appointed Medical Examiner investigators. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner be notified in any of the following cases (16 P.S. § 1218-B; 16 P.S. § 9521):

- (a) A death that is unattended by a physician
- (b) A death involving drugs or alcohol or suspicious circumstances
- (c) A death that is a result of violence, trauma, or accident
- (d) A death where the victim is unidentified or unclaimed
- (e) A stillborn child or sudden infant death
- (f) A death in police custody or confinement in a jail or prison

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- (g) A death that may be the result of a contagious disease and there is a possible public health risk
- (h) When the officer is at a death scene and is made aware that the body will be disposed of by cremation or other method that will make the body unavailable for future examination

327.3.3 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

327.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Investigations Division shall be notified to determine the possible need for an investigator to respond to the scene.

The Shift Supervisor or the officer-in-charge, shall consult with the Investigations Division, to make a preliminary determination as to the manner of death. If a preliminary determination cannot be made, the investigation shall proceed as though it is a homicide.

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The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

327.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department 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 should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

327.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

In the case of an unidentified deceased child, the Investigations Division supervisor shall ensure that either the Medical Examiner or this department do the following:

- (a) Makes an entry in the Unidentified Deceased Person File of the Commonwealth Law Enforcement Assistance Network (CLEAN) with the known descriptive information.
- (b) Collects a biological sample within 24 hours of discovering the child.
- (c) Submits the biological sample along with any known personal identifying information to the Pennsylvania State Police within 48 hours of the collection (18 Pa.C.S. § 2908; 44 Pa.C.S. § 2316.4).

327.5 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer 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 a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

Private Person's Arrest (Citizen's Arrest)

328.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

328.2 POLICY

It is the policy of the Plum Borough Police Department to accept a private person's arrest only when legal and appropriate.

328.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another under the following circumstances:

- (a) If a felony has been committed and the person reasonably believes the suspect committed the offense
- (b) Breaches of the peace committed in the person's presence
- (c) Without a warrant when the person has reasonable information that the person to be arrested has criminal charges pending in another county or state punishable by death or more than one year of imprisonment (42 Pa.C.S. § 9162; 42 Pa.C.S. § 9135).

328.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.
- (d) Begin an investigation to ensure all parties acted in accordance with the law.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

Limited English Proficiency Services

329.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

329.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficiency (LEP) individual - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still exhibit LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Plum Borough Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

329.2 POLICY

It is the policy of the Plum Borough Police Department 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 Department 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.

329.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP coordinator. The coordinator shall be appointed by, and directly responsible to, the Command Staff or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

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- (a) Coordinating and implementing all aspects of the Plum Borough Police Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Shift Supervisor and Dispatch Supervisor. The list should include information regarding:
 - 1. Languages spoken.
 - 2. Contact information.
 - 3. Availability.
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and data from community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by this department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of this department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, developing new procedures or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

329.4 FOUR-FACTOR ANALYSIS

Because there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area.

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- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

329.5 TYPES OF LEP ASSISTANCE AVAILABLE

Plum Borough Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

See attachment: [ISpeakCards.pdf](#)

329.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

329.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

329.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other Borough departments who have been identified by the Department as having the requisite skills and competence may be requested.

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329.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP coordinator that demonstrates their skills and abilities in the following areas:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

329.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other Borough departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

329.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

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Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

329.10 CONTACT AND REPORTING

Although all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation that involves a situation in which interpretation services were provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

329.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Plum Borough Police Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

329.11.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in County Dispatch, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

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Although 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

329.12 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 LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

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 request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

329.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

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329.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

To ensure that translations during custodial interrogations 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.

329.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, to protect the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

329.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during a complaint investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

329.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

329.18 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

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The Command Staff shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Command Staff shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with the established records retention schedule.

329.18.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Command Staff shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

Communications with Persons with Disabilities

330.1 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.

330.1.1 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 – An individual who has or is regarded as being substantially limited in a major life activity, including hearing or seeing, with or without assistance other than ordinary eyeglasses or contacts (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.

330.2 POLICY

It is the policy of the Plum Borough Police Department 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 Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

330.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA coordinator (28 CFR 35.107). The coordinator shall be appointed by and directly responsible to the Patrol Command Staff or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the Borough ADA coordinator regarding the Plum Borough Police Department's efforts to ensure equal access to services, programs and activities.
- (b) Developing reports or new procedures or recommending modifications to this policy.
- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.

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- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Shift Supervisor and Dispatch Supervisor. The list should include information regarding:
 - 1. Contact information.
 - 2. Availability.
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas indicating that auxiliary aids are available free of charge to individuals with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

330.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully 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.

330.5 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.

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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 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.

If an individual who is deaf, is hard of hearing or has impaired speech must be handcuffed while in the custody of the Plum Borough Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

330.6 TYPES OF ASSISTANCE AVAILABLE

Plum Borough Police Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall it require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

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330.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department 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 (e.g., a personnel complaint form) or provide forms with enlarged print.

330.8 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.

Members should use department-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).

330.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, are hard of hearing or have 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 Department 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.

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330.10 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 Department 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, department 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.

330.11 FAMILY AND FRIENDS

While family or friends 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 individual with the disability 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.
- (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.

330.12 REPORTING

Whenever any member of this department 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 Department 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.

330.13 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.

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The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. 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 officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers 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.

330.13.1 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, is hard of hearing or has impaired speech.
- (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.

330.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, are hard of hearing or have speech impairment are protected during a custodial interrogation, this department 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 (42 Pa.C.S. § 4434).

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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.

330.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-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 officer 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, are hard of hearing, have impaired speech or vision, are blind or have other disabilities. In the interest of the arrestee's health and welfare, to protect 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.

330.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this department.

330.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

330.18 TRAINING

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.

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- (c) Working with in-person and telephone interpreters and related equipment.

The Command Staff shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, are hard of hearing, have impaired speech or vision or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Command Staff shall maintain records of all training provided and will retain a copy in each member's training file in accordance with the established records retention schedule.

Child and Dependent Adult Safety

331.1 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 department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

331.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Plum Borough Police Department 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.

331.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers 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, officers 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. Officers 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, officers should consider reasonable alternatives to arresting a parent, guardian or caregiver in the presence of his/her child or dependent adult.

Whenever it is safe to do so, officers 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 nonproductive, the officer 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.

331.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

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Officers 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. In such cases the following guidelines should be followed:

- (a) Ensure any person to whom the child or dependent adult will be released has been checked for existing wants and warrants.
- (b) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use his/her 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.
- (c) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers 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 officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (d) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (e) Notify the Department of Human Services or the Area Agency on Aging, if appropriate. Notification to DHS regarding children may be made to the local county agency or via the ChildLine.
- (f) Notify the Shift Supervisor 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 officer 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.

331.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make telephone calls to arrange for the care of any child or dependent adult in accordance with the Temporary Custody of Adults Policy.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process, or circumstances prevent them from making such arrangements (e.g., their behavior prevents reasonable accommodations for making necessary calls), a supervisor should be contacted to

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determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

331.3.3 REPORTING

- (a) For all arrests where there is concern regarding the appropriate care for children present or living in the household, the reporting member 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)
- (a) For all arrests where there is concern regarding the appropriate care for dependent adults present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether the person reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

331.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact information for the victim advocate may be provided by the PPD crime victim liaison.

331.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances shall a child or dependent adult be left unattended or without appropriate care.

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331.5 TRAINING

The Command Staff is responsible for ensuring that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

Service Animals

332.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

332.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained 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 individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

332.2 POLICY

It is the policy of the Plum Borough Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

332.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

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.

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- 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.

332.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Plum Borough Police Department affords to all members of the public (28 CFR 35.136).

332.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally 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 member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service 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 individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

332.4.2 CONTACT

Service animals are not pets. Department 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.

332.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler 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 service animal (28 CFR 35.136(b)).

Each incident must be considered individually and 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 department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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332.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department 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 handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers 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 (DOJ).

Native American Graves Protection and Repatriation

333.1 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.).

333.1.1 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.

333.2 POLICY

It is the policy of the Plum Borough Police Department 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.

333.3 COMPLIANCE WITH THE 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.

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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 - Appropriate land management agency, Pennsylvania Historic Preservation Officer (Executive Director of the Pennsylvania Historical and Museum Commission or PHMC), or Medical Examiner, when appropriate (37 Pa.C.S. § 302; 16 P.S. § 1218-B)
- Tribal land - Responsible Indian tribal official

333.4 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

334.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Plum Borough Police Department with respect to taking law enforcement action while off-duty.

334.2 POLICY

It is the policy of the Plum Borough Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer 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 or loss, may take reasonable action to minimize or eliminate the threat.

334.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive instead of immediately intervening and, while waiting, gather as much accurate intelligence as possible. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other law enforcement personnel.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding law enforcement personnel.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

334.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as a police officer until acknowledged. Official identification should also be displayed when possible.

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334.4 CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

334.4.1 CIVILIAN RESPONSIBILITIES

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

334.4.2 INCIDENTS OF PERSONAL INTEREST

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

334.5 REPORTING

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Shift Supervisor regarding any law enforcement action taken while off-duty. The Shift Supervisor shall notify a member of Command Staff who may send a supervisor to the location, if deemed appropriate.

The Command Staff shall determine whether a crime report or an administrative report should be completed by the involved officer.

Community Relations

335.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Patrol Policy.

335.2 POLICY

It is the policy of the Plum Borough Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

335.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.

335.4 COMMUNITY RELATIONS COORDINATOR

The Command Staff should designate a member of the Department to serve as the community relations coordinator. He/she is responsible for:

- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Working with community groups, department members and other community resources to:
 1. Identify and solve public safety problems within the community.

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2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
 - (d) Working with the Command Staff to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
 - (e) Recognizing department and community members for exceptional work or performance in community relations efforts.
 - (f) Attending community meetings when assigned to obtain information on community relations needs.
 - (g) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
 - (h) Informing the Command Staff and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

335.5 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department participation with athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., charity events, coffee with a cop).
- (c) Crime prevention programs.
- (d) Participate in Borough sponsored events.

335.6 INFORMATION SHARING

The community relations coordinator should work with the Public Information Officer to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.
- (d) Savvy Citizen application notifications.

Information should be regularly refreshed, to inform and engage community members continuously.

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335.7 LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to youth drivers (e.g. impaired driving demonstrations).
- (d) Promote the department's Ride-Along Program.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

335.8 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, should not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian may need to complete a waiver form if the participating community member has not reached 18 years of age.

335.9 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officer, suspects or case numbers.

335.10 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Police Facility Security

336.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the safety and security of Department members within, and the physical security of, all Plum Borough Police Department facilities.

336.2 POLICY

It is the policy of the Plum Borough Police Department to provide physical security measures for all facilities under department control.

336.2.1 DEFINITIONS

For the purposes of this policy, the following definitions apply:

Lobby Area – The lobby area refers to the restricted area within the police department accessible only to department members. Members of the public may only enter this area when access is granted by a department member.

Vestibule Area –The vestibule is located at the entrance of the police department facility. The vestibule is accessible to the public and generally open all hours of the day.

336.3 PROCEDURE

Police Department members should be mindful of their responsibility to protect themselves from any potential physical threats and to protect the security of department facilities.

Members are responsible for ensuring that all department facilities remain secure from unauthorized access at all times. All police facility exterior doors should be equipped with self-closing and self-locking doors.

All exterior doors shall be kept closed and locked at all times to prevent unauthorized access to controlled areas. All points of access to any police facility shall be closed and locked any time no members are present. All exterior storage rooms, lockers or other facilities should remain locked at all times unless directly observed by a department member.

Any criminal activity discovered shall be immediately documented in a police report and reported through the chain of command to a member of Command Staff. Any criminal activity that occurs and posed or poses a threat to department members shall immediately be reported, through the chain of command, to a member of Command Staff.

Police Department members should apply the following guidelines whenever practicable.

336.3.1 PUBLIC ACCESS AREA

Public access to the police facility shall be limited to the vestibule area. The department facility allowing access to the public should have a designated vestibule and some method of limiting public access to controlled areas. Care should be taken to ensure that information system devices are positioned in such a way as to prevent viewing from publicly accessible areas.

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336.3.2 FACILITY ACCESS CONTROL

A visitor control process, including a physical barrier, should be implemented at the police facility that allows public access. There may be varying degrees of access established, with different access and escort requirements.

- (a) Visitor categories may include, but are not limited to:
 - 1. Law Enforcement
 - 2. City Administrators
 - 3. Contractors and/or vendors
 - 4. Members of the public.
- (b) The control process should include a visitor's log. The log should record the date and time of access and departure, the name of the visitor and agency affiliation if applicable, purpose of the visit and name of member visited, if applicable. Completed visitor logs should be retained for the period prescribed in the established records retention schedule.
- (c) All visitors entering controlled areas of any police facility that allows public access should be issued a visitor's badge or, if allowed, their own agency badge/ID card. The visitor badge or agency badge/ID card should be prominently displayed on the outermost layer of the visitor's clothing throughout the visitor's stay in the facility.
- (d) Visitor badges should be color coded to correspond to their access and escort permissions. Visitors requiring escort should be accompanied at all times while inside the controlled areas of the facility and monitored throughout the visit. Exceptions may be made with the express authorization of the Chief of Police and confirmation that the visitor has had a security clearance that meets Criminal Justice Information Services requirements.
- (e) Members of the public shall be prohibited from using photographic, electronic imaging or recording equipment while inside the controlled areas of the facility.
- (f) Members of public shall be prohibited from carrying any weapons while inside the controlled areas of the facility, unless a specific exemption is granted by a member of Command Staff.

Please see Police Facility Security Procedure.

336.3.3 BREACH OF SECURITY

Police Department members should adhere to the following guidelines regarding any breach in security at any department facility:

- (a) Any breach in security shall be immediately addressed by an officer and reported as soon as practicable, through the chain of command, to a member of Command Staff.
- (b) If warranted by conditions or circumstances, all on-duty department members should be notified of the incident, and any recommended precautions, as soon as practicable. Other members of the Department should be notified of the incident as soon as practicable, given the totality of the circumstances.

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336.3.4 SUSPICIOUS ACTIVITY

Department members should be vigilant about any suspicious activity occurring in or around department facilities and should respond accordingly, and report any such activity, through the chain of command, to a member of Command Staff. Members shall also document any suspicious activity utilizing a suspicious activity report (SAR).

- (a) Suspicious activity may include, but is not limited to:
- (b) Anyone loitering in the vicinity of the facility for an extended period of time.
- (c) Unknown individuals photographing or taking images of the facility, of members of the department assigned to the facility or of department vehicles.
- (d) Unknown individuals who appear to be monitoring the activities taking place at the facility.
- (e) Anyone attempting to gain access or requesting access to department facilities without proper authorization.
- (f) Any abandoned packages or other items left on department grounds or adjacent to department facilities.
- (g) Any unknown or abandoned vehicles left on department grounds or adjacent to the department facility.

336.3.5 THREATS AGAINST PLUM BOROUGH POLICE DEPARTMENT FACILITIES

Department members receiving a threat against department facilities should obtain as much information from the individual as reasonably possible. The member receiving the threat should ensure that a member of Command Staff is immediately advised and informed of the details. The Command Staff will direct and assign officers as required for coordinating appropriate response activities. Any threat received will be documented on the appropriate report form.

336.4 KEYS AND ELECTRONIC ACCESS DEVICES

The control and accountability of facility keys and electronic access devices is a vital factor in maintaining a safe and secure environment for all members.

All keys and access devices that are not issued to members should be secured in the designated area.

Members shall not duplicate, mark, alter or manufacture any key or access device without written authorization from a member of the Command Staff.

336.4.1 MISSING KEYS OR ACCESS DEVICES

The loss of any exterior access key should be immediately reported to the Watch Commander via the chain of command and a determination made as to whether the locks should be re-keyed and whether this should be done immediately.

336.4.2 ELECTRONIC ACCESS DEVICES

Proximity cards, key fobs, remote controls or other devices may be issued to members to allow access to restricted or controlled areas of the facility. In the event of a lost or stolen device, a

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member shall notify his/her supervisor as soon as it is known the device is missing. The device shall be immediately deactivated to prevent unauthorized use

336.4.3 INVESTIGATIONS AND AUDITS

The Command Staff shall initiate an investigation into the disappearance of any exterior access key or electronic access device and reexamine the procedures for access control. The Chief of Police shall be notified of the findings.

The contents of the locked key box should be periodically inventoried by the Watch Commander to ensure all keys and access devices are accounted for or present on the access log.

336.5 SALLYPORT CONTROL

If the facility has a sallyport, department members shall ensure that only one of the doors is opened at any time for entry or exit purposes, except where exigent circumstances exist.

336.6 BUILDING EVACUATION PLAN

The Command Staff should develop a general evacuation plan for all Police facilities to use in the event of any emergency requiring the evacuation of members, the public and prisoners.

In the event of an emergency that requires evacuation of a Police facility, all members should follow established evacuation plans and posted exit strategies.

The posted exit strategies should include any special directions for disabled members.

Evacuation plans for persons who are in temporary custody at the facility should not be posted any place where they are visible to persons in custody.

Chapter 4 - Patrol Operations

Patrol

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 POLICY

The Plum Borough Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Plum Borough. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Directing and controlling traffic.
- (h) Carrying out crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Carrying out community-oriented policing and problem-solving activities, including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.

400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all divisions and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other divisions or specialized units.

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Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and divisions.

400.5 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers 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.

Officers 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.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns. (See [POLICY 431 FIRST AMENDMENT ASSEMBLIES](#)).

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Plum Borough Police Department'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 department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 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.

401.2 POLICY

The Plum Borough Police Department 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 department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer 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.

401.4 MEMBER RESPONSIBILITIES

Every member of this department 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 bias-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field contact module), the involved officer should include those facts giving rise to the contact, as applicable.

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Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall 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 shall discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - (a) Supervisors shall document these discussions, in the prescribed manner.
- (b) If feasible, supervisors should complete a quarterly review of Mobile Audio/Video (MAV) recordings, portable audio/video recordings (BWC), and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - (a) Supervisors should document these periodic reviews.
 - (b) Recordings or data 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 department who discloses information concerning bias-based policing.

401.6 ADMINISTRATION

The Command Staff should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.7 TRAINING

Initial and in-house refresher training on fair and objective policing and review of this policy shall be conducted as directed by the Command Staff. Training shall be provided no less than every three years.

Roll Call

402.1 PURPOSE AND SCOPE

This policy discusses the activity of roll call and includes the tasks that should be accomplished during this short period.

402.2 POLICY

Roll call is intended to facilitate the accurate flow of information in order to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

402.3 ROLL CALL

The Patrol Division will conduct regular roll call to discuss, disseminate and exchange information among department members, work groups and other organizations. A supervisor generally will conduct roll call. However, the supervisor may delegate this responsibility to a subordinate member in his/her absence or for training purposes.

Roll call should include, but is not limited to:

- (a) Providing members with information regarding daily activities, with particular attention given to changes in the status of:
 - 1. Wanted persons.
 - 2. Crime patterns.
 - 3. Suspect descriptions.
 - 4. Intelligence reports and photographs.
 - 5. Community issues affecting law enforcement.
 - 6. Major investigations.
 - 7. Extra patrol checks.
- (b) Notifying members of changes in schedules and assignments.
- (c) Reviewing recent incidents for situational awareness and training purposes.
- (d) Providing training on a variety of subjects.
- (e) Conducting periodic personnel inspections.

Supervisors should also ensure that all members check their email and electronic databases to ensure they complete any assignments/trainings and are informed about Special Orders, Memorandums, and all policy changes.

402.3.1 RETENTION OF ROLL CALL TRAINING RECORDS

Roll call training materials and a curriculum or summary shall be forwarded to the Command Staff for inclusion in training records, when appropriate.

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Roll Call

402.4 PREPARATION OF MATERIALS

The member conducting roll call is responsible for preparation of the materials necessary for a constructive roll call.

402.5 TRAINING

Roll call training should incorporate short segments on a variety of subjects or topics and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Review of recent incidents for training purposes.

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 Plum Borough Police Department 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, COMMAND, AND CONTROL

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers 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 an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or responding detective.

A responding detective shall assume full command and control of the scene upon arrival regardless of rank. As the controlling officer on scene, the detective may request resources and assistance from the officers on scene and the on-duty supervisor. A responding detective will remain in control of the scene until the crime scene is no longer active or when properly relieved by a member of Command Staff.

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.

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- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

403.5 CRIME SCENE REPORTING REQUIREMENTS

Any officer entering a crime scene shall complete a supplement to the original incident report in the Records Management System (RMS) documenting the reasons for their presence at the crime scene.

403.6 SEARCHES

Officers 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 officers 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. Officers 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.

403.6.1 CONSENT

When possible, officers 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.

403.7 COMMAND STAFF RESPONSIBILITIES

The Command Staff is responsible for:

- (a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.
- (b) Establishing procedures for collecting, processing and preserving physical evidence in the field.
- (c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.
- (d) Establishing procedures for processing, developing, lifting and labeling fingerprints.
- (e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.

403.8 SCENE POSING PUBLIC HEALTH RISK

When appropriate, members should notify other agencies of incidents posing a risk to the public, including but not limited to, the fire department, the health department and the Pennsylvania Department of Environmental Protection when environmental impacts from outdoor chemical spills, improper waste disposal or the presence of other potentially hazardous substances may occur (35 P.S. § 6020.501).

Special Weapons and Tactics Team

404.1 PURPOSE AND SCOPE

This policy provides guidelines for the specialized support of the Plum Borough Police Department in handling critical field operations where special tactical deployment methods or intense negotiations beyond the capacity of field officers appears to be necessary.

404.1.1 DEFINITIONS

Definitions related to this policy include:

Negotiation team - Designated officers, including those in a multijurisdictional team, who are specifically trained and equipped to provide skilled verbal communications to de-escalate or effect surrender in situations where suspects have taken hostages or barricaded themselves or are suicidal.

Tactical team - Designated officers, including those in a multijurisdictional team, who are specifically trained and equipped to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigators. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, a tactical team may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues necessitate such use.

404.2 POLICY

It shall be the policy of the Plum Borough Police Department to request the assistance of a designated Special Weapons and Tactics Team to handle critical field incidents where special tactical deployment methods or intense negotiations are beyond the capacity of the department.

404.3 DESIGNATED AGENCY FOR SWAT RESPONSE

Upon determination that a SWAT Team response is necessary, the response will be requested from the Allegheny Police Department.

404.4 MANAGEMENT AND SUPERVISION

Any SWAT Team called upon by the Plum Borough Police Department will be under the direct supervision of their originating agency.

404.5 PROCEDURES

Situations that necessitate the need for a SWAT Team response vary greatly from incident to incident and often demand on-scene evaluation. The guidelines allow for appropriate on-scene decision-making and development of organizational and operational procedures.

404.6 OPERATIONAL GUIDELINES

The following are guidelines for the operational deployment of the SWAT Team. Generally, the tactical team and the negotiation team will be activated together. It is recognized, however, that the teams can be activated independently as circumstances dictate. The tactical team may be

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used in a situation not requiring the physical presence of the negotiation team, such as warrant service operations. The negotiation team may be used in a situation not requiring the physical presence of the tactical team, such as handling a suicidal person. Operational deployment of the specialized teams shall be at the discretion of the SWAT Team Commander.

404.6.1 APPROPRIATE USE

Incidents that may result in the activation of the SWAT Team include:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Individuals who are threatening suicide and have refused to surrender.
- (d) Arrests of potentially armed or dangerous persons.
- (e) Any situation that could threaten or undermine the ability of the Department to preserve life, maintain social order and ensure the protection of persons or property.

Requests by field personnel for assistance from crisis response units from another agency must be approved by the Shift Supervisor.

404.6.2 FIELD PERSONNEL RESPONSIBILITIES

While waiting for the SWAT to respond, field personnel should, if determined to be safe and practicable and sufficient resources exist:

- (a) Establish an arrest/response team in case the suspect takes action. The response team's tasks may include:
 - 1. Taking action to mitigate a deadly threat or behavior either inside or outside the location.
 - 2. Securing any subject or suspect who may surrender or attempt to escape.
- (b) Evacuate any injured persons in the zone of danger.
- (c) Evacuate or provide safety instructions to other people in the zone of danger.
- (d) Establish an inner and outer perimeter.
- (e) Establish a command post outside of the inner perimeter.
- (f) Attempt to establish preliminary communication with the suspect. Once the SWAT has arrived, all negotiations should generally be halted to allow the negotiation and tactical teams time to organize, position and assume the appropriate roles and responsibilities.
- (g) Plan for, and stage, anticipated resources.

404.6.3 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the SWAT at the scene, the Incident Commander shall brief the SWAT Commander and team supervisors. Upon review, it will be the SWAT Commander's decision, with input from the Incident Commander, whether to deploy the SWAT. Once the SWAT Commander authorizes

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deployment, the SWAT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access and will support the SWAT. The Incident Commander and SWAT Commander or the authorized designee shall maintain direct communication at all times.

404.6.4 COMMUNICATIONS WITH SWAT MEMBERS

All persons who are non-SWAT members should refrain from any non-emergency contact or interference with any SWAT member during active negotiations. SWAT operations require the utmost in concentration by involved members and, as a result, no one should interrupt or communicate with SWAT members directly. All non-emergency communications shall be channeled through the negotiation team or tactical team supervisor or the authorized designee.

404.6.5 ON-SCENE DETERMINATION AND NOTIFICATION

The supervisor-in-charge at the scene of a particular event will be designated as the Incident Commander and will assess whether the SWAT is to respond to the scene. With input from the Incident Commander, final determination will be made by the Shift Supervisor, who shall then notify the SWAT Commander. If the SWAT Commander is unavailable, then a specialized team supervisor shall be notified.

The Shift Supervisor should brief the SWAT Commander about the incident. Such information should include:

- (a) The type of crime involved.
- (b) The number of suspects, identity and criminal history.
- (c) The known weapons and resources available to the suspect.
- (d) If the suspect is in control of hostages and/or barricaded.
- (e) Whether contact has been made with the suspect and whether there have been demands.
- (f) If potential victims are still within the inner perimeter.
- (g) If the suspect has threatened or attempted suicide.
- (h) The location of the command post and a safe approach to it.
- (i) The extent of any inner or outer perimeter and the number of personnel involved.
- (j) Any other assets or resources at the scene including other involved agencies.
- (k) Any other important facts critical to the immediate situation.

The SWAT Commander or team supervisor shall then follow current callout procedures. A current mobilization list shall be maintained in the Shift Supervisor's office and County Dispatch by the SWAT Commander.

The Shift Supervisor will notify the Patrol Command Staff as soon as practicable.

Ride-Along Program

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Plum Borough Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for potential ride-along candidates/participants.

405.2 POLICY

Ride-along opportunities will be provided to the members of the public, Borough employees and members of this department to observe and experience, first-hand, various functions of the Plum Borough Police Department. The term "ride-along" includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department.

405.3 ELIGIBILITY

A ride-along is available to Plum Borough residents and business owners, students currently attending class in Plum Borough and those employed within Plum Borough. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

Factors that may be considered in disqualifying an applicant include, but are not limited to:

- Being under 18 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the Borough.
- Denial by any supervisor.

405.4 AVAILABILITY

A ride-along or job observation is available most days of the week, from 8:00 a.m. to 9:00 p.m. Exceptions to this schedule may be made as approved by a member of Command Staff.

405.5 REQUESTS TO PARTICIPATE

Generally, ride-along and job observation requests will be maintained and scheduled by a member of Command Staff. The applicant will complete and sign a ride-along or job observation waiver form and demonstrate the need for the ride-along (e.g. law enforcement applicant). Information requested will include a valid state-issued identification card or driver's license number, birthdate, address and telephone number.

The Command Staff will schedule a date, based on availability.

If the request is denied, a representative of this department will advise the applicant of the denial.

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405.6 PROCEDURES

Once approved, ride-along applicants will be allowed to participate no more than once every six months. An exception may apply to the following law enforcement-involved participants:

- Plum Borough Police Department applicants
- Any others with approval of a member of Command Staff
- Students enrolled in any department-approved law enforcement related course

An effort will be made to ensure that no more than one member of the public will participate in a ride-along or job observation during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

405.6.1 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 Pennsylvania State Police (PSP) criminal history record check prior to approval of the ride-along.

405.6.2 SUITABLE ATTIRE

Any person approved to participate in a 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 pants are not permitted. Hats and ball caps will not be worn. The Shift Supervisor may refuse a ride-along to anyone who is not dressed appropriately.

405.6.3 CARRYING OF FIREARMS

Any requests to carry a firearm during a ride-along require prior approval from the Chief of Police.

Only sworn law enforcement officers may be armed with a firearm while participating in the ride-along program. All others are strictly prohibited from possessing a firearm while participating in the program.

405.7 MEMBER RESPONSIBILITIES

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history, CJIS protected content or other protected information, or handling any police department equipment.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
 1. If the ride-along is in progress, the member may return the participant to the point the ride originated.

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- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided the ride-along officer deems the situation appropriate and it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant 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-lit public place. The dispatcher will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

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 Shift Supervisor. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form. Should a ride-along be terminated for inappropriate participant conduct, the participant will be permanently prohibited from participating in the ride-along program.

Upon completion of the ride-along, the member shall return the waiver form to the Shift Supervisor.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance which, by its nature, containment or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 POLICY

It is the policy of the Plum Borough Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

406.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

406.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify County Dispatch, appropriate supervisors, the appropriate fire department and hazardous response units.
 1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (c) Wear personal protective gear, if available, being cognizant that some hazardous material can be inhaled.

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- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 - 1. Placards or use of an emergency response guidebook.
 - 2. Driver's statements or shipping documents from the person transporting the material.
 - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable.
- (k) Notify the State Emergency Operations Center.

406.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Supervisor as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused by 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 as applicable.

406.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

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Safety items not maintained by this department may be available through the appropriate fire department or emergency response team.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers 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 officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or 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.

Emergency situation - Any situation where a person is holding a hostage and is threatening serious physical injury and may resist with the use of weapons, or a person has barricaded him/herself and taken a position of confinement to avoid apprehension and has the ability to resist with the use of weapons or is threatening suicide or harm to him/herself or others (18 Pa.C.S. § 5713.1).

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.
- Unlawfully held against his/her will under threat or actual use of force.

Mobile communications tracking information - Information generated by a communication common carrier or a communication service that indicates the location of an electronic device supported by the communication common carrier or communication service (18 P.S. § 42).

407.2 POLICY

It is the policy of the Plum Borough Police Department 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 officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers 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

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surrender. Members shall follow the callout protocol for the County Special Weapons and Tactics Team ([See Policy 404.7 ON-SCENE DETERMINATION AND NOTIFICATION](#)).

407.3.1 EMERGENCY COMMUNICATIONS

During an emergency situation, an officer may obtain real-time location data without a warrant when (18 P.S. § 42; 18 P.S. § 43):

- (a) The officer reasonably believes that an emergency involving the immediate danger to a person requires the disclosure, without delay, of mobile communications tracking information concerning a specific person.
- (b) A warrant cannot be obtained in time to prevent the identified danger.
- (c) The possessor of the mobile communications tracking information believes in good faith that an emergency involving danger to a person requires disclosure without delay.

407.3.2 OFFICER RESPONSIBILITIES

An officer should provide a written request to the possessor of the mobile communications tracking information, including the following information (18 P.S. § 42):

- (a) The name of the officer making the request
- (b) The jurisdiction of the officer
- (c) A description of the requested real-time location data, including the need for the mobile communications tracking information
- (d) A declaration that the mobile communications tracking information is needed in an emergency situation that involves the risk of death or serious physical harm to a person who possesses a telecommunication device and that this emergency situation requires disclosure, without delay of information relating to the emergency
- (e) The officer's signature

407.3.3 RESPONSIBILITIES OF CERTIFIED OPERATORS FOR INTERCEPTION OF ORAL OR WIRE COMMUNICATIONS

In emergency situations, certified operators for interception of oral or wire communications in coordination with a district attorney or the Attorney General, may intercept wire or oral communications where the officer (18 Pa.C.S. § 5713.1):

- (a) Reasonably believes an emergency situation exists.
- (b) Determines an order allowing interception could normally be obtained but for the emergency situation.
- (c) Completes an application for an order approving the interception within 48 hours after commencing the interception.

407.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

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The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer 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, officers 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. In 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., SWAT, negotiators).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt to 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 Department, such as Command Staff and the Public Information Officer (PIO).
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

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407.4.2 HOSTAGE SITUATION

Officers 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 officers 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 uninjured 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 to 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 Department, such as Command Staff and the PIO.
- (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 Special Weapons and Tactics Team (SWAT) response if appropriate and apprising the SWAT

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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 assignment members, additional department members, 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., electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the Borough during the incident. The supervisor should direct nonessential personnel away from the scene unless they have been summoned by the supervisor or County Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the department 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 SWAT Commander's decision, with input from the Incident Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the SWAT Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access, and will support the SWAT. The Incident Commander and the SWAT Commander or the authorized designees shall maintain direct communications at all times.

407.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer 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 Plum Borough Police Department in their initial response to incidents involving explosives or 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 Plum Borough Police Department 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

Department 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 department evidence procedures.

The member receiving the bomb threat should ensure that the Shift Supervisor/Officer-in-Charge (OIC) and members of Command Staff are immediately advised and informed of the details. This will enable the Shift Supervisor/Officer-in-Charge and members of Command Staff 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 PLUM BOROUGH POLICE DEPARTMENT FACILITY

If the bomb threat is against the Plum Borough Police Department facility, the Shift Supervisor will direct and assign officers or contact the appropriate entity as required for coordinating a general building search or evacuation of the police department, 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 Plum Borough Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Supervisor deems appropriate.

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408.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in Plum Borough, 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 police 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 Shift Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Shift Supervisor should be notified when police assistance is requested. The Shift Supervisor will make the decision whether the Department 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 police control over the facility.

Should the Shift Supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to contact an allied agency for assistance (e.g. Allegheny County, City of Pittsburgh, Pennsylvania State Police).
- (d) Whether to evacuate and/or search the facility.
- (e) Whether to involve facility staff in the 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.

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- (f) The need for additional resources, including:
 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility (e.g. University of Pittsburgh Primate Research Center) does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers 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:
 1. Two-way radios.
 2. Cell phones.
 3. Other personal communication devices.
 4. Body-worn cameras (BWC).
- (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 Shift Supervisor including:
 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.

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408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds, or any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Officers 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, Fire Mashall, and emergency medical personnel
- Shift Supervisor
- Command Staff
- Additional department personnel to manage the scene, answer other calls for service and conduct the investigation and provide forensic services.
- Bomb squad, as appropriate
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), as appropriate
- Other government agencies, as appropriate

408.8 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

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reasonably practicable given the available resources and personnel. The Incident Commander shall ensure a crime scene log is completed (See [Policy 600.3.1 OFFICER RESPONSIBILITIES](#)).

408.8.1 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Supervisor should assign officers to protect the crime scene area, which could extend over a large distance. Consideration should be given to the fact that evidence may be embedded in nearby structures or hanging in trees and bushes.

408.9 RESOURCES

[Bomb Threat Awareness](#)

[Bomb Threat Checklist](#)

[Bomb Threat Guidance](#)

[P.B.S.D. Bomb Threat Protocol](#)

Crisis Intervention Incidents

409.1 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 an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

409.1.1 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; noncompliance 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.

409.2 POLICY

The Plum Borough Police Department 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 Department 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.

409.3 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 or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Command Staff should ensure collaboration with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

409.5 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 officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer 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 officers 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) Request a supervisor, as warranted.
- (d) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (e) Attempt to determine if weapons are present or available.
- (f) 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 officer.
- (g) Secure the scene and clear the immediate area as necessary.
- (h) Employ tactics to preserve the safety of all participants.
- (i) Determine the nature of any crime.
- (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.

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409.6 DE-ESCALATION

Officers 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.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and 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 (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers 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.

409.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer 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. Members should not request the type of medication over the police radio.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional. Members should not request this type of information over the police radio.

Additional resources and a supervisor should be requested as warranted.

409.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

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- (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) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

409.9 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 department reporting procedures or other official mental health or medical proceedings.

409.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Involuntary Commitments Policy.

409.10 EVALUATION

The Command Staff or authorized designee should ensure that a thorough review and analysis of the department response to these incidents is conducted periodically. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

409.11 TRAINING

In coordination with the mental health community, the Department will develop and provide education and training to all department members to enable them to effectively interact with persons in crisis.

Involuntary Commitments

410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may detain and transport a person for an involuntary commitment (50 P.S. § 7301 et seq.).

410.2 POLICY

It is the policy of the Plum Borough Police Department to protect the public and individuals through legal and appropriate use of the involuntary commitment process.

410.2.1 DEFINITIONS

Definitions related to this policy include (50 P.S. § 7301):

Clear and present danger - Commission of any of the following acts committed within the 30 days preceding detention for an involuntary commitment:

- (a) The person has inflicted or attempted to inflict serious bodily harm on another, and there is a reasonable probability that this conduct will occur on a repeated basis.
- (b) The person has acted in such manner as to evidence that the person would be unable, without care, supervision, and the continued assistance of others, to satisfy the person's need for nourishment, personal or medical care, shelter, or self-protection and safety, and there is a reasonable probability that death, serious bodily injury, or serious physical debilitation would ensue within 30 days without treatment.
- (c) The person has attempted suicide or committed acts in furtherance of a threat to commit suicide.
- (d) The person has substantially mutilated themselves or committed acts in furtherance of a threat to mutilate themselves.

Severely mentally disabled - A person is severely mentally disabled when, as a result of mental illness, the person's capacity to exercise self-control, judgment, and discretion in the person's conduct and social relations or to care for the person's own personal needs is reduced to such a degree that the person poses a clear and present danger to others or themselves.

410.3 AUTHORITY

An officer may take a person into custody and transport him/her to an approved facility for an involuntary commitment when, based upon personal observation, the officer has reasonable grounds to believe that the person is severely mentally disabled and in need of immediate treatment (50 P.S. § 7301; 50 P.S. § 7302).

Officers may also take a person into custody for an involuntary commitment pursuant to a warrant. The person shall be transported to the facility specified in the warrant (50 P.S. § 7302).

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410.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for an involuntary commitment, he/she may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the application for involuntary commitment, if appropriate.

410.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for detention for the purpose of an involuntary commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques
- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Involuntary commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

410.5 TRANSPORTATION

When transporting any individual for an involuntary commitment, the transporting officer should have County 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.

Officers may transport individuals in the 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 an officer during the transport, Shift Supervisor approval is required before transport commences.

410.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for an involuntary commitment and remain present to provide clarification of the grounds for detention, upon request.

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Absent exigent circumstances, the transporting officer 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 officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

410.7 DOCUMENTATION

The officer shall complete an application for involuntary commitment and treatment, provide it to the facility staff member assigned to the individual and retain a copy for inclusion in the case report (50 P.S. § 7302).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

410.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody an involuntary commitment may resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for an involuntary commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer 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 the detention.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an involuntary commitment.

In the supervisor's judgment, the individual may 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 department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

410.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an involuntary commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers 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).

Officers 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.

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The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

410.10 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, involuntary commitments, and crisis intervention.

New officers shall receive training to recognize and respond to suspected mentally ill persons.

All officers shall receive update training whenever the mental health statute or related department policy changes within 90 day or as required by statute, and in any event no less than once every three years.

All officers shall receive annual update training on mental illness to include training provided through the course of legal mandate and/or Municipal Police Officers' Education and Training Commission (MPOETC) regulation, if available.

Citation and Summons Releases

411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Plum Borough Police Department with guidance on when to release adults who are suspected offenders on a citation or summons for a criminal offense, rather than having the person held in custody for a court appearance or released on bail (Pa.R.Crim.P. 402).

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

411.2 POLICY

The Plum Borough Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation, when authorized to do so (Pa.R.Crim.P. 402).

411.3 RELEASE

A suspected offender accused of committing a summary offense shall be released on issuance of a citation when the officer reasonably believes the person poses no immediate threat or immediate physical harm to themselves or others and will appear as required (Pa.R.Crim.P. 441).

In other cases when the most serious offense is a second-degree misdemeanor or a first-degree misdemeanor for driving under the influence, a person should be released on issuance of a summons when the officer reasonably believes the person poses no immediate threat or immediate physical harm to themselves or others and will appear as required (Pa.R.Crim.P. 519).

411.4 EXCEPTIONS

The release of a suspected offender on a citation or summons is not permitted when:

- (a) The person has been arrested for failure to comply with the registration requirements for sexual offenders (18 Pa.C.S. § 4915.1; 18 Pa.C.S. § 4915.2).
- (b) The Borough Council or Board has promulgated guidelines prohibiting the release (42 Pa.C.S. § 8902).

See the Domestic Violence Policy for release restrictions related to those investigations.

411.5 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider (Pa.R.Crim.P. 440):

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.

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- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

Foreign Diplomatic and Consular Representatives

412.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Plum Borough Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

412.2 POLICY

The Plum Borough Police Department 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.

412.3 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.

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.

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412.4 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

412.5 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.

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412.6 DIPLOMATIC IMMUNITY

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 & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & 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	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 (c))	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)

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Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability
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Notes for diplomatic immunity table:

- (a) This table represents 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 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.

412.7 LAW ENFORCEMENT RESOURCES

Diplomatic and Consular Guide

Instructions for Obtaining a T-Visa

Instructions for Obtaining a U-Visa

U Visa Law Enforcement Resource Guide 2022

T Visa Law Enforcement Resource Guide 2022

Diplomatic & Consular Notification

Rapid Response and Deployment

413.1 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 officers in situations that call for rapid response and deployment.

413.2 POLICY

The Plum Borough Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who 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 Department in protecting themselves or others from death or serious injury.

413.3 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.

413.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers 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, officers shall take immediate action, if reasonably practicable, while requesting additional assistance.

Officers 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 incidents at other locations.

When deciding on a course of action officers should consider:

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- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (c) Whether the suspect can be contained or denied access to victims.
- (d) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (e) Whether planned tactics can be effectively deployed.
- (f) 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.

Officers shall take immediate action unless circumstances dictate an immediate need for additional resources or personnel.

However, in the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers 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).

413.5 PLANNING

The Command Staff should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment venues 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.

413.6 TRAINING

The Command Staff should include rapid response to critical incidents in the training plan. This training should address:

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- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies, including but not limited to, the Special Weapons and Tactics Team (SWAT) providing coverage to the Plum Borough Police Department.
- (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

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Plum Borough Police Department relating to immigration and interacting with federal immigration officials.

414.2 POLICY

It is the policy of the Plum Borough Police Department 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 department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

414.3 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 shall treat all individuals equally and not in any way that would violate the United States or Pennsylvania constitutions.

414.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer 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 officer 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 be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer 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)).

An officer 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.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

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414.4.1 SUPERVISOR RESPONSIBILITIES

When notified that an officer 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).

414.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

414.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

414.7 INFORMATION SHARING

No member of this department 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 department records
- (c) Exchanging such information with any other federal, state, or local government entity

414.7.1 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.

414.8 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)).

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Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigations Division supervisor assigned to oversee the handling of any related case. The Investigations 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.

414.8.1 T VISA APPLICATIONS FOR MINORS

A request for assistance by a victim of human trafficking who is a minor or his/her representative with an application for a T visa shall not be denied because the minor is not cooperating with law enforcement (18 Pa.C.S. § 3054).

414.9 TRAINING

The Command Staff should ensure officers 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.

Utility Service Emergencies

415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for addressing Borough utility service emergencies. This policy will address calls for service that are directed to the Police Department.

415.2 POLICY

It is the policy of the Plum Borough Police Department to appropriately respond to Borough emergency utility service requests received by this department.

415.3 UTILITY SERVICE EMERGENCY

A current contact list of appropriate personnel to be notified in the event of a utility service emergency is generally available in County Dispatch.

415.3.1 WATER LINES

The Borough's responsibility for water lines ends at the water meter; any break or malfunction in the water system from the water meter to a residence or business is the responsibility of the customer.

If a water line break occurs on the Borough side of the water meter, Plum Borough Water Authority personnel should be notified as soon as practicable.

415.3.2 ELECTRICAL LINES

When a power line poses a hazard, a member of this department should be dispatched to the reported location to protect against personal injury or property damage that might be caused by the power line. The fire department and/or electric company should be promptly notified, as appropriate.

415.3.3 NATURAL GAS LINES

All reports of a possible leak of natural gas or damage to a natural gas line shall promptly be referred to the fire department and the local entity responsible for gas lines. A member of this department should be dispatched to the reported location if it appears that assistance such as traffic control or evacuation is needed.

415.3.4 TRAFFIC SIGNALS

A member of this department should be dispatched upon report of a damaged or malfunctioning traffic signal in order to protect against personal injury or property damage that might occur as the result of the damaged or malfunctioning signal. The member will advise County Dispatch of the problem with the traffic signal. The dispatcher should make the necessary notification to the appropriate traffic signal maintenance agency as soon as practicable.

When possible, a decision to place a signal on flash should include a consultation with the appropriate traffic signal maintenance agency, unless exigent circumstances exist.

Aircraft Accidents

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department 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 Management Plan and Hazardous Material Response policies.

416.1.1 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.

416.2 POLICY

It is the policy of the Plum Borough Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 ARRIVAL AT SCENE

Officers 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 (e.g. scene entry log) who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

416.4 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.

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416.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

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)

416.6 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 department 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 department supervisor should ensure the accident is still appropriately investigated and documented.

416.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

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- Pressure vessels, compressed gas bottles, accumulators and tires.
- Fluids, batteries, flares and igniters.
- Evacuation chutes, ballistic parachute systems and composite materials.

416.8 DOCUMENTATION

All aircraft accidents occurring within the jurisdiction of Plum Borough 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 PPD members deployed to assist; other Borough resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

416.8.1 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, only 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.

416.8.2 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.
- (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.

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416.9 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

417.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures and operations of the Plum Borough Police Department. The policy addresses the administration of field training and the selection, supervision, training and responsibilities of the Field Training Officer (FTO).

417.2 POLICY

It is the policy of the Plum Borough Police Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs.

417.3 FIELD TRAINING

The Department shall establish minimum standards for field training, which should be of sufficient duration to prepare officer trainees for law enforcement duties and be in compliance with Municipal Police Officers' Education and Training Commission (MPOETC) requirements. The field training is designed to prepare trainees for a patrol assignment and ensure they acquire the skills needed to operate in a safe, productive, and professional manner, in accordance with the general law enforcement duties of this department. Field training for all officers shall meet the minimum requirements prescribed by the Department.

To the extent practicable, field training shall include procedures for:

- (a) Issuance of training materials to each trainee at the beginning of field training.
- (b) Weekly, monthly, and quarterly evaluation and documentation of the trainee's performance.
- (c) A multiphase structure that includes:
 1. A formal evaluation progress report completed by the FTOs involved with the trainee and submitted to the Chief of Police and FTO coordinator.
 2. Assignment of the trainee to a variety of shifts and geographical areas.
 3. Assignment of the trainee to a rotation of FTOs and field assignments in order to provide for an objective evaluation of the trainee's performance.
- (d) The trainees may be asked to provide a confidential evaluation of the assigned FTOs and the field training process.
- (e) Retention of all field training documentation in the officer trainee's training file including all performance evaluations.

417.4 FTO COORDINATOR

The Chief of Police shall delegate certain responsibilities to an FTO coordinator. The coordinator shall be appointed by and directly responsible to the Patrol Command Staff or the authorized designee.

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The FTO coordinator may appoint a senior FTO or other designee to assist in the coordination of FTOs and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintaining and ensuring FTO and trainee performance evaluations are completed.
- (d) Maintaining, updating and issuing department training materials to each FTO and trainee.
- (e) Developing ongoing training for FTOs.
- (f) Mentoring and supervising individual FTO performance.
- (g) Monitoring the overall performance of field training.
- (h) Keeping the Shift Supervisor informed through monthly evaluation reports about the trainees' progress.
- (i) Performing other activities as may be directed by the Chief of Police for the FTO program.

The FTO coordinator will be required to successfully complete a training course approved by this department that is applicable to supervision of field training within one year of appointment to this position.

417.5 FTO SELECTION, TRAINING AND RESPONSIBILITIES

417.5.1 SELECTION PROCESS

The selection of an FTO will be at the discretion of the Chief of Police or the authorized designee. Selection will be based on the officer's:

- (a) Desire to be an FTO.
- (b) Experience, which shall include a minimum of four years of patrol experience, two of which shall be with this department. Exceptions must be approved by the Chief of Police.
- (c) Demonstrated ability as a positive role model.
- (d) Successful completion of an internal oral interview process.
- (e) Evaluation by supervisors and current FTOs.
- (f) Possession of, or ability to obtain, department-approved certification.

An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct or poor performance.

417.5.2 TRAINING

An officer selected as an FTO shall successfully complete the department-approved FTO course prior to being assigned as an FTO.

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417.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations, and objectives of the FTO position. FTOs shall refer to their training materials for evaluation guidelines or the FTO coordinator regarding specific questions related to FTO or field training.

417.5.4 RESPONSIBILITIES

The responsibilities of the FTO include, but are not limited to:

- (a) Issuing his/her assigned trainee field training materials in accordance with the Training Policy.
 - 1. The FTO shall ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
 - 2. The FTO shall sign off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of his/her assigned trainee.
- (b) Completing and reviewing daily performance evaluations with the trainee.
- (c) Completing and submitting a written evaluation on the performance of his/her assigned trainee to the FTO coordinator on a weekly and quarterly basis.
- (d) Providing the shift supervisor with a verbal synopsis of the trainee's activities at the end of each day or during any unusual occurrence needing guidance or clarification.

Air Support

418.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

418.2 POLICY

It is the policy of the Plum Borough Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

418.3 REQUEST FOR AIR SUPPORT

If a Shift Supervisor determines that the use of air support would be beneficial, a request to obtain air support may be made.

418.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) When the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to officers or the community.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Pre-planned events or actions that have been determined by Command Staff to require air support.
- (e) When the Shift Supervisor or superior authority determines a reasonable need exists.

418.3.2 ALLIED AGENCY REQUEST

After consideration and approval of the request for air support, the Shift Supervisor will call the closest allied agency (e.g. Pennsylvania State Police) having available air support and will apprise that agency of the specific details of the incident prompting the request.

Contacts and Temporary Detentions

419.1 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.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer 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 officer 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 the officer'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 an In-Car Video 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 officers 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 officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer 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 an officer actually restrains a person's freedom of movement.

419.2 POLICY

The Plum Borough Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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419.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer 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 officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Plum Borough Police Department to strengthen community involvement, community awareness and problem identification.

419.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer 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 officer.

419.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer 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 officer 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 officer.
- (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.

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- (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 officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

419.5 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 officer shall carefully consider, among other things, the factors listed below.

419.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. Officers shall document in the records management system (RMS) that consent was given to take the photograph.

419.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs, as defined above, 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 officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer'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.

419.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Shift Supervisor 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 Shift Supervisor 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 Shift Supervisor will forward the photograph and documents to the Criminal Investigations supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Division.

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When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup with approval from the Criminal Investigations supervisor. 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.

419.5.4 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.

419.6 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, officers 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, officers 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 department 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.

(See Policy Manual 600.3.1 OFFICER RESPONSIBILITIES)

Criminal Organizations

420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Plum Borough Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

420.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

420.2 POLICY

The Plum Borough Police Department recognizes that certain criminal activities, including, but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

420.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

420.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Division. Any supporting documentation for an entry shall be retained by the Records Division in accordance

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with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Division are appropriately marked as intelligence information. The Records Administrator may not purge such documents without the approval of the designated supervisor.

420.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

420.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Division or Evidence Division, but should be copies of, or references to, retained documents, such as copies of reports, Field Contacts, County Dispatch records or booking forms.
- (c) No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

420.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

420.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

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- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Command Staff to train members to identify information that may be particularly relevant for inclusion.

420.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information may be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

420.7 CRIMINAL STREET GANGS

The Command Staff should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above-average familiarity with:
 1. Recruiting criminal gang members (18 Pa.C.S. § 5131)
 2. Corrupt organizations (18 Pa.C.S. § 911)
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

420.8 TRAINING

The Command Staff should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multi-agency criminal intelligence system.

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- (c) Submission of information into a multi-agency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

Shift Supervisors

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the designation of a Shift Supervisor and, as needed, an acting Shift Supervisor for each shift.

421.2 POLICY

Each shift will be directed by a Shift Supervisor capable of making decisions and managing in a manner consistent with the mission of the Plum Borough Police Department. To accomplish this, a Sergeant shall be designated as the Shift Supervisor for each shift.

421.3 DESIGNATION AS THE OFFICER-IN-CHARGE

With prior authorization from the Command Staff, generally when a Sergeant is unavailable for duty as Shift Supervisor, a qualified lower-ranking member shall be designated as the Officer-In-Charge in accordance with the terms of applicable collective bargaining agreements.

421.4 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor shall have overall responsibility and accountability for the operation of this department on an assigned shift. Duties may include, but are not limited to:

- (a) Ensuring sufficient members are on-duty to accomplish the mission of the Plum Borough Police Department.
- (b) Provide and/or seek consultation to ensure oversight of major crime scenes, tactical situations or disasters. [PROCEDURE 403.2 CALLOUT SCHEDULE](#)
- (c) Establishing service-level priorities.
- (d) Providing job-related training and guidance to subordinates.
- (e) Requesting outside resources or providing assistance to other agencies, when applicable.
- (f) Handling service inquiries or complaints from the public.
- (g) Managing risk exposure.
- (h) Ensuring the security of all department facilities.
- (i) Ensuring the proper equipment and vehicles are available for member use.
- (j) Representing the Department at community functions as assigned.

In-Car Video

422.1 PURPOSE AND SCOPE

The Plum Borough Police Department has equipped marked law enforcement vehicles with in-car video recording systems to provide records of events and to assist officers in the performance of their duties. This policy provides guidance on the use of these systems (42 Pa.C.S. § 67A07).

422.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the In-Car Video system to transmit or store video or audio data in an active mode.

In-car camera system and In-Car Video system - Synonymous terms that refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at a minimum, a camera, microphone, recorder and monitor.

In-Car Video technician - A member of Command Staff certified or trained in the operational use and repair of In-Car Video systems, duplicating methods and storage and retrieval methods and who have a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio/video signals recorded or digitally stored on a storage device or portable media.

422.2 POLICY

It is the policy of the Plum Borough Police Department to use In-Car Video recording technology to more effectively fulfill the mission of the Department, and to ensure these systems are used securely and efficiently.

A violation of this policy subjects the violator to discipline (see the [Personnel Complaints Policy - 1010.3](#) for additional guidance).

422.3 OFFICER RESPONSIBILITIES

Only Plum Borough Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers shall log in and test the In-Car Video system's operation in accordance with manufacturer specifications and department operating procedures and training.

If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service. All reports of malfunctioning equipment shall be documented and reported to the Assistant Chief of Police. At the completion of the shift, officers shall log out of the system.

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422.4 ACTIVATION OF THE IN-CAR VIDEO

The In-Car Video system is designed to turn on with predefined triggers including but not limited to, whenever the vehicle's emergency lights are activated. The system remains on until it is turned off manually. When audio is being recorded, the video will also record.

422.4.1 REQUIRED ACTIVATION OF THE IN-CAR VIDEO

This policy is not intended to describe every possible situation in which the In-Car Video system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the In-Car Video. The In-Car Video system shall be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range:
 - 1. Traffic stops (including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles
 - 5. Arrests
 - 6. Vehicle searches
 - 7. Transports
 - 8. Physical or verbal confrontations or use of force
 - 9. Pedestrian checks
 - 10. Driving while under the influence (DUI) investigations, including field sobriety tests
 - 11. Consensual encounters
 - 12. Crimes in progress
 - 13. Responding to an in-progress call
- (b) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect, including:
 - 1. Domestic violence
 - 2. Disturbance of the peace
 - 3. Offenses involving violence or weapons

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- (c) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (d) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Activation of the In-Car Video system is not required when exchanging information with other officers, during breaks or lunch periods, or when not in service or not actively on patrol.

422.4.2 CESSATION OF RECORDING

Once activated, the In-Car Video system should remain on until the incident has concluded. For the purpose of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

422.4.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by a member of Command Staff.

422.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should consult with a member of Command Staff to determine if vehicles with non-functioning In-Car Video systems should be placed into service. If these vehicles are placed into service, the appropriate documentation shall be made in the officer's daily log.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift log in/out procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 1. The tracking number of the In-Car Video system media.
 2. The date the media was captured.
 3. The name of the department member and the vehicle.
 4. Holds for evidence indication and tagging as required.
- (c) The operation of In-Car Video systems by new members is assessed and reviewed no less than biweekly.

Supervisors shall review and document any pursuits, uses of force, and at least one randomly selected recording per quarter for each member under their direct supervision to:

- Check that the In-Car Video devices are properly maintained and functioning.
- Check that the In-Car Video devices are being used in accordance with policy.
- Identify recordings that may indicate additional training or guidance is warranted.

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When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic accidents), a supervisor shall respond to the scene and notify a member of Command Staff who will ensure that the appropriate person properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

422.5 REVIEW AND DISSEMINATION OF IN-CAR VIDEO RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the Department is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the Department, In-Car Video technician or forensic media staff.

Recordings may be reviewed in any of the following situations:

- (a) By officers for use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of In-Car Video systems
- (e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (f) By department personnel who request to review recordings to assess possible training value. Requests require approval from a member of Command Staff.
- (g) By an officer who requests to review audio or video capture by another officer if the review of such data may assist in furthering an investigation. Requests to review another officer's audio/video require supervisor approval.
- (h) By court personnel through proper process or with the permission of the Chief of Police or the authorized designee
- (i) By the media through proper process
- (j) For training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the Command Staff to determine if the training value outweighs the officer's objection.
- (k) As may be directed by Command Staff

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

422.5.1 FACIAL RECOGNITION SOFTWARE

The Command Staff shall establish procedures for the use of any facial recognition software or other programs, operated through the Pennsylvania Justice Network (JNET), in the review of in-car audio/video recordings (42 Pa.C.S. § 67A07).

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Operators of JNET Facial Recognition System (JFRS) shall have JNET training.

422.6 DOCUMENTING IN-CAR VIDEO USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report.

422.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. At the end of each incident, officers shall tag the event appropriately. Any recording media that is not needed as evidence shall be tagged as "call for service" and will be retained for a minimum of 60 days and disposed of in accordance with the established records retention schedule.

422.7.1 COPIES OF RECORDED MEDIA

Recorded media shall not be used for any purpose other than for initial review by an officer or supervisor. Upon proper request, a copy of the recorded media will be made for use as authorized in this policy.

Recorded media may only be released to the prosecutor's office, in response to a court order or upon approval by a member of Command Staff.

422.7.2 IN-CAR VIDEO RECORDINGS AS EVIDENCE

Officers who reasonably believe that an In-Car Video recording is likely to contain evidence relevant to a criminal offense or to a potential claim against the officer or against the Plum Borough Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are properly tagged and preserved.

422.8 SYSTEM OPERATIONAL STANDARDS

- (a) In-Car Video system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations. The installations shall only be completed by certified technicians.
 - 1. Recording devices should comply with equipment standards established by the Pennsylvania State Police (18 Pa.C.S. § 5706).
- (b) The In-Car Video system should be configured to record for a department-approved time frame prior to an event.
- (c) The In-Car Video system may not be configured to record audio data occurring prior to activation.
- (d) Officers shall not erase, alter, reuse, modify, disseminate or tamper with In-Car Video recordings. Only a In-Car Video technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.

422.9 IN-CAR VIDEO TECHNICIAN RESPONSIBILITIES

The In-Car Video technician is responsible for:

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- (a) Ordering, issuing, retrieving, storing, erasing, and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the In-Car Video technician:
 - 1. Ensures it is stored in a secure location with authorized controlled access.
 - 2. Makes the appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with the established records retention schedule, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field:
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the established records retention schedule.
 - 1. Secure storage should comply with Pennsylvania State Police standards (18 Pa.C.S. § 5706).
- (g) Maintaining In-Car Video equipment in accordance with manufacturer specifications.
 - 1. Repairs to any In-Car Video equipment shall only be performed at the direction of the In-Car Video technician or the authorized designee.
 - 2. Maintenance and repairs shall be documented.

422.10 TRAINING

All members who are authorized to use the In-Car Video system shall successfully complete an approved course of instruction prior to its use (18 Pa.C.S. § 5704; 18 Pa.C.S. § 5724).

Mobile Data Terminal Use

423.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure proper access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and County Dispatch.

423.2 POLICY

Plum Borough Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy. Members shall ensure MDTs are operated in secure manner and will log off or secure the MDT (e.g. turn the screen off) when it is unattended.

423.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

423.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks or communications that are directly related to the business, administration or practices of the Department. 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 MDT 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 MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

423.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio or electronically via the MDT unless security or confidentiality prevents such broadcasting.

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MDT 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) In the event that an activity or contact is not initiated by voice, the member shall document it via the MDT.

423.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident.

423.5.2 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 officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a supervisor is notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are handling a different emergency.

423.6 EQUIPMENT CONSIDERATIONS

423.6.1 MALFUNCTIONING MDT

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, or the vehicle is not equipped with an MDT they shall notify County Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

423.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

Portable Audio/Video Records (Body-Worn Camera)

424.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of body-worn cameras and portable audio/video recording devices by members of this department 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 (42 Pa.C.S. § 67A07).

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Plum Borough Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

424.2 POLICY

The Plum Borough Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

A violation of this policy subjects the violator to discipline (see the Personnel Complaints Policy for additional guidance).

424.3 COORDINATOR

The Command Staff should designate a coordinator responsible for (42 Pa.C.S. § 67A07):

- (a) Establishing procedures for the security, storage, and maintenance of data and recordings.
 1. Storage should comply with Pennsylvania State Police standards (18 Pa.C.S. § 5706).
 2. Server hardware should be located in a secure area only accessible to authorized individuals and/or those who are in compliance with the Criminal Justice Information Services (CJIS) Security Policy, to ensure data integrity and prevent loss of data. Cloud storage by a reputable vendor, with reasonable security measures, is acceptable.
- (b) Establishing procedures for accessing data and recordings.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.
- (e) Establishing procedures for the use of facial recognition software or programs operated through the Pennsylvania Justice Network (JNET).
 1. Operators of JNET Facial Recognition System (JFRS) shall have JNET training.
- (f) Approving recording devices for use by members based on Pennsylvania State Police standards (18 Pa.C.S. § 5706).

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424.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

424.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member shall inspect and test their assigned BWC to ensure that they are operational and functioning properly. If a BWC is damaged or inoperable, officers shall immediately notify a supervisor who will immediately test the camera and, if inoperable, place the camera out of service and notify the Command Staff. The supervisor shall then assign an alternate BWC to be used. The identification of the alternate camera shall be documented in the member's daily log.

Officers who discover at any time during their shift that their BWC is damaged or malfunctioning shall immediately notify a supervisor who will immediately test the camera and, if inoperable, place the camera out of service and notify the Command Staff. The supervisor shall then assign an alternate BWC to be used. The identification of the alternate camera and the time of deployment shall be documented in the member's daily log.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Members shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members shall include the reason for deactivation.

424.6 ACTIVATION OF THE BODY WORN CAMERA

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident. While being worn on the body, members shall ensure that the recorder is unobstructed by any garments (i.e. coats, rain jackets or traffic vests) at all times.

The body-worn cameras should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which an officer would normally notify County Dispatch
- (d) All searches, including but not limited to, building, vehicle, and persons.

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- (e) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Members shall document in their report the reason for stopping a recording. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

424.6.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident. The reason for the cessation of recording shall be articulated and documented in the appropriate department report.

424.6.2 SURREPTITIOUS USE OF THE BODY-WORN CAMERA AND PORTABLE AUDIO/VIDEO RECORDERS

Pennsylvania law prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation is private or confidential. However, Pennsylvania law expressly exempts law enforcement from this prohibition during the course of a criminal investigation where certain requirements are met (18 Pa.C.S. § 5704). Nothing in this section is intended to interfere with an officer's right to openly record any interview or interrogation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

424.6.3 EXCEPTIONS TO THE USE OF BODY-WORN CAMERA AND PORTABLE AUDIO/VIDEO RECORDERS

Members may openly record any interview or interrogation provided the recording is conducted in accordance with all state laws with the following exceptions:

- During safety planning for domestic violence, sexual assault victims or child abuse victims.
- During interviews with sexual assault victims, this shall be at the discretion of the assigned investigator.
- During child abuse victim interviews at the discretion of the assigned investigator.
- During confidential and drug investigations.

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- During officer-to-officer conversations.
- During department administrative investigations.
- During roll-call, briefings, or information-sharing sessions to discuss tactics and strategy.

424.6.4 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

424.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in an official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

424.7.1 USE OF BODY-WORN CAMERA/PORTABLE RECORDERS IN COURTROOMS

An officer should not activate a body-worn camera/portable audio/video recorder in a courtroom during judicial proceedings except when the officer reasonably believes there is an actual or imminent emergency warranting activation while on-duty or while acting in an official capacity (201 Pa. Code Rule 1910).

Officers who activate a recorder in a courtroom shall notify the presiding judge as soon as practicable and within one business day provide a written report to the presiding judge and a supervisor. The report should include (201 Pa. Code Rule 1910):

- (a) The circumstances surrounding the activation.
- (b) The times of activation and deactivation.
- (c) An explanation of the officer's actions.

Any use or dissemination of the recording is prohibited without the written approval of the president judge of the court.

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424.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members shall 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.

424.9 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule but in no event for a period less than 60 days.

424.9.1 RELEASE OF BODY-WORN CAMERA/AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

424.10 REVIEW OF BODY WORN CAMERA FOOTAGE

Officers may use media captured via the BWC to assist with investigations and the completion of non-routine reports or in special circumstances. Officers may also use the media captured by the BWC to assist investigators and supervisors in evaluating ongoing situations. Officers may view BWC footage of other officers for cases they are involved in or assigned to. Officers may also view other officers BWC footage for training purposes. Officers shall be aware that the viewing of all BWC footage is documented through an audit trail. Officers shall only view BWC footage for legitimate and professional reasons. Additionally, Field Training Officers may use media captured by the BWC to provide immediate training to recruits and to assist in the completion of the Field Training Officer report.

424.11 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members may 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 shall not use the fact that a recording was made as a reason delay or write a less detailed report.

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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 a member's performance.

Supervisors shall review and document at least one randomly selected recording per quarter for each member under their direct supervision to:

- (a) Check that the assigned portable audio/video recording devices are properly maintained and functioning.
- (b) Check that the assigned portable audio/video recording devices are being used in accordance with policy.
- (c) Identify recordings that may indicate additional training or guidance is warranted.

Recorded files may also be reviewed:

- Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation, or criminal investigation.
- Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- By media personnel with permission of the Chief of Police or the authorized designee.
- 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 Open-Records Officer prior to public release (see the Records Maintenance and Release Policy).

Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

424.12 GRANT FUNDING

In order to ensure eligibility for grant funding for body-worn cameras from the Pennsylvania Commission on Crime and Delinquency, the Coordinator will be responsible for (42 Pa. C.S. § 67A07):

- (a) Confirming that this policy and any other agency protocol or guidelines on the use of body-worn cameras comply with recommendations made by the commission, as applicable.
- (b) Confirming that a copy of this policy and any other related protocol or guidelines are made available to the public on the department website and upon request as required by 42 Pa.C.S. § 67A07.

424.13 TRAINING

Subject to available resources, members who use audio or video recording devices shall receive periodic training on the operation of audio/video recording devices as well as this policy (42 Pa.C.S. § 67A07; 201 Pa. Code Rule 1910).

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424.14 STORAGE AND MAINTENANCE OF DEVICES

Members shall be responsible for the secure storage of any assigned portable audio/video recording devices when not in use. At the end of each shift, members should charge any assigned portable audio/video recording devices in accordance with manufacturer specifications and department training.

Maintenance and repair of portable audio/video recording devices shall only be performed at the direction of the coordinator or the authorized designee and in accordance with manufacturer specifications.

Public Recording of Law Enforcement Activity

425.1 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 department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

425.2 POLICY

The Plum Borough Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department 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.

Officers 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.

425.3 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 officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officer, him/herself or others.

425.4 OFFICER RESPONSE

Officers 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. When necessary, officers may wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or 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

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example, rather than directing an individual to clear the area, an officer 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, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

425.5 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 officer 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.
- (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 department members, such as how and where to file a complaint.

425.6 SEIZING RECORDINGS AS EVIDENCE

Officers 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 the evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Evidence Division Policy.

Automated License Plate Readers (ALPRs)

426.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

426.2 POLICY

The policy of the Plum Borough Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

426.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Plum Borough Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Criminal Detective and reviewed by the Command Staff. The Criminal Detective and Patrol Supervisors will assign members under their command to administer the day-to-day operation of the ALPR equipment and data.

426.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, when possible, particular consideration should be given to using ALPR-equipment to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access confidential department, state or federal data unless authorized to do so.

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- (f) If practicable, the officer should verify an ALPR response through the appropriate official law enforcement database before taking enforcement action that is based solely on an ALPR alert.

426.5 DATA COLLECTION AND RETENTION

The Command Staff is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All stored ALPR data should be retained in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded onto portable media and booked into evidence.

426.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Plum Borough Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

426.7 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 - 1. The name of the agency.
 - 2. The name of the person requesting.
 - 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by a member of Command Staff or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

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Automated License Plate Readers (ALPRs)

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review. Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy.

Homeless Persons

427.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

This policy addresses the responsibilities of the department members.

427.2 POLICY

It is the policy of the Plum Borough Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The Plum Borough Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

427.3 MEMBER RESPONSIBILITY TO THE HOMELESS COMMUNITY

The responsibilities of members of Plum Borough Police Department include, but are not limited to:

- (a) Familiarization of assistance programs and other resources that are available to homeless persons.
- (b) Meeting with social services and representatives of other organizations that render assistance to the homeless community as needed on a case-by-case basis.
- (c) Maintaining familiarization of the areas within and near the jurisdiction of this department that are used as homeless shelters.
- (d) Remaining abreast of laws dealing with homelessness, including personal property rights.

427.4 FIELD CONTACTS

Officers are encouraged to contact a homeless person to render aid, offer assistance or to check on the person's welfare. Officers also will take enforcement action when information supports a reasonable and articulable suspicion of criminal activity. However, such contacts shall not be used for harassment.

When encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions, such as shelter referrals and counseling, in lieu of an arrest and criminal charges.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

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Homeless Persons

427.4.1 CONSIDERATIONS

A homeless person will receive the same level and quality of service provided to other members of the community. The fact that a victim, witness or suspect is homeless can, however, require special consideration for a successful investigation and prosecution. When handling investigations involving victims, witnesses or suspects who are homeless, officers should consider:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Documenting locations the person may frequent.
- (c) Providing victim/witness resources, when appropriate.
- (d) Obtaining sufficient statements from all available witnesses in the event that a victim cannot be located and is unavailable for a court appearance.
- (e) Arranging for transportation for investigation-related matters, such as medical exams and court appearances.
- (f) Whether a crime should be reported and submitted for prosecution, even when a victim who is homeless indicates that he/she does not desire prosecution.
- (g) Whether the person may be an adult abuse victim and, if so, proceed in accordance with the Adult Abuse Policy.

427.5 MENTAL HEALTH ISSUES

When mental health issues are evident, officers should consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health facility for voluntary evaluation if it is requested or offered and accepted by the person, and approved by a supervisor/officer-in-charge (OIC). Officers should consider detaining the person under an involuntary commitment when facts and circumstances reasonably indicate such a detention is warranted (see the Involuntary Commitments Policy).

427.6 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the community. Officers 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, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, it should be collected for safekeeping, if appropriate (e.g. no health concerns). If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor/ officer-in-charge (OIC) should be consulted. The property should be photographed and documented and a supervisor/officer-in-charge (OIC) shall be consulted.

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Officers 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/officer-in-charge (OIC). When practicable, requests by the public for clean-up of a homeless encampment should be referred to a member of Command Staff.

Officers 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 and should inform the supervisor/officer-in-charge (OIC) if such property appears to involve a trespass, is a blight to the community or is the subject of a complaint. It will be the responsibility of the supervisor/officer-in-charge (OIC) to address the matter in a timely fashion.

427.7 ECOLOGICAL ISSUES

Sometimes homeless encampments can have an impact on the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments (e.g. Allegheny County Health Department) when a significant impact to the environment has or is likely to occur. A significant impact to the environment may warrant a crime report, investigation, supporting photographs and supervisor/officer-in-charge notification.

Medical Marijuana

428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production, or use of marijuana under Pennsylvania's medical marijuana laws (35 P.S. § 10231.101 et seq.).

428.1.1 DEFINITIONS

Definitions related to this policy include (35 P.S. § 10231.103):

Caregiver– A person designated to deliver medical marijuana to a patient.

Certified medical use of marijuana – The acquisition, possession, use, or transportation of medical marijuana by a patient, or the acquisition, possession, delivery, transportation, or administration of medical marijuana by a caregiver for the treatment of a patient's serious medical condition as authorized in a certification provided by a registered practitioner (35 P.S. § 10231.401).

Identification Card - A document issued by the Pennsylvania Department of Health (DOH) that authorizes access to medical marijuana under the Medical Marijuana Act.

Patient – A resident of Pennsylvania with a serious medical condition who possesses a valid identification card issued by the DOH.

428.2 POLICY

It is the policy of the Plum Borough Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Pennsylvania medical marijuana laws are intended to provide protection from arrest and prosecution to those who use, manufacture, transport, or dispense medical marijuana for serious medical conditions. However, Pennsylvania 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 Plum Borough Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Pennsylvania law and the resources of the Department.

428.3 INVESTIGATION

Investigations involving the possession, delivery, production, or use of marijuana generally fall into one of several categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations involving a medicinal claim.

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Medical Marijuana

428.3.1 INVESTIGATIONS WITH NO MEDICAL 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 officer should proceed with a criminal investigation. A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

428.3.2 INVESTIGATIONS INVOLVING A MEDICAL CLAIM

Members shall not take enforcement action against a patient or caregiver who is in possession of a valid identification card when (35 P.S. § 10231.303; 35 P.S. § 10231.403; 35 P.S. § 10231.801):

- (a) The form and amount of medical marijuana possessed is in compliance with the recommended amount or limitation set by the medical practitioner who issued the patient's certification for the use of medical marijuana.
 - 1. Patients and caregivers are authorized to possess a 97-day supply of marijuana, which includes a full 90-day supply and a seven-day supply remaining from the previous 90-day period.
- (b) The medical marijuana is in the original package in which it was dispensed except for the portion removed for immediate consumption.

An officer should not take enforcement action if the officer can reasonably ascertain that the person otherwise has a valid identification card (35 P.S. § 10231.1103). The officer should document in a written report any attempts to verify the existence and validity of an identification card issued to the patient or designated caregiver.

428.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:

- (a) Because enforcement of medical marijuana laws can be complex, time-consuming, and call for resources unavailable at the time of initial investigation, officers 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.
 - 4. There are any other relevant factors, such as available department resources and time constraints.
- (b) Before proceeding with enforcement related to a permitted grower or dispensary, officers should consider conferring with appropriate legal counsel.

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Medical Marijuana

- (c) Employees and others affiliated with permitted growers or dispensaries that lawfully produce and disperse medical marijuana are also protected from enforcement action as set forth in the Medical Marijuana Act (35 P.S. § 10231.601 et seq.).
- (d) Patients 17 years of age or younger must have a caregiver who is a parent or legal guardian of the patient, someone designated by a parent or legal guardian, or another person approved by the DOH (35 P.S. § 10231.506).
- (e) The DOH may verify the validity of identification cards and other certifications or permits they issue to growers or dispensaries (35 P.S. § 10231.1103).

428.3.4 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (35 P.S. § 10231.304; 35 P.S. § 10231.510; 35 P.S. § 10231.1309):

- (a) Incorporates medical marijuana into edible form, except by a patient or caregiver to aid ingestion of the medical marijuana by the patient.
- (b) Smokes medical marijuana.
- (c) Possesses, stores, or maintains an amount of marijuana in excess of the amount legally permitted.
- (d) Undertakes any task under the influence of marijuana that would constitute negligence or professional malpractice.
- (e) Possesses marijuana in jails or other correctional facilities.
- (f) Operates, navigates, or is in actual physical control of any vehicle, aircraft, or motorboat while under the influence of medical marijuana.
- (g) Provides medical marijuana to a person who is not lawfully permitted to receive medical marijuana (35 P.S. § 10231.1304).

428.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

428.5 EVIDENCE DIVISION SUPERVISOR RESPONSIBILITIES

The Evidence Division supervisor should 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 Division supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Evidence Division supervisor should as soon as practicable return to the person from whom it was seized any medical marijuana or other related property.

The Evidence Division supervisor should not destroy marijuana that was alleged to be for medical purposes except upon receipt of a court order.

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The Evidence Division supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of a member of Command Staff.

Medical Aid and Response

429.1 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.

429.2 POLICY

It is the policy of the Plum Borough Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

429.3 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 County 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 County 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 of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel regarding whether to transport the person for treatment.

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429.4 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.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, 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.

429.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical 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 officer should consider proceeding with an involuntary commitment in accordance with the Involuntary Commitments Policy.

If an officer 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 officer 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 officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

429.6 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 officer has reason to believe the arrestee is feigning injury or illness, the officer 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 officer 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.

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Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer 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 officer's training.

429.7 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 Conducted Energy Device policies.

429.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Command Staff should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas, or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights, and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.

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- Avoid the aircraft's tail rotor area.
- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

429.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

Only authorized members may use an AED upon completion of appropriate training (42 Pa.C.S. § 8331.2).

429.9.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Command Staff who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact County Dispatch as soon as possible and request response by EMS.

429.9.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

429.9.3 AED TRAINING AND MAINTENANCE

The Command Staff shall ensure members complete a course approved by the Pennsylvania Department of Health prior to being authorized to use an AED (42 Pa.C.S. § 8331.2).

The Command Staff is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

429.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Only members who have completed training approved by the Pennsylvania Emergency Health Services Council, or who have received the instructional materials from such training, may administer opioid overdose medication (35 P.S. § 780-113.8).

429.10.1 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 Command Staff.

Any member who administers an opioid overdose medication should contact County Dispatch as soon as possible and request response by EMS.

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429.10.2 AGREEMENT WITH LOCAL EMERGENCY SERVICES AGENCIES

Plum Borough Police Department members may obtain and administer opioid overdose medication by way of either (35 P.S. § 780-113.8):

- (a) A written agreement with an emergency medical services agency, with approval of the agency's medical director or another agency physician.
- (b) A prescription or standing order issued by a licensed health care provider for an individual at risk of opioid overdose.

429.10.3 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

429.10.4 OPIOID OVERDOSE MEDICATION TRAINING

Command Staff should ensure training is provided to members authorized to administer opioid overdose medication.

429.11 OVERDOSE REPORTING REQUIREMENTS

An officer who encounters a known or suspected overdose shall report the incident within 72 hours in the overdose information network as required by 35 P.S. § 960.24.

429.12 ADMINISTRATION OF EPINEPHRINE AUTO-INJECTOR MEDICATION

Only members who have completed the required training may do the following pursuant to the protocols established by 35 Pa.C.S. § 5503:

- (a) Administer epinephrine auto-injector medication.
- (b) Provide an epinephrine auto-injector to a person, parent, guardian, or caregiver for administration.

429.12.1 EPINEPHRINE AUTO-INJECTOR MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer epinephrine auto-injector medication 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 forwarded to the Command Staff.

Any member who administers an epinephrine auto-injector medication should contact County Dispatch as soon as possible and request response by EMS.

429.12.2 EPINEPHRINE AUTO-INJECTOR MEDICATION REPORTING

Any member administering epinephrine auto-injector medication should detail its use in an appropriate report.

429.12.3 EPINEPHRINE AUTO-INJECTOR MEDICATION TRAINING

The Command Staff should ensure training is provided to members authorized to administer epinephrine auto-injector medication as required by 35 Pa.C.S. § 5503.

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429.13 FIRST AID TRAINING

Subject to available resources, the Chief of Police should ensure officers receive periodic first aid training appropriate for their position.

First Amendment Assemblies

430.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

430.2 POLICY

The Plum Borough Police Department respects the rights of people to peaceably assemble. It is the policy of this department 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, leafleting and loitering. However, officers 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 officers 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 to prevent the destruction of property.

Officers 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 an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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430.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions, assistance in evaluating department performance, serving as training material, recording the use of dispersal orders and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct. However, this does not supersede the Department's procedures related to body-worn camera and mobile-video recorder (in-car video) use and retention.

430.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, generally these events are handled in the same manner as planned and approved events. The first responding officer should conduct an assessment of conditions, including, but not limited to:

- 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 County Dispatch, and a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume control of the incident, establishing an outer perimeter sufficient to contain the disturbance and prohibit entrance into the affected area and ensure, to the degree possible, that innocent civilians are evacuated from the immediate area. The responding supervisor shall control the incident until command is expressly assumed by a member of Command Staff or authorized designee, 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.

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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.
- 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 (body-armor, helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) Media relations.
- (i) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (j) Traffic management plans.
- (k) First aid and emergency medical service provider availability.
- (l) Prisoner transport and detention.
- (m) Review of policies/procedures regarding public assemblies and use of force in crowd control.

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- (n) Parameters for declaring an unlawful assembly.
- (o) Arrest protocol, including management of mass arrests.
- (p) Protocol for recording information flow and decisions.
- (q) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (r) Protocol for handling complaints during the event.
- (s) 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 department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, 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

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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 conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves, or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

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 department 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 Plum Borough Police Department 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 officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Ensuring that an adequate number of transport vehicles is available.
 - 1. Absent exigent circumstances, juveniles shall be separated from adult offenders (Officers shall make every attempt to ascertain and document an individual's proper age.).
- (d) Timely access to medical care.
- (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 Releases Policy).

430.9 MEDIA RELATIONS

The Command Staff or 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).

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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.

430.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include:

- (a) Operational plan.
- (b) Any incident logs.
- (c) Any assignment logs.
- (d) Vehicle, equipment and supply records.
- (e) Incident, arrest, use of force, injury and property damage reports.
- (f) Photographs, audio/video recordings, County Dispatch records/tapes.
- (g) Media accounts (print and broadcast media).

430.11.1 AFTER-ACTION REPORTING

The Incident Commander should prepare a comprehensive after-action report of the event, explaining all incidents where force was used, to include:

- (a) Date, time and description of the event.
- (b) Conduct debriefing of all necessary personnel.
- (c) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (d) Problems identified.
- (e) Significant events.
- (f) 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

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Civil Disputes

431.1 PURPOSE AND SCOPE

This policy provides members of the Plum Borough Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Pennsylvania law.

431.2 POLICY

The Plum Borough Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides, refrain from giving legal advice, and refer parties to the magistrate.

431.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While the following is not intended to be an exhaustive list, members should give consideration to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice; however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 15 minutes are warranted.

431.4 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases

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(e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Officers shall not take any enforcement action unless a crime is apparent.

431.5 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) shall be handled through a person seeking a court order.

431.5.1 EXPEDITED EVICTION OF DRUG TRAFFICKERS

If requested by an individual to whom a removal or eviction order has been issued by a court, the Allegheny County Sheriff's Office or appropriate law enforcement agency will execute the order of removal or eviction (35 P.S. § 780-160).

Suspicious Activity Reporting

432.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

432.1.1 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 additional report used to document suspicious activity, in addition to filing an incident report.

432.2 POLICY

The Plum Borough Police Department 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.

432.3 RESPONSIBILITIES

The Command Staff and the authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Investigations Division include, but are not limited to:

- (a) Remaining familiar with those databases available to the department that would facilitate the purpose of this policy.

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- (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 Department.
- (e) Ensuring that SAR 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 Department conducts outreach that is designed to encourage community members to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

432.4 REPORTING AND INVESTIGATION

Any department 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 shall ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about the involved parties and the circumstances of the incident. If, during any investigation an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

Chapter 5 - Traffic Operations

Traffic

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 POLICY

It is the policy of the Plum Borough Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic crash, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; be timed to events, seasons, past traffic problems or locations; and, whenever practicable, be preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic crashes are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic crashes, and also will consider the hours and locations where traffic crashes tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic crashes frequently occur.

500.4 ENFORCEMENT

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed (75 Pa.C.S. § 6308).

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This department does not establish ticket quotas. The number of arrests or citations issued by any member shall not be used as the sole criterion for evaluating member overall performance (71 P.S. § 2001).

500.4.1 WARNINGS

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

Verbal warnings are prohibited, therefore all warnings shall be issued on the designated written warning form when no citation is issued. In the event a citation is issued for a violation, warnings for other infractions stemming from the same incident may be recorded in the remarks section of the issued citation. It shall be the responsibility of the Records Administrator and/or their designee to ensure that all warnings are recorded either issued separately or as part of an issued citation.

500.4.2 CITATIONS

Citations should be issued when a member believes it is appropriate. When issuing a citation for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with a copy of the citation and (Pa.R.Crim.P. 405):

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the location of the court and the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.4.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to (75 Pa.C.S. § 6304):

- (a) Homicide by vehicle (75 Pa.C.S. § 3732).
- (b) Driving under the influence (DUI) of alcohol or drugs (75 Pa.C.S. § 3802).
- (c) Felony or misdemeanor hit-and-run (75 Pa.C.S. § 3742; 75 Pa.C.S. § 3743).

500.5 SUSPENDED OR REVOKED LICENSES

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate (75 Pa.C.S. § 1543). If the violation occurs on a roadway and is creating a traffic hazard or impeding traffic in any way, the vehicle may be removed by the department's contracted towing company if a properly licensed driver is not available to legally operate the vehicle in accordance with the [Vehicle Towing Policy](#). If the vehicle is stopped on private property, the vehicle may remain within a reasonable time frame to permit the operator the opportunity to have the vehicle removed.

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500.6 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

500.6.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic crash investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members 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.

500.6.2 CARE AND STORAGE

Issued to each member of the police department. It shall be the members responsibility to maintain their issued vest. In the event the members vest is lost damaged or unserviceable the member shall promptly notify a member of the command staff when their vest needs replacement.

Before going into service, each member shall ensure that a serviceable high-visibility vest is available..

Traffic Crashes

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic crashes.

501.2 POLICY

It is the policy of the Plum Borough Police Department to respond to traffic crashes and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of crashes by attempting to identify the cause of the crash and through enforcing applicable laws. Unless restricted by law, traffic crash reports will be made available to the public upon request (fees may apply).

501.3 RESPONSE

Member shall respond to all traffic crashes in a safe manner utilizing emergency equipment (lights and siren) as appropriate. Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - 1. A life-threatening injury.
 - 2. A fatality.
 - 3. A Borough vehicle involved.
 - 4. A Borough official or employee involved.
 - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A Borough of Plum Borough vehicle involved.
 - 2. A Borough of Plum Borough official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) First aid for any injured parties if it can be done safely.
- (b) Traffic direction and control.
- (c) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (d) The potential for involvement of hazardous materials.

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- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic crash involves a life-threatening injury or fatality, the responding officer shall notify the Shift Supervisor/Officer-In-Charge (OIC). The Shift Supervisor/Officer-In-Charge (OIC) may assign a traffic investigator or other appropriate personnel to investigate the incident. The Shift Supervisor/Officer-In-Charge (OIC) will ensure notification is made to Command Staff in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a fatality, the Shift Supervisor/Officer-In-Charge (OIC) should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic crash should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

A crash report shall be taken when:

- (a) A fatality, any injury (including complaint of pain), driving under the influence or hit-and-run is involved (75 Pa.C.S. § 3743; 75 Pa.C.S. § 3746).
- (b) An on-duty member of the Borough of Plum Borough is involved.
- (c) The crash results in any damage to any Borough-owned or leased vehicle.
- (d) The crash involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) There is damage to any vehicle to the extent that towing is required (75 Pa.C.S. § 3746).
- (g) Prosecution or follow-up investigation is contemplated.
- (h) Directed by a supervisor.

501.5.1 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic crash occurs on private property unless it involves an injury or fatality, a hit-and-run violation or other traffic law violation. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles.

501.5.2 BOROUGH VEHICLE INVOLVED

A traffic crash report shall be taken when a Borough vehicle is involved in a traffic crash that results in property damage or injury.

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An incident report may be taken in lieu of a traffic crash report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

Whenever there is damage to a Plum Borough Police Department vehicle, a Report to Supervisor shall be completed and forwarded to Command Staff. The assigned investigator or Shift Supervisor/Officer-In-Charge (OIC) at the scene should determine what photographs should be taken of the scene and the vehicle damage.

501.5.3 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic crash involves the disposition of an injured animal.

501.6 INVESTIGATION

When a traffic crash meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence, reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Shift Supervisor/Officer-In-Charge (OIC) should request that the Pennsylvania State Police (PSP) or another outside law enforcement agency investigate and complete a traffic crash investigation when a life-threatening injury or fatal traffic crash occurs within the jurisdiction of the Plum Borough Police Department and involves:

- (a) An on- or off-duty member of the Department.
 - 1. The involved member shall complete the department traffic crash form. If the member is unable to complete the form, the supervisor shall complete it.
- (b) An on- or off-duty official or employee of Plum Borough.
- (c) Any fatal traffic crash.

Department members shall promptly notify the Command Staff through the chain of command when any department vehicle is involved in a traffic crash. The crash investigation and report shall be completed by the agency having jurisdiction.

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the crash, authorized members should issue a citation or arrest the offending driver, as appropriate.

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More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter, or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

501.8 REPORTS

Department members shall utilize forms approved by the Pennsylvania Department of Transportation (PennDOT) as required for the reporting of traffic crash. All such reports shall be forwarded to the Shift Supervisor for approval and filing (75 Pa.C.S. § 3752).

Traffic crash reports will be made available upon request, after appropriate fees are paid, unless the crash report is confidential and not subject to disclosure (75 Pa.C.S. § 3751).

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 POLICY

The Plum Borough Police Department will tow vehicles when appropriate and in accordance with the law.

502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard and when conditions permit, the owner or operator should arrange for the towing. Department members may assist by communicating requests through County Dispatch to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (73 P.S. § 1971.3; 75 Pa.C.S. § 3352).

Vehicles that are not the property of the Borough should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs (75 Pa.C.S. § 3745.1).

502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene (75 Pa.C.S. § 3352).

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.

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- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the officer shall advise the requester that the Department will not be responsible for theft or damages and document this advisement in their report.

502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

502.5.1 VEHICLE STORAGE

The impounding officer shall take reasonable steps to protect against loss or damage to impounded vehicles and to any contents that may have been taken as evidence.

502.6 REQUIRED DOCUMENTATION

Records Division members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.6.1 VEHICLE INVENTORY REPORT

Department members towing a vehicle shall complete a vehicle inventory report. The report should be submitted to the Records Division as soon as practicable after the vehicle is towed.

502.6.2 NOTICE OF TOW

It shall be the responsibility of the Records Division to send a notice of tow, by the most expeditious means, to all registered owners and others having a recorded interest in the vehicle.

When legally required, notice shall be sent to all such individuals by first-class mail with proof of service or certified mail with return receipt requested. The notice shall include (75 Pa.C.S. § 6109; 75 Pa.C.S. § 6309; 75 Pa.C.S. § 6309.1; 75 Pa.C.S. § 6309.2; 75 Pa.C.S. § 7305):

- (a) The name, address and telephone number of the Plum Borough Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle, including:
 1. Color.
 2. Manufacturer year.
 3. Make and model.
 4. License plate number and/or Vehicle Identification Number (VIN).
 5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing.

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502.7 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

502.8 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses, fanny packs, personal organizers, briefcases or other closed containers designed for carrying money, small valuables or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuables. Responses should be noted in the inventory report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner, or booked into property for safekeeping.

Any cash (excluding coins found within the vehicle), jewelry or other small valuables located during the inventory process will be held for safekeeping, in accordance with the Evidence Division Policy. A copy of the property receipt should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory shall not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons

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independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error shall promptly advise a supervisor. Supervisors shall approve, when appropriate, the release of the vehicle. Supervisors shall complete a supervisor's memorandum notifying Command Staff of these circumstances.

502.10 TOWING OR IMMOBILIZATION

If an officer finds that the driver's operating privilege is suspended, revoked, canceled, recalled or disqualified; that the driver is unlicensed; or that there is no valid vehicle registration or the registration is suspended, the officer shall immobilize the vehicle or, in the interest of public safety, direct that the vehicle be towed and stored (75 Pa.C.S. § 6309.2).

502.10.1 IMPOUNDMENT

When appropriate, a vehicle shall be rendered temporarily inoperable by an officer, or, in the interest of public safety, the officer shall have the vehicle towed and stored (75 Pa.C.S. § 6309; 75 Pa.C.S. § 6309.1).

502.10.2 ABANDONED

Officers shall process all vehicles presumed to be abandoned as defined by [75 Pa. C.S. § 102](#) by completing the appropriate report and removing the vehicle from the roadway (75 Pa.C.S. § 7303.1; 75 Pa.C.S. § 7310).

Impaired Driving

503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence of alcohol or drugs (DUI).

503.2 POLICY

The Plum Borough Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Pennsylvania's impaired driving laws.

503.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The designated member of Command Staff will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers 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 officer's observations that indicate impairment on the part of the individual, and the officer'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 Pennsylvania or another jurisdiction.

503.4 FIELD TESTS

The designated member of Command Staff should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

503.4.1 PRELIMINARY BREATH TEST

An officer having reasonable suspicion to believe a person is driving or in actual physical control of a vehicle while under the influence of alcohol may, prior to arrest, require the person to submit to a preliminary breath test (PBT) on an approved device. The sole purpose of the PBT is to assist the officer in determining whether or not the person should be placed under arrest. The PBT shall

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be in addition to any other test and the person does not have a right to expect or demand a PBT (75 Pa.C.S. § 1547; 28 Pa. Code § 5.104).

503.5 CHEMICAL TESTS

A person implies consent under Pennsylvania law to a chemical test or tests of his/her breath or blood, and to providing the associated chemical sample, when the officer has probable cause to believe:

- (a) The person was driving, operating or in actual physical control of the movement of a vehicle in violation of any provision of 75 Pa.C.S. § 3802 (DUI) (75 Pa.C.S. § 1547).
- (b) The person was driving, operating or in physical control of a school vehicle or commercial motor vehicle (CMV) while having alcohol in his/her system (75 Pa.C.S. § 1613).
- (c) The person was driving while his/her operating privilege was suspended or revoked in violation of 75 Pa.C.S. § 1543 (75 Pa.C.S. § 1547).
- (d) The person was operating a vehicle without a required ignition interlock in violation of 75 Pa.C.S. § 3808 (75 Pa.C.S. § 1547).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

503.5.1 STATUTORY NOTIFICATIONS

A person placed under arrest for DUI, driving with a suspended or revoked license, or operating a vehicle without a required ignition interlock shall be informed that his/her operating privilege will be suspended and he/she will be subject to a restoration fee of up to \$2,000 if chemical testing is refused. A person arrested for DUI shall also be informed that if he/she refuses to submit to testing, upon conviction or plea, the person will be subject to enhanced penalties (75 Pa.C.S. § 1547).

If the arrestee was operating a CMV, the person shall be informed that he/she will be disqualified from operating a CMV if he/she refuses to submit to testing (75 Pa.C.S. § 1613).

503.5.2 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (75 Pa.C.S. § 1547). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee 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.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw 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

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to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

503.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers should:

- (a) Advise the arrestee of the requirement to provide a sample (75 Pa.C.S. § 1547; 75 Pa.C.S. § 1613).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

503.6.1 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:

- (a) A search warrant has been obtained.
- (b) The officer 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 in obtaining a blood sample due to an accident investigation or medical treatment of the person. Officers shall consult with the District Attorney's Office to determine whether exigency exists.

503.6.2 AUTHORIZED FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw authorized by a search warrant or in cases deemed exigent by the District Attorney's Office, the officer 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 officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.
 - 1. 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) Ensure that the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:

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1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 2. In misdemeanor cases, if the arrestee 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.

If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

503.7 ARREST AND INVESTIGATION

503.7.1 ACCIDENTS

Officers having probable cause to believe that a person was involved in a DUI accident may request the results of a blood sample taken from a person who is transported to a hospital (75 Pa.C.S. § 3755).

503.7.2 ARRESTEE TESTING

If an arrestee makes a request for his/her own chemical testing, officers should make reasonable attempts to accommodate the request, when practicable. This may include giving the arrestee reasonable opportunity to arrange for a physician or other qualified person to administer a test. The chemical test given by the officer shall not be delayed by the person's attempt to obtain an additional test (75 Pa.C.S. § 1547).

503.8 RECORDS DIVISION RESPONSIBILITIES

The Records Administrator will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

503.9 ADMINISTRATIVE HEARINGS

The Records Administrator will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to PennDOT.

An officer called to testify at an administrative hearing should document the hearing date and the PennDOT 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.

Traffic and Parking Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding and dismissing traffic and parking citations.

504.2 POLICY

It is the policy of the Plum Borough Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic citation, parking citation, or written warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

A citation may be issued to persons who violate an ordinance related to traffic law the Department is empowered to enforce.

504.3 RESPONSIBILITIES

The Records Division shall be responsible for the supply and accounting of all traffic and parking citations issued to members of this department. Citations will be kept in a secure location and issued to members by the Records Division staff.

Members of the Plum Borough Police Department shall only use department-approved traffic and parking citation forms.

504.3.1 WRITTEN WARNINGS

Written warnings may be issued when the department member believes it is appropriate. The Records Division should maintain information relating to traffic stops in which a written warning is issued. Written warnings are retained by this department in accordance with the established records retention schedule.

504.4 TRAFFIC CITATIONS

504.4.1 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation shall be presented to a supervisor for approval. The citation and copies shall then be forwarded to the Records Division.

504.4.2 DISMISSAL

Should a member determine that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member may request the court to dismiss the citation during the court proceeding.

504.4.3 DISPOSITION

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the member's immediate supervisor for review by the end of each shift. The citation copies shall then be provided to the Records Administrator for proper processing.

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Traffic and Parking Citations

Upon separation from appointment or employment with this department, all members who were issued traffic citations shall return any unused citations to the Records Division.

504.4.4 CITING JUVENILES

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 a juvenile a citation. The citation shall note if the person is under 18 years of age, the contact information for the juvenile's parent or guardian, and whether the juvenile's parents were notified of the citation (Pa.R.Crim.P. 403).

504.5 TRAFFIC AND PARKING CITATION APPEALS

Traffic and parking citations may be appealed in accordance with local and state law (75 Pa.C.S. § 6109).

Disabled Vehicles

505.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for department members who provide assistance to motorists in disabled vehicles within the primary jurisdiction of the Plum Borough Police Department.

505.2 POLICY

It is the policy of the Plum Borough Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

505.3 RESPONSIBILITIES

When an on-duty member of this department sees a disabled vehicle on the roadway, the member should make a reasonable effort to provide assistance. If this is not reasonably possible, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another department member to respond as soon as practicable.

505.4 ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department members will be contingent on the time of day, the location, the availability of department resources and the vulnerability of the disabled motorist.

505.4.1 MECHANICAL REPAIRS

Department members shall not make mechanical repairs to a disabled vehicle. The changing or assisting in changing a flat tire shall not be considered a mechanical repair, however officers shall do so only after determining this can be done without risk of injury to the officer or vehicle owner/occupants.

505.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when it is safe and reasonable to do so without unnecessary risk or injury to the officer and the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

505.4.3 RELOCATION OF MOTORISTS

The relocation of a motorist with a disabled vehicle 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 department member may stay with the motorist or transport him/her to the police department to await pickup.

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 dispositions of criminal investigations.

600.2 POLICY

It is the policy of the Plum Borough Police Department 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 OFFICER RESPONSIBILITIES

An officer 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 officer shall:
 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 2. Determine whether 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 Shift Supervisor.
 4. Make reasonable attempts to locate and identify all available victims, complainants, witnesses and suspects, and conduct preliminary interviews as appropriate.
 - (a) Officers are reminded that interviews of sexual assault victims and children that are victims of physical or sexual assault shall not be conducted unless exigent circumstances exist (see [Procedures Manual: 403.3 REQUIRED RESPONSE](#), [Policy Manual: 313.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW](#) and [Policy Manual: 419.6 WITNESS IDENTIFICATION AND INTERVIEWS](#)).
 - (b) Officers shall verify and document the identity of all individuals they interview by viewing a state issued identification (e.g. driver's license, state issued photo ID, passport).
 5. Collect any evidence.
 6. Take any appropriate law enforcement action.

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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 and what other resources may be available, and advise the informant or complainant of this information.

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.

The *Miranda* warning should be given using the department-authorized form when practicable. Officers should read the warning statements directly from the form to avoid confusion or omissions. The suspect, the advising officer, and, when practicable, a witness should sign the form where indicated.

A suspect who exercises the suspect's right to legal counsel shall be provided with reasonable opportunity to contact an attorney. Any suspect who initially waives the right to silence and/or right to legal counsel may invoke those rights at any time during a custodial interrogation.

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 a member of Command Staff. 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, there is no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.

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- (b) 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.
- (c) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (d) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (e) Investigation has proved 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, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers 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 department. 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 department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department 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

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accessing the information and consult with legal counsel as necessary to identify any policy or 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. Officers shall seek legal counsel before any such interception.

600.8 IDENTITY THEFT

A report should be taken any time a person living within the jurisdiction of the Plum Borough Police Department reports that he/she has been a victim of identity theft. This includes:

- (a) Taking a report, even if the location of the crime is outside the jurisdiction of this department or has not been determined.
- (b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Department members should encourage the individual to review the material and should assist with any questions.

A report should also be taken if a person living outside department jurisdiction reports an identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in Plum Borough to facilitate the crime).

A member investigating a case of identity theft should ensure that the case is referred to the appropriate agency if it is determined that this department should not be the investigating agency (e.g., an identity theft ring working from out of state). The victim should be advised that the case is being transferred to the agency of jurisdiction. The appropriate entries should be made into any databases that have been authorized for department use and are specific to this type of investigation.

600.8.1 SOCIAL SECURITY NUMBERS

Offenses that involve the public posting or dissemination of an individual's Social Security number should be referred to the District Attorney and Attorney General (74 P.S. § 201 et seq.).

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600.8.2 OFFENSES INVOLVING MORE THAN ONE JURISDICTION

Offenses that involve more than one county or state should also be referred to the Attorney General (18 Pa.C.S. § 4120).

600.9 MODIFICATION OF CHARGES FILED

Any authorized request to modify the charges or to recommend dismissal or amending of charges shall be made to the prosecutor.

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 notifications 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 Title 18, Chapter 31 of the Pennsylvania Consolidated Statutes.

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 Plum Borough Police Department 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 SART members or other multidisciplinary investigative teams when applicable.

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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.

601.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to County 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/or 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 opinions 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 § 10451).

Victims shall be notified when biological evidence is submitted for testing or when biological evidence is submitted for DNA profile comparison (35 P.S. § 10172.5).

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. Members may consult with the Pennsylvania State Police (PSP) to ensure analysis of samples for trace amounts of any date rape drug (35 P.S. § 10172.3).

Subject to the 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 biological 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.

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In cases where victims have not provided consent to testing, the evidence must be preserved and stored for a period of no less than the statute of limitations, unless consent is provided before that period.

Victims shall be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.6.1 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence for reported and unreported assaults are required to (35 P.S. § 10172.3):

- (a) Take possession of sexual assault evidence, including sexual assault kits, within 72 hours of receiving notice from a medical facility that the evidence has been collected.
- (b) Within 15 days of receipt of written consent for testing from a victim or victim advocate, submit the evidence to an approved laboratory. If the laboratory is not a part of the Plum Borough Police Department, the evidence shall be forwarded with a certification indicating that:
 1. For reported cases, the evidence is being submitted by the Plum Borough Police Department in connection with a report of sexual assault.
 2. Testing of any evidence must be completed within six months of receipt by the laboratory.

Additional guidance regarding evidence retention and destruction is found in the Evidence Division Policy.

601.6.2 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of any DNA test results and the results of any DNA profile comparison as soon as reasonably practicable, unless disclosure would interfere with the ability to investigate and prosecute an offense. Where disclosure is delayed due to investigative or prosecutorial concerns, victims shall be provided with an estimated date of disclosure (35 P.S. § 10172.5).

For cases involving victims who do not wish to make a report or wish to remain anonymous, members should provide notice of DNA test results to victims who have provided contact information. The contact information for anonymous victims who request notification should not be used for any other purpose (35 P.S. § 10172.5).

A sexual assault counselor 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) (35 P.S. § 10172.5). 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 assault cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

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601.6.3 RECORDS OF BIOLOGICAL EVIDENCE SUBMISSION

The Investigations Division supervisor should ensure that a list is maintained of all sexual assault cases for which evidence has not been submitted to a laboratory for analysis and should facilitate cooperation with the Pennsylvania Department of Health (DOH) to ensure that all evidence awaiting testing is submitted in a timely fashion (35 P.S. § 10172.3).

The Investigations Division supervisor shall ensure that an annual list of all evidence that has been awaiting testing for more than 12 months is submitted to the DOH by Jan. 31 of each year (35 P.S. § 10172.3).

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 Investigations Division supervisor.

Classification of a sexual assault case as unfounded requires the Investigations 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 disposition is determined.

601.8 CASE REVIEW

The Investigations Division supervisor should ensure cases are reviewed on a periodic basis, at least annually. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

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 Investigations 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.

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- (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.
 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.

601.10.1 REQUIRED TRAINING

The Department shall provide members with initial training related to the Protection of Victims of Sexual Violence or Intimidation Act, including instruction concerning orders issued pursuant to this Act (42 Pa.C.S. § 62A04).

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 Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Plum Borough Police Department seizes property for forfeiture or when the Plum Borough Police Department 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 department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the appropriate prosecutor.

Property subject to forfeiture - Property that may include, depending on the facts, the following:

- (a) Property used as a container for controlled substances (42 Pa.C.S. § 5802)
- (b) Cars, trucks, boats, and planes used to transport or sell controlled substances (42 Pa.C.S. § 5802)
- (c) Money given or intended to be given in exchange for controlled substances (42 Pa.C.S. § 5802)
- (d) Real property used or intended to be used to facilitate the sale of controlled substances (42 Pa.C.S. § 5802)
- (e) Firearms used to facilitate a controlled substance offense (42 Pa.C.S. § 5802)
- (f) Assets related to terrorism (18 Pa.C.S. § 2717)
- (g) Property used to facilitate sexual assaults (18 Pa.C.S. § 3141)
- (h) Property used to make counterfeit music/movie recordings, or to manufacture counterfeit trademarked goods (18 Pa.C.S. § 4116; 18 Pa.C.S. § 4119)
- (i) Assets related to gambling (18 Pa.C.S. § 5513; 4 Pa.C.S. § 1518)
- (j) Electronic devices used to violate eavesdropping laws or theft of telecommunications services (18 Pa.C.S. § 5707; 18 Pa.C.S. § 910)
- (k) Vehicles and equipment used for illegal dumping (18 Pa.C.S. § 6501)
- (l) Tools and vehicles used to further a "chop shop" (18 Pa.C.S. § 7707)
- (m) Devices used for illegal fishing (30 Pa.C.S. § 927)

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- (n) Assets related to hazing (18 Pa.C.S. § 2807)
- (o) Assets related to human trafficking and involuntary servitude (18 Pa.C.S. § 3021)
- (p) Off-road vehicles in urban municipalities (75 Pa.C.S. § 3721)

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 Plum Borough Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations or any person's due process rights.

It is the policy of the Plum Borough Police Department 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 forfeitures.

602.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

602.3.1 PROPERTY SUBJECT TO SEIZURE

The following property may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (42 Pa.C.S. § 5803):

- (a) Property that may be seized under the authority of a court order
- (b) Property that can be legally seized incident to an arrest or the service of a search or inspection warrant
- (c) Property subject to forfeiture when there is probable cause to believe that the property is likely to be destroyed or removed if not seized, and the property can be legally accessed

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method. Real property shall only be seized by court order unless an immediate need to protect the public exists (42 Pa.C.S. § 5803).

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 appropriate prosecutor's current minimum forfeiture thresholds

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- (b) Property where the officer suspects the owner was not privy to the violation or did not consent to the violation (i.e., innocent owner) (42 Pa.C.S. § 5805)
- (c) Property that was not significantly related to the criminal activity
- (d) Property where the base offense involved only the possession of a small quantity of marijuana for personal use (42 Pa.C.S. § 5802)

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer 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 officer must leave the copy in the place where the property was found, if it is reasonable to do so (42 Pa.C.S. § 5803).
- (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.

The officer 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.

Officers 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 Division 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 (42 Pa.C.S. § 5803).
- (b) All property received for forfeiture is checked to determine whether 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.

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- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.
- (e) Forfeitable property is retained until such time as its use as evidence is no longer required.
- (f) Transferring property to the appropriate prosecutor after a forfeiture judgement has been made (42 Pa.C.S. § 5803).

602.6 FORFEITURE REVIEWER

The Chief of Police 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 Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the controlled substances forfeiture and terrorism forfeiture laws and the forfeiture policies of the appropriate prosecutor (42 Pa.C.S. § 5803; 42 Pa.C.S. § 5805).
- (b) Serving as the liaison between the Department and the appropriate prosecutor and ensuring prompt legal review of all seizures (42 Pa.C.S. § 5805).
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (e) Ensuring that seized property will not be referred to federal agencies for forfeiture under federal forfeiture laws as prohibited by 42 Pa.C.S. § 5807.1.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. 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 officers 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 (42 Pa.C.S. § 5803).

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- (g) Ensuring that officers 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 Special Orders. 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.
 - 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 officers.
 - 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement personnel and attorneys who may assist in these matters is available.
- (j) Ensuring that the Department disposes of property as provided by law following any forfeiture.

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 Borough financial directives.

602.7 DISPOSITION OF FORFEITED PROPERTY

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization

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to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Employees may not purchase forfeited property (42 Pa.C.S. § 5803).

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:

Buy/Expense Funds - Buy/expense funds are those monies allocated to purchase services, and evidence, and gather information. This may include the purchase of contraband, and/or services in a prostitution investigation, or payment to an informant for information.

Informant - A person who covertly interacts with other individuals or suspects at the direction or request of, or by agreement with, the Plum Borough Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Plum Borough Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

Source of Information - A person who provides information to the Plum Borough Police Department for no benefit (e.g., individual providing information for the good of the community).

603.2 POLICY

The Plum Borough Police Department 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 department that all funds for payments and expenditures related to informants will be routinely audited and that such payments and expenditures 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, an officer must receive approval from the Assistant Chief of Police or authorized designee. The officer 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 department 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

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- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) A member of Command Staff

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the appropriate informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be reviewed and approved by a member of the Investigations Division 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 Chief of Police, Command Staff, 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 police officers, employees or agents of the Plum Borough Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department 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 a member of Command Staff.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of a member of Command Staff.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, an anticipated action report shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

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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 Assistant Chief of Police, who will initiate a review to determine suitability. Until a determination has been made by the Assistant Chief of Police, the informant should not be used by any member. The Assistant Chief of Police shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The Assistant Chief of Police 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 an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department 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 officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

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 department members or the reliability of the informant.

Informant files shall be maintained in the designated secure area within the Department. 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 Chief of Police, Command Staff, Narcotics Division supervisor or their authorized designees.

The Command Staff 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.

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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 officer 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 Command Staff and recommend the type and level of payment, subject to approval by a member of the Attorney General's Office, when appropriate.

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603.6.1 PAYMENT PROCESS

Approved payments to an informant and expenditures in cash shall adhere to the following procedures:

- A. Buy/Expense funds:
 1. The buy/expense funds shall account for cash received, maintained, and disbursed. A buy/expense funds ledger shall identify the initial balance, cash received, cash disbursed, cash balance on hand, and the date of transaction.
 2. When buy/expense funds are returned, or not used in full, the same procedure for disbursing funds shall be used. Unused buy/expense funds shall be returned to the Narcotics Division supervisor. The buy/expense funds shall not be stored or maintained by anyone unless the Narcotics Division supervisor or the authorized designee grants prior approval. This does not include temporary possession prior to use. The buy/expense funds shall be secured at all times.
 3. The buy/expense funds records shall contain receipts for cash received and records or receipts required for cash expenditures.
 4. Payments of \$500 or less may be paid in cash from a Narcotics Division buy/expense fund and shall not be used without the approval of the Chief of Police or authorized designee.
 - (a) The Chief of Police or authorized designee 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 officer 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 the informant's actions in the case.
 4. Authorization signatures from the Chief of Police and the Borough Manager are required for disbursement of the funds.
- C. To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form. The cash transfer form shall include the following:
 1. Date
 2. Payment amount.
 3. Plum Borough Police Department case number.
 4. Date.
 5. A written statement that the informant is receiving funds in payment for information voluntarily rendered.
 6. The informant's signature.

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- (a) The cash transfer form will be kept in the informant's file.

The Narcotics Division supervisor or designee shall be responsible for the accepting or disbursing of cash from the buy/expense funds.

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 officers 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 ACCOUNTING OF BUY/EXPENSE FUNDS

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.

At least quarterly, the Command Staff or the authorized designee should conduct an accounting of all buy/expense funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, payment voucher forms, invoices, receipts and logs) will assist with the accounting process.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Definitions related to this policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification (also known as a show-up) - 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.

Photographic array (also known as a photo array) - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Plum Borough Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

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 Assistant Chief of Police 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 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.
- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all individuals present during the identification procedure.

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- (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 process is a photographic array or field identification/show-up, 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 PHOTOGRAPHIC 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 viewed 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.

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The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

Members conducting a photographic lineup shall consult with the Investigations Division prior to presenting the lineup to a witness or a victim.

604.7 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 array (e.g. a suspect is detained in the field based upon reasonable suspicion and within a reasonable amount of time following the offense).

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 photo array 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.
- (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 a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In

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such instances members should document the contact information for any additional witnesses for follow-up, if necessary.

604.8 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification shall 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.

Brady Information

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 Plum Borough Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Plum Borough Police Department 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 Plum Borough Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers 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 an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. This disclosure includes but is not limited to any information that would adversely affect the credibility of a witness or department member. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer 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 an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should contact the A.D.A for a legal opinion. Any such contact shall be documented in the records management system.

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605.4 BRADY PROCESS

The Chief of Police shall select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Command Staff or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the Borough Solicitor's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
 1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

605.5 DISCLOSURE OF REQUESTED INFORMATION

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information.
- (b) The prosecuting attorney or Borough Solicitor should be requested to file a motion in order to initiate an in-camera review by the court.
 1. If no motion is filed, the Chief of Police or authorized designee should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Chief of Police or authorized designee shall accompany all relevant personnel files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

605.6 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct,

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the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.7 SUBPOENA PROCESSING

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

605.8 TRAINING

Department personnel should receive periodic training on the requirements of this policy. Members are also encouraged to review *Brady v. Maryland* and *Giglio v. U.S.* 405 U.S. 150 (1972).

Warrant Service

606.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

606.2 POLICY

It is the policy of the Plum Borough Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

606.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

606.3.1 OPERATIONS DIRECTOR ROLE

The Plum Borough Police Department will designate two operations directors to oversee warrant service. Each Operations Director will have a specialized focus. While responsibilities may overlap, one Operations Director will concentrate on arrest warrants while the other will concentrate on search warrants.

In the event that an Operations Director is unavailable, a member of Command Staff or a Shift Supervisor will assist in these duties. However, an officer in charge (OIC) shall not be permitted to exercise these duties under any circumstance.

606.4 SEARCH WARRANTS

Officers should receive authorization from the Assistant Chief of Police before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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606.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

606.6 SEARCH WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime warrant execution.
- (b) A clear explanation of the affiant's training, experience and relevant education (i.e. officer's pedigree).
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched. Officers shall ensure they are detailed and specific in their descriptions of the exterior of a building or residence (e.g. color of the outside, building material description, number of entryway doors and direction they face, etc.).
- (g) A sufficient and as detailed as possible description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

606.7 HIGH-RISK WARRANT SERVICE

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the

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warrant will be served, including the number of officers deployed. However, this does not imply that a member Command Staff cannot override any decision made by an Operations Director.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place (i.e. search warrant inventory).
- (h) A copy of the search warrant is left at the location.

606.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant, the individual does not possess any evidence sought in the search warrant, and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

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606.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns of service, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

606.9.1 RECORD KEEPING

Plum Borough Police Department will maintain records relating to legal process activities and on attempts to serve legal process. Records that should be maintained include:

- (a) Legal process records, including:
 1. The type of legal process (criminal or civil) and the nature and source of the document (e.g., arrest warrant, involuntary commitment, Protection from Abuse (PFA) Order).
 2. The court docket number, warrant number or other identifying number and the names of the plaintiff/complainant or the defendant/respondent.
 3. The date of assignment to an officer for service and the name of the officer so assigned.
 4. The date the process was received by the Department and the date service is due or was actually served.
- (b) Execution or attempts at service records, including:
 1. The date and time of the execution or attempted service.
 2. The address of execution or attempted service.
 3. The name of the officers executing or attempting service and the method of service or reason for non-service.
 4. The name of the person on whom legal process was served.

606.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Plum Borough Police Department

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are utilized appropriately. Any concerns regarding the requested use of Plum Borough Police Department members should be brought to the attention of Command Staff. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, a member of Command Staff or the Shift Supervisor should assume this role.

If officers intend to serve a warrant outside Plum Borough Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Plum Borough Police Department when assisting outside agencies or serving a warrant outside Plum Borough Police Department jurisdiction.

606.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of Command Staff. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

606.12 TRAINING

The Command Staff should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

Operations Planning and Deconfliction

607.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction, and execution of high-risk operations and other pre-planned operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

607.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

607.2 POLICY

It is the policy of the Plum Borough Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

607.3 OPERATIONS DIRECTOR

The Chief of Police will designate members of this department to be the operations directors.

The operations directors will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations directors will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The directors will also have the responsibility for coordinating operations that are categorized as high risk.

607.3.1 OPERATIONS DIRECTOR ROLE

The Plum Borough Police Department will designate two operations directors to oversee warrant service. Each Operations Director will have a specialized focus. While responsibilities may overlap, one Operations Director will concentrate on arrest warrants while the other will concentrate on search warrants.

In the event that an Operations Director is unavailable, a member of Command Staff or a Shift Supervisor will assist in these duties. However, an officer in charge (OIC) shall not be permitted to exercise these duties under any circumstance.

607.4 RISK ASSESSMENT

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607.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation or pre-planned operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present, and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases, and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes but is not limited to:

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards, and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals, or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

607.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to the appropriate operations director.

The operations director shall confer with the shift supervisor and determine the level of risk. The shift supervisors shall take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

607.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

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- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 - 1. Special Weapons and Tactics Team (SWAT)
 - 2. Additional personnel
 - 3. Outside agency assistance
 - 4. Special equipment
 - 5. Medical personnel
 - 6. Persons trained in negotiation
 - 7. Additional surveillance
 - 8. Canines
 - 9. Evidence Division or analytical personnel to assist with cataloguing seizures
 - 10. Forensic specialists
 - 11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

607.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

When appropriate, the officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system (e.g. DANET) to determine if there is reported conflicting activity. This should occur as early in the process as practicable. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

607.6 OPERATIONS PLAN

The operations director shall ensure that a written operations plan is developed for all high-risk operations and other pre-planned operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives, and strategies.

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- (b) Operation location and people:
 - 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
 - 2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals, or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams, and other visual aids
 - 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
 - 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties, and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
 - 1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
 - 1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 - 2. How all participants will be identified as law enforcement.
 - 3. Wearing body armor.
- (e) Whether deconfliction submissions are current and all involved individuals, groups, and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals, and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety, and Animal Control policies.
- (k) Communications plan.
- (l) Responsibilities for writing, collecting, reviewing, and approving reports.

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607.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

607.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - (a) It is the responsibility of the operations director to ensure that County Dispatch is notified of the pertinent details of the operation as determined by the Operations Director.
 - (b) The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

607.8 SWAT PARTICIPATION

If the operations director determines that SWAT participation is appropriate, the director and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

607.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of Command Staff. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

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607.10 OPERATIONS DEBRIEFING

High-risk and pre-planned operations shall be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

607.11 TRAINING

The Command Staff should ensure officers who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or department-owned property is damaged or lost.

700.2 POLICY

Members of the Plum Borough Police Department shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be promptly reported and replaced. Members' personal property that becomes damaged during the performance of assigned duties is not eligible for reimbursement.

700.3 DEPARTMENT-ISSUED PROPERTY

All property and equipment issued by the Department shall be documented appropriately. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

700.3.1 CARE OF PROPERTY

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of department property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
 1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the Command Staff, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
 2. A review by command staff should determine whether additional action is appropriate.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by a supervisor or otherwise reasonable by circumstances, department 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) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authorization from Borough Council.

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- (e) Command Staff approval is required before any attempt to repair damaged or unserviceable property is made by a member.

700.4 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty requires prior written approval by a member of Command Staff. The member should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

The Department will not replace or repair personal items.

700.5 DAMAGE TO PROPERTY OF ANOTHER PERSON

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person while performing any law enforcement function shall promptly report the damage through his/her chain of command.

The supervisor receiving such a report shall conduct an investigation and direct a memo to Command Staff, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

A review of the incident by command staff to determine whether misconduct or negligence was involved should be completed.

700.5.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of Plum Borough or of another person while performing their duties within the jurisdiction of this department. It shall be the responsibility of the department member present or the member responsible for the property to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

The supervisor receiving such a report shall conduct an investigation and direct a memo to Command Staff, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.

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 Department 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 Plum Borough Police Department allows members to utilize department-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 Department, 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 the Pennsylvania Right-to-Know Law (RTKL).

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 Department 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 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by Command Staff. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

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Unless a member is expressly authorized by Command Staff for off-duty use of the PCD, the PCD will be docked in the designated charging station in the workplace at the completion of the tour of duty.

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 Department 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) The device should not be used for work-related purposes. 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 department business-related communication.
- (e) The device shall not be utilized to record or disclose any department 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 or appointment with the Department, without the express authorization of Command Staff.
- (f) Use of a personally owned PCD while at work or for work-related business may constitute consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, RTKL retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) In exigent circumstances if a member is required to use their personally owned PCD, all work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Plum Borough Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (b) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. Generally, PCDs

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should not be used as a complete substitute for, as a way to avoid, or in lieu of regular radio communications.

- (c) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of Command Staff, may result in discipline.
- (d) Members will not access social networking sites for any purpose that is not official department 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 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 - 2. Should a supervisor recognize a need to conduct an administrative search of any PCD, supervisors shall refer the matter to Command Staff.

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 department communications network.

701.9 USE WHILE DRIVING

Members shall not use a PCD to send text-based communications while operating a vehicle (75 Pa.C.S. § 3316).

The use of a PCD for telephone calls while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Members 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 or attempt to use a hands-free device.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.2 POLICY

The Plum Borough Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

702.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. An IssueTrak ticket shall be promptly completed by the member who becomes aware of the defective condition and submitted for action. The member shall also notate on the Vehicle Service Board when a vehicle is taken out of service and the reason for removal.

Documents describing the correction of the safety issue shall be promptly filed with the vehicle history.

702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking or prolonged high-speed operation/pursuits. When a vehicle is operated under severe-use conditions, the member shall submit a Report to Supervisor detailing the circumstances.

702.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair with an outside vendor.

702.5 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles (See Vehicle Equipment Inventory List).

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702.6 VEHICLE REFUELING

Patrol vehicles shall be refueled at the end of every shift unless the officer is engaged with a call for service.

702.7 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

Only one patrol vehicle should be at the car wash at a time unless otherwise approved by a supervisor. Vehicle interior compartments shall also be cleaned as necessary.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the Borough of Plum Borough to provide assigned take-home vehicles.

703.2 POLICY

The Plum Borough Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

The Shift Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster and in the Records Management System.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the Borough Public Works Department facility, an authorized outside repair vendor, or car wash.

703.3.3 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 on the daily log in the Records Management System (RMS).

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that contraband 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.

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All department 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.

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. 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). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.5 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If an MDT is not working the vehicle should be taken out service and the member shall notify Shift Supervisor. Use of the MDT is governed by the MDT Policy.

703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, 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.

Members shall not make any unauthorized modifications to the system. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available and notify their supervisor.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.7 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.

703.3.8 AUTHORIZED PASSENGERS

Unless otherwise authorized, members operating department vehicles shall not permit persons other than Borough personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized (e.g. courtesy transports), to ride as passengers in the vehicle, except as stated in the Ride-Along Program Policy.

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703.3.9 IMPAIRMENT (ALCOHOL & SUBSTANCES)

Members who have consumed alcohol or have taken substances that impair their ability to operate a vehicle (including prescription medications) are prohibited from operating any department 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.

703.3.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking and traffic regulations at all times.

Department vehicles shall be backed into their assigned spaces. Members shall not park privately owned vehicles in areas assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from a member of Command Staff or authorized designee.

703.3.12 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, siren, or any emergency equipment on any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Command Staff. 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.

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 department members at the discretion of the Command Staff.

703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of Command Staff and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.

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- (c) The vehicle will be locked when not attended.
- (d) All firearms, weapons and control devices will be properly secured.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the nature of the member's duties, job description and essential functions; and the member's employment or appointment status.

Unless otherwise authorized, criteria for use of take-home vehicles include the following:

- (a) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (b) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Command Staff and there is a high probability that the member will be called back to duty.
 - 2. 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.
 - 3. When the member has received permission from the Command Staff.
 - 4. When the vehicle is being used by on-call investigators.
- (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 should 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, equipment charging).
 - 2. All weapons shall be secured while the vehicle is unattended.
 - 3. All department identification, portable radios and equipment shall be secured.
- (f) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department, when a member will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (g) The member is responsible for ensuring the vehicle is maintained, fueled and cleaned by Borough authorized personnel or businesses.

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703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Plum Borough Police Department or while off-duty, an officer 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).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Unless otherwise authorized, officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. 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 documented inspections of their assigned vehicles for service/maintenance requirements and damage at the beginning and end of shift. Damage shall be immediately reported through the chain of command to a member of Command Staff.
- (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) The Department shall be notified of problems with the vehicle using the appropriate method. If the vehicle is inoperable the member shall coordinate with a supervisor to ensure all of the proper steps are taken to remove the vehicle from service (e.g. documentation, marking the service board, attaching a tag to the keys).
- (d) All weapons, MDT, and fuel card shall be removed from any vehicle left for maintenance.
- (e) Supervisors shall make, at a minimum, documented quarterly inspections of vehicle's interior, exterior, and equipment assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 UNMARKED VEHICLES

Unmarked vehicles use by members of the patrol division requires the approval of a supervisor. This provision does not apply to vehicles designated as Traffic Safety Units.

703.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. A PennDOT Crash Report shall be filed with the agency having jurisdiction (see the Traffic Accidents Policy). Additionally, all damage shall be photographed and forwarded to Command Staff.

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Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered and documented in a Report To Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the Borough for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, a member of Command Staff within five working days explaining the circumstances.

703.8 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity.

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

This policy provides guidelines for utilizing crime analysis to support the overall law enforcement efforts of the Plum Borough Police Department. It addresses the collection and dissemination of crime analysis data that is useful to long-range planning and that can assist in identifying enforcement priorities, strategies and tactics.

800.2 POLICY

It is the policy of the Plum Borough Police Department to utilize crime analysis as a tool in crime control and prevention efforts. This entails gathering, analyzing and correlating data to effectively deploy the resources of this department.

800.3 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports.
- Field contacts.
- Parole and probation records.
- Activity records from County Dispatch.
- Pennsylvania Uniform Crime Reporting System.
- Commonwealth Law Enforcement Assistance Network (CLEAN).
- Pennsylvania Criminal Intelligence Center (PaCIC).
- Pennsylvania Commission on Crime and Delinquency dashboard system.

800.4 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

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Crime Analysis

800.5 CRIME ANALYSIS DISSEMINATION

Information developed through crime analysis should be disseminated to the appropriate divisions or members on a timely basis. Information that is relevant to the operational or tactical plans of specific line members should be sent directly to them. Information relevant to the development of department strategic plans should be provided to the appropriate command staff members.

When information pertains to tactical and strategic plans, it should be provided to all affected members.

800.6 REQUIRED REPORTS TO THE PENNSYLVANIA STATE POLICE

The Plum Borough Police Department shall provide monthly and annual statistical reports to the Pennsylvania State Police as required in 18 P.S. § 20.101 et seq.

Evidence Division

801.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

801.1.1 DEFINITIONS

Definitions related to this policy include:

Property - All articles placed in secure storage within the Evidence Division, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping - Items received by the Department for safekeeping, such as a firearm, the personal property of an arrestee that has not been taken as evidence and items taken for safekeeping under authority of law.

801.2 POLICY

It is the policy of the Plum Borough Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

801.3 EVIDENCE DIVISION SECURITY

The Evidence Division shall maintain secure storage and control of all property in the custody of this department. An evidence officer shall be appointed by and will be directly responsible to a member of Command Staff or the authorized designee. The evidence officer is responsible for the security of the Evidence Division.

The Command Staff shall establish and implement a record system to reflect the location and status for all evidence and recovered property held by the agency.

801.3.1 REFUSAL OF PROPERTY

The evidence officer has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the evidence officer refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into the Evidence Division.

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801.3.2 ACCESS CONTROL

Evidence Division keys/fobs should be maintained by the evidence officer and members assigned to the Evidence Division. Evidence Division keys/fobs shall not be loaned to anyone and shall be maintained in a secure manner. If an Evidence Division key/fob is lost, the Chief of Police shall be notified immediately and all access points shall be re-keyed/programmed and new keys/fobs issued as necessary.

801.3.3 ACCESS

Only authorized members assigned to the Evidence Division shall have access to property storage areas. Any individual who needs to enter a property storage area (e.g. maintenance or repair contractors) must be approved by the Command Staff and accompanied at all times by the evidence officer. Each individual must sign the Evidence Division access log and indicate:

- (a) The date and time of entry and exit.
- (b) The purpose for access.

Each access log entry shall be initialed by the accompanying department member.

801.4 PROPERTY HANDLING

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is transferred to the evidence officer and/or processed and placed in a temporary property locker or storage area. Care shall be taken to maintain the chain of custody for all items of evidence.

Whenever property is taken from an individual, a property receipt form will be completed. The receipt shall describe the property. A copy of the property receipt form shall be given to the individual from whom the property was taken.

801.4.1 PROCESSING AND PACKAGING

All property must be processed by the responsible member prior to the member going off-duty. Members shall process and package property as outlined in the [EVIDENCE/PROPERTY PROCEDURE](#).

801.4.2 EXCEPTIONAL PROCESSING

The following items require special consideration and shall be processed as follows, unless special conditions dictate a reasonable deviation:

Bicycles - Bicycles and bicycle frames shall have a property tag securely attached and should be placed in the bicycle storage area.

Biological and related items - Evidence that may contain biological samples shall be indicated as such on the property form.

Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying cabinet) prior to processing.

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Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property form.

Items that are potential biohazards shall be appropriately packaged and marked "Biohazard" to reduce the risk of exposure or contamination.

Cash - Cash shall be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. Each denomination of U.S. Currency and amount of that denomination shall be recorded on the property evidence envelope. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope, and specify any additional security procedures that may be necessary.

Explosives and fireworks - Explosives will not be retained in the police facility. Fireworks that are considered stable and safe, as well as road flares or similar signaling devices, may be stored in proper containers in an area designated for storage of flammable materials.

The evidence officer is responsible for transporting to the fire department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

Firearms and other weapons - Firearms shall be unloaded, zip-tied and packaged with ammunition, the packaging shall be marked with red ink "weapon cleared" and initialed by the member. It should be noted that separately packed ammunition and magazines may be included within the same package as the firearm. Sharps tubes should be used to package knives.

Government property - License plates that have not been reported stolen or are of no evidentiary value should be placed in the designated container for return to the Pennsylvania Department of Transportation (PennDOT). No formal property processing is required.

Borough property that is of no evidentiary value should be released directly to the appropriate Borough department. No formal property processing is required.

If no responsible Borough personnel can be located, the property should be held for safekeeping.

Jewelry, gemstones, and precious metals - Jewelry, gemstones, and precious metals with an estimated value over \$2000 shall be packaged in the presence of another member.

Sharps - Syringe tubes should be used to package evidentiary syringes and needles that will be submitted to the crime lab for processing. Non-evidentiary syringes and needles can be photographed and properly disposed of in a sharps container.

801.4.3 CONTROLLED SUBSTANCES AND DANGEROUS DRUGS

- (a) Controlled substances and dangerous drugs shall not be packaged with other property.
- (b) The member processing controlled substances and dangerous drugs shall retain such property in his/her possession until it is weighed, packaged, tagged and placed in the designated controlled substances and dangerous drugs locker, accompanied by the printout of the evidence submittal form and submitted through SharePoint.

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- (c) The member shall package controlled substances and dangerous drugs as follows:
 - 1. Maintain the property in the container in which it was seized and place it in a property envelope of appropriate size.
 - 2. Seal the property envelope with evidence tape and sign and date diagonally across the evidence tape, also entering the officer's badge number below the signature.
- (d) When the quantity of controlled substances and dangerous drugs exceeds the available safe storage capacity as determined by the evidence officer, the quantity shall be photographed and weighed. In cases where the quantity may exceed department storage capacity, outside agencies (e.g. Allegheny County Crime Lab, PA State Police Crime Lab, Pennsylvania Office of Attorney General or the Allegheny County District Attorney Office) shall be contacted. The transport/transfer of any property to an outside agency requires prior approval from a member of Command Staff and shall be thoroughly documented per agency policy and procedure (See [PROPERTY CONTROL](#)).

801.5 RECORDING OF PROPERTY

The evidence officer receiving custody of property shall ensure all property is properly packaged and a property control card for each item or group of items is created. The property module entry will be the permanent record of the property in the Evidence Division. The evidence officer will record the date and time the property was received and where the property will be stored in the property module.

A unique property number shall be obtained for each item or group of items from the property and evidence module. The entry into the property and evidence module shall document the following:

- (a) Property number
- (b) Incident number
- (c) Item description
- (d) Item storage location
- (e) Receipt, release and disposal dates

Any change in the location of property held by the Plum Borough Police Department shall be noted in the property and evidence module.

801.6 PROPERTY CONTROL

The evidence officer temporarily relinquishing custody of property to another person shall record in the property and evidence module, the date and time the property was released, the name of the person accepting custody of the property and the reason for release.

Any member receiving property shall be responsible for such property until it is returned to the Evidence Division or released to another authorized person or entity.

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The return of the property to the Evidence Division should be recorded in the property and evidence module, indicating the date, the time, and the name of the person who returned the property and the name of the evidence officer to whom the property was returned.

801.6.1 EVIDENCE

Every time evidence is released or received, an appropriate entry in the property and evidence module shall be completed by the evidence officer to maintain the chain of custody.

The temporary release of evidence to members for investigative purposes or for court proceedings shall be noted in the property and evidence module by the evidence officer, stating the date, time, and to whom it was released. Requests for items of evidence needed for investigative or court proceedings shall be submitted to the evidence officer via the Evidence Pull Request Form as soon as the officer is aware that the evidence needs to be pulled.

Requests for laboratory analysis shall be completed on the appropriate lab form and a copy shall be attached to the Evidence Pull Request form.

801.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The evidence officer releasing items of evidence for laboratory analysis must complete the required information on the evidence custody log. The transporting member will acknowledge receipt of the evidence by indicating the date and time on the evidence custody log. The lab forms will be electronically submitted by the officer prior to the evidence being transported to the examining laboratory. Upon delivering the item, the member will record the delivery time in the property module, and will obtain the name of the person accepting responsibility for the evidence.

801.6.3 CONTROLLED SUBSTANCES AND DANGEROUS DRUGS

The Evidence Division will be responsible for the storage, control and destruction of all controlled substances and dangerous drugs coming into the custody of this department.

801.6.4 UNCLAIMED MONEY

The evidence officer shall submit an annual report, or more frequently as directed, regarding money that is presumed to have been abandoned to the Chief of Police and the District Attorney's Office. The evidence officer may process such money in compliance with existing laws upon receipt of proper authorization from the Chief of Police and the District Attorney's Office.

801.7 RELEASE OF PROPERTY

The Evidence Division shall authorize the release of all property coming into the care and custody of the Department.

Release of property shall be made upon receipt of an Evidence Pull Request, listing the name and address of the person to whom the property is to be released. A separate Evidence Pull Request Form shall be completed for each item of property. The Evidence Pull Request Forms shall be submitted to the Evidence Division who will process the form and create the Property Release Form which will require a signature from the person receiving the property. Once complete,

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documentation will be made in the RMS and the signed form will be scanned into the property record.

Firearms or ammunition shall only be released upon presentation of valid identification, member verification of the individual through the Pennsylvania Instant Check System (PICS) and verification of any required documents (e.g. court order) showing that the individual may legally possess the item.

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping.

Found property and property held for safekeeping shall be retained for the period of time required by law. During such period, Evidence Division members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be fully documented in the property module.

An evidence officer shall release such property when the owner presents proper identification and the Evidence Pull Request Form has been received. The signature of the person receiving the property shall be recorded on the Property Release Form.

801.7.1 DISCREPANCIES

The Shift Supervisor shall be notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The Shift Supervisor will interview the person claiming the shortage. The Shift Supervisor shall immediately notify Command Staff who will ensure that a search for the alleged missing items is completed and shall attempt to prove or disprove the claim.

801.7.2 DISPUTED CLAIMS TO PROPERTY

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

801.7.3 PROPERTY ACQUIRED THROUGH CIVIL PROCESS FUNCTION

Property acquired through the exercise of civil process may only be disposed of pursuant to legal authority.

801.8 DESTRUCTION OR DISPOSAL OF PROPERTY

A member of Command Staff shall approve the destruction or disposal of all property held by this department.

All property not held for evidence in a pending criminal investigation or proceeding may be destroyed or disposed of in compliance with existing laws upon receipt of proper authorization from a member of Command Staff or an authorized designee. The disposition of all property shall be entered into the property module.

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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:

- Weapons or devices declared by law to be illegal to possess
- Controlled substances or dangerous drugs declared by law to be illegal to possess without a legal prescription

801.8.1 BIOLOGICAL EVIDENCE

The evidence officer shall ensure that no biological evidence held by this department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim
- (e) The Command Staff

Biological evidence shall be retained for a minimum period established by law or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice, unless a motion seeking an order to retain the sample is filed and served on this department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the designated member of Command Staff.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of a member of Command Staff and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the designated member of Command Staff should be consulted and the sexual assault victim should be notified.

801.8.2 REQUEST FOR NOTICE

Upon written request by a victim of sexual assault, the Chief of Police should notify the victim at least 60 days before the date of intended disposal of biological evidence relating to the victim's case (35 P.S. § 10172.5).

801.8.3 MARIJUANA

At the first sign of mold growth, stored marijuana shall be photographed showing the mold growth. As soon as practicable, the evidence officer shall make efforts to lawfully destroy the contaminated marijuana, in compliance with this policy. The evidence officer should consult with the member

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assigned to the case investigation for authorization to destroy the remaining marijuana, after taking representative samples, and should request assistance from the appropriate prosecutor in obtaining a court order for immediate destruction.

801.9 RELINQUISHED FIREARMS

Relinquished firearms shall be stored, transferred, and returned in accordance with this policy and state law (18 Pa.C.S. § 6105; 18 Pa.C.S. § 6105.2; 23 Pa.C.S. § 6108).

801.9.1 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 any state law.

Firearms relinquished under a protection from abuse order shall be returned pursuant to the requirements set forth in 23 Pa.C.S. § 6108.1, including providing notice to the person who was the plaintiff in the protection from abuse order. The following conditions must be satisfied prior to the firearms, other weapons, or ammunition being returned to the defendant:

- (a) Firearms, other weapons, or ammunition relinquished must not be evidence of a crime.
- (b) Defendant or owner must not be otherwise prohibited by applicable federal or state law or other condition, including but not limited to bail, from taking possession of the firearms, other weapons, or ammunition seized.
- (c) Defendant or owner must have been given a clearance by Pennsylvania Instant Check System (PICS) or through the National Instant Criminal Background Check System (NICS), requested by the Department.

Firearms, weapons, or ammunition determined to be abandoned shall be disposed of according to the requirements contained in 18 Pa.C.S. § 6128(a). These items shall not be disposed of without providing notice to the owner (18 Pa.C.S. § 6128).

801.10 INSPECTION OF THE EVIDENCE DIVISION

Unannounced inspections of the Evidence Division operations and storage facilities shall be conducted at least once per year as directed by the Chief of Police to ensure adherence to appropriate policies and procedures. Annually, the evidence officer shall conduct an inspection to determine adherence to procedures used for the control of evidence and property.

An audit shall be conducted annually or as directed by the Chief of Police. The audit should include a compliance to protocol element. Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the Evidence Division operations in conjunction with a evidence officer.

Whenever there is a change of assignment for any member with authorized access to the Evidence Division, an inventory of all property shall be conducted by a person who is not associated with the Evidence Division or its function, as assigned by the Chief of Police and the incoming Evidence Division member. This is to ensure that all property is accounted for and the records are correct.

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Any reasonable belief that the integrity of the Evidence Division, or property being held, has been compromised, including irregularities, incompetence, or malfeasance relating to property, warrants an audit by persons not routinely or directly connected with the Evidence Division operations, as assigned by the Chief of Police. This audit shall be conducted in compliance with the Pennsylvania Law Enforcement Accreditation Commission (PLEAC) Evidence Irregularity Audit Table.

801.10.1 ADDITIONAL ACCREDITATION REQUIREMENTS

Evidence Division audits conducted annually or as directed by the Chief of Police shall be in accordance with the routine column of the Pennsylvania Law Enforcement Accreditation Commission (PLEAC) audit/inventory table.

Audits related to the integrity of the Evidence Division shall be conducted in compliance with the irregularity column of the PLEAC audit/inventory table.

Inventories related to the change of member assigned access to the Evidence Division shall be in accordance with the routine column of the PLEAC audit/inventory table.

801.11 PROPERTY RETENTION/DESTRUCTION

Non-evidentiary items that may be destroyed immediately include:

- Food items
- Beverages/alcoholic beverages
- Perishable items

If any item, including those listed above, may provide evidentiary value, the item shall be processed in the appropriate manner (e.g. photographed, submitted for laboratory testing).

801.11.1 RETENTION/DESTRUCTION SCHEDULE

The Plum Borough Police Department shall process property destruction in the following manner:

Tier 1: 60-Day Retention

- The following items that are not claimed within 60 days may be marked for destruction.

Bicycles, clothing items, keys, toys, tools, cell phones, iPads.

Tier 2: 90-Day Retention

- The following items that are not claimed within 90 days may be marked for destruction.

Jewelry, money, credit cards/debit cards, ID cards, wallets.

Tier 3: 1-Year Retention

- The following items that are not claimed within one (1) year may be marked for destruction.

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Weapons seized as a result of a PFA that has been expired for over one (1) year. The department shall complete due diligence and properly document their attempts to notify the owner. It should be noted that the one-year time frame begins AFTER the expiration of the PFA. At the conclusion of the one (1) year timeframe, the department shall seek approval for destruction through the Allegheny County District Attorney's Office.

Tier 4: 6-Year Retention

- Firearms that are seized from repossessed vehicles shall be held for six (6) years. At the conclusion of the six (6) years, the department shall seek approval for destruction through the Allegheny County District Attorney's Office.
- Firearms that are held as a result of a criminal case shall be held for six (6) years. At the conclusion of the six (6) years, the department shall seek approval for destruction through the Allegheny County District Attorney's Office.

Records Division

802.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Plum Borough Police Department Records Division. The policy addresses department file access and internal requests for case reports.

802.2 POLICY

It is the policy of the Plum Borough Police Department to maintain department records securely, accurately, professionally and efficiently.

802.3 RESPONSIBILITIES

802.3.1 RECORDS ADMINISTRATOR

The Chief of Police shall appoint and delegate certain responsibilities to a Records Administrator. The Records Administrator shall be directly responsible to the Administration Command Staff or the authorized designee.

The responsibilities of the Records Administrator include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Division.
- (b) Scheduling and maintaining Records Division time records.
- (c) Supervising, training, and evaluating Records Division staff.
- (d) Ensuring compliance with established policies and procedures.
- (e) Supervising the access, use, and release of protected information (see the Protected Information Policy).
 1. Coordinating with the assigned protected information department member to facilitate the dissemination of criminal history investigative information that may qualify for release to an authorized recipient as required by 18 Pa.C.S. § 9158.1 et seq.
- (f) 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 department members or public officials
 3. Any case where restricted access is prudent

802.3.2 RECORDS DIVISION

Records Division includes both the Records Administrator as well as an Executive Assistant. All members assigned to the Records Division are directly responsible to the Assistant Chief of Police or the authorized designee.

The responsibilities of the Records Division include, but are not limited to:

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- (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.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department 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) Ensure that expungements are processed correctly and in a timely fashion.

802.4 FILE ACCESS AND SECURITY

The security of files in the Records Division must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Division, accessible only by authorized members of the Records Division. Access to case reports or files when Records Division staff is not available may be obtained through the Command Staff.

The Command Staff will also maintain a secure file for case reports deemed as sensitive or otherwise requiring extraordinary access restrictions.

The Department shall also ensure that juvenile files are securely stored in a locked cabinet, separately from adult arrest files and access to these files is restricted to authorized personnel. Juvenile records and files shall not be released to the public unless the release is authorized by law.

802.4.1 ORIGINAL CASE REPORTS

Original case reports shall not be removed from the Records Division. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Command Staff.

When authorization is granted by Command Staff any original case reports to be removed from the Records Division shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Division. The photocopied report shall be shredded upon return of the original report to the file.

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802.5 CONFIDENTIALITY

Records Division staff has access to information that may be confidential or sensitive in nature. Records Division 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 Records Division procedure manual.

Records Division staff shall not discuss any information learned through the course of their job with any unauthorized individuals (e.g. family members, friends, uninvolved department members, media or elected officials).

Records Maintenance and Release

803.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

803.2 POLICY

The Plum Borough Police Department is committed to providing public access to records in a manner that is consistent with the Pennsylvania Right-to-Know Law (RTKL) (65 P.S. § 67.101 et seq.).

803.3 OPEN-RECORDS OFFICER

The Chief of Police shall designate an Open-Records Officer. The responsibilities of the Open-Records Officer include but are not limited to (65 P.S. § 67.502):

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including (65 P.S. § 67.507):
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying the department division responsible for the original record.
- (c) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (d) Ensuring the availability of a current schedule of fees for public records as allowed by law (65 P.S. § 67.1307).
- (e) Ensuring the availability of forms to be used for public records requests (65 P.S. § 67.505).
 1. Forms shall not limit the number of records an individual may request or review, or require the requester to state the reason or purpose for the request.
- (f) Directing requests for public records to other appropriate persons within the Department or persons in another agency, tracking the progress of the Department in responding to requests, and issuing interim and final responses under the RTKL.
- (g) Preparing if available, a description of the regulations, policies, and procedures of the Department, contact information for the Open-Records Officer, contact information for the applicable appeals officer, and a form that may be used to file a request for records (65 P.S. § 67.504).

803.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Open-Records Officer or the authorized designee (65 P.S. § 67.703).

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803.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

- (a) Public record requests should be in writing (65 P.S. § 67.703).
 - 1. The written request should identify or describe the records sought with sufficient specificity to ascertain which records are being requested.
- (b) The date of receipt and the date when a response is required shall be noted on a written request (65 P.S. § 67.502).
- (c) Record requests shall be responded to within five business days from the date of receipt. If a response is not sent within five business days, the request shall be deemed denied. Extensions of time to respond shall be handled as follows (65 P.S. § 67.901; 65 P.S. § 67.902):
 - 1. If it is determined additional time is needed to respond to the request due to a factor described in 65 P.S. § 67.902, the Open-Records Officer shall send a written notice to the requester within five business days of receipt of the request and include a statement that the request for access is being reviewed, the reason for the review, a reasonable date that a response is expected to be provided, and an estimate of applicable fees owed when the records become available.
 - 2. If the date a response is expected to be provided is in excess of 30 calendar days, following the five business days of receipt of request, the request is deemed denied, unless the requester has agreed in writing to an extension to the date specified in the notice.
 - 3. If the requester agrees to an extension, the request shall be deemed denied on the day following the date specified in the notice if the Department has not provided a response by that date.
- (d) The Department is not required to create records that do not exist or to compile, maintain, format, or organize a record in a manner in which the Department does not currently do so (65 P.S. § 67.705).
- (e) 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 (65 P.S. § 67.706).
 - 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 department-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.
- (f) A record provided to a requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists (65 P.S. § 67.701).
- (g) Records may be made available through any publicly accessible electronic means. If the requester is unwilling or unable to access the record electronically, the requester may, within 30 days following receipt of the department notification, request to have

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the record converted to paper. The Department shall provide access in printed form within five days of the receipt of the written request for conversion to paper (65 P.S. § 67.704).

- (h) Upon request from the requester, a certified copy of the record may be provided with payment of the applicable fees (65 P.S. § 67.904).
- (i) If the requester requests a record provided to the Department by a third party, the third party shall be notified as required by 65 P.S. § 67.707.
- (j) The Open-Records Officer shall maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled. If the request is denied, the request shall be maintained for 30 days or if an appeal is filed, until a final determination is issued or the appeal is deemed denied (65 P.S. § 67.502).
- (k) If the Department response to a requester states that copies of the requested records are available at the Department and the requester fails to retrieve the records within 60 days of the response, the Department may dispose of any copies that have not been retrieved and retain any fees paid to date (65 P.S. § 67.905).

803.4.2 DENIALS

The denial of a request for records, whether in whole or in part, shall be in writing and include the following (65 P.S. § 67.903):

- (a) A description of the record requested
- (b) The specific reasons for the denial, including a citation of supporting legal authority
- (c) The name, title, business address, business telephone number and signature of the Open-Records Officer
- (d) Date of the response
- (e) The procedure to appeal the denial
 - 1. If a record is being denied as it relates to a criminal investigation under 65 P.S. § 67.708(b)(16), the requester shall be directed to file an appeal to the local District Attorney's Office (65 P.S. § 67.503).

Access to a public record may not be denied to a requester due to the intended use of the public record unless provided by law (65 P.S. § 67.302).

A record request may be denied if the requester has made repeated requests for the same record and the repeated requests have placed an unreasonable burden on the Department. The denial shall not restrict the ability of the requester to request a different record (65 P.S. § 67.506).

803.5 RELEASE RESTRICTIONS

Examples of release restrictions include (65 P.S. § 67.708):

- (a) Any 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's license record, motor

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vehicle record, or any department record, including traffic crash reports, is restricted except as authorized by the Department, 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).

- (b) Member or other individual medical records or information.
- (c) Personal identification information, including all or part of a Social Security number; driver's license number; personal financial information; home, cellular, or personal telephone numbers; personal email address; member number; or other confidential identification number.
- (d) Information or records that contain a spouse's name, the member's marital status, or beneficiary or dependent information.
- (e) Home addresses of officers.
- (f) Records or other materials that contain identifying information relating to a member performing an undercover or covert law enforcement activity.
- (g) Certain personnel records and information, including letters of reference or recommendation pertaining to the character or qualifications of an identifiable member; member performance ratings or reviews; written criticisms of a member; grievance material, including documents related to discrimination or sexual harassment; and information regarding discipline, demotion, or discharge contained in a personnel file.
- (h) Records pertaining to strategy or negotiations relating to labor relations or collective bargaining and related arbitration proceedings.
- (i) Drafts of resolutions, regulations, statements of policy, management directives, ordinances, or amendments prepared by or for the Department.
- (j) Records relating to or resulting in a criminal investigation, including investigative materials, notes, correspondence, videos, and reports, as well as records that identify a confidential source or the identity of a suspect who has not been charged with an offense and to whom confidentiality has been promised.
- (k) Records that include information made confidential by law or court order.
- (l) Victim information, including any information that would jeopardize the safety of the victim.
- (m) Juvenile information and records unless release is authorized by the exceptions listed in 42 Pa.C.S. § 6308.
- (n) Records that if disclosed would reveal the institution, progress, or result of a criminal investigation, except the filing of criminal charges; deprive a person of the right to a fair trial or an impartial adjudication; impair the ability to locate a defendant or codefendant; hinder the department's ability to secure an arrest, prosecution, or conviction; or endanger the life or physical safety of an individual.
- (o) Records of the Department relating to a noncriminal investigation, including complaints submitted to the Department; investigative materials, notes, correspondence, and

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- reports; and records identifying a confidential source, including those subject to the Whistleblower Law.
- (p) Records or parts of records, except time response logs, pertaining to audio recordings, telephone, or radio transmissions received by emergency dispatch personnel, including 9-1-1 recordings.
 - (q) DNA or RNA records.
 - (r) Autopsy records, including audiotapes, videotapes, and photographs.
 - (s) Certain types of reports and information involving but not limited to child abuse and adult abuse (23 Pa.C.S. § 6340; 35 P.S. § 10210.505; 35 P.S. § 10225.705).
 - (t) An emergency vehicle response policy adopted by the Department (75 Pa.C.S. § 6342).
 - (u) Information provided by applicants for a license to carry firearms (18 Pa.C.S. § 6111(i)).
 - (v) Records where disclosure would result in the loss of federal or state funds.
 - (w) Records that would be reasonably likely to result in a substantial and demonstrable risk of physical harm to or the personal security of an individual.
 - (x) A record maintained by the Department in connection with the military, homeland security, national defense, law enforcement, or other public safety activity that, if disclosed, would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection activity, or a record that is designated classified by an appropriate federal or state military authority.
 - (y) A record that, if disclosed, would be reasonably likely to endanger the safety or the physical security of a building, public utility, resource, infrastructure, facility, or information storage system.
 - (z) A record regarding computer hardware, software, and networks, including administrative or technical records, that, if disclosed, would be reasonably likely to jeopardize computer security.
 - (aa) Identifying information of a patient or caregiver under the Medical Marijuana Act (35 P.S. § 10231.302).
 - (ab) Records that would indicate firearms or other weapons or ammunition are in department possession as a result of relinquishment (18 Pa.C.S. § 6128).

803.5.1 DISCRETION

The Command Staff may exercise discretion to make any otherwise exempt record accessible for inspection and copying if all the following apply (65 P.S. § 67.506):

- (a) Disclosure of the record is not prohibited under any of the following:
 1. Federal or state law or regulation.
 2. Judicial order or decree.
- (b) The record is not protected by a privilege.

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- (c) The Chief of Police determines that the public interest favoring access outweighs any interest that may favor restriction of access.

803.5.2 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio or video recordings made by members shall be processed by the Open-Records Officer as follows (42 Pa.C.S. § 67A03; 42 Pa.C.S. § 67A04):

- (a) Requests shall be made in writing within 60 days of the date that the recording was made and shall describe the incident recorded as well as the date, time, and location of the incident.
- (b) The person making the request shall identify his/her relationship to the incident.

Release of an audio or video recording made in a courtroom is prohibited without the express written approval of the president judge of the court (201 Pa. Code Rule 1910).

803.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Open-Records Officer for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, Borough Solicitor or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

803.7 VIDEO DISSEMINATION LOG

Any video records disseminated shall be recorded on the dissemination log documenting what was released, and to whom it was provided.

803.8 SECURITY BREACHES

Members who become aware that any Plum Borough Police Department system containing personal information may have been breached should notify the Command Staff as soon as practicable.

The Command Staff shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (73 P.S. § 2303). Notice shall be in the form and manner specified in 73 P.S. § 2302.

Notice shall be given as soon as reasonably practicable, consistent with any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the data system (73 P.S. § 2303). Notice may be delayed if notification will impede a criminal or civil investigation (73 P.S. § 2304).

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If notification is required to more than 1,000 residents at one time, notice of the timing, distribution and number of notices sent as a result of the breach shall be provided to all consumer-reporting agencies as specified in 73 P.S. § 2305.

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with and linked to any one or more of the following (73 P.S. § 2302):

- (a) Social Security number
- (b) Driver's license number or Pennsylvania identification card number
- (c) Full account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account
- (d) Any information regarding a person's medical information.
- (e) Any information regarding a person's health insurance information.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Records Administrator should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

803.9 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Records Administrator. The Records Administrator shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once a record is expunged, members shall respond to any inquiry as though the record did not exist.

Protected Information

804.1 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 Plum Borough Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

804.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Plum Borough Police Department 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.

804.2 POLICY

Members of the Plum Borough Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

804.3 RESPONSIBILITIES

The Command Staff shall coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (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), Pennsylvania Department of Transportation (PennDOT) records and the Commonwealth Law Enforcement Assistance Network (CLEAN).
- (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.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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804.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Plum Borough Police Department policy or training. Only those members who have completed applicable training and have 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.

804.5 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 Administrator for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department 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 Records Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy). Requests for information regarding a Drug Task Force case shall not be released without authorization from the Drug Task Force coordinator and a member of Command Staff.

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 officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

804.5.1 REVIEW OF CRIMINAL HISTORY RECORD

A person or his/her authorized designee whose criminal history record is maintained by the Department has the right to review, challenge, correct and appeal the accuracy and completeness of his/her information at the Department. The Department shall provide the information requested following the dissemination procedures as required by 37 Pa. Code § 195.4 and 37 Pa. Code § 195.5 (18 Pa.C.S. § 9151; 18 Pa.C.S. § 9152). When the criminal history record information is made available, the person shall be informed that he/she is under no obligation to divulge the information (18 Pa.C.S. § 9153).

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804.6 SECURITY OF PROTECTED INFORMATION

The Command Staff shall oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training (18 Pa.C.S. § 9131; 37 Pa. Code § 195.6).
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks in coordination with the Borough Director of Information Technology.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

804.6.1 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).

804.7 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 (18 Pa.C.S. § 9131).

Animal Control

805.1 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.

805.2 POLICY

It is the policy of the Plum Borough Police Department 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.

805.3 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) Obtain any appropriate training pursuant to 3 P.S. § 459-901.

805.4 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.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, members should make proper notification to the appropriate animal control agency.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (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.

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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.
- (f) Dogs are found running at large. Members should take action to control them (3 P.S. § 459-302).

When the Pennsylvania Department of Agriculture or any state dog warden requests assistance, officers are required to provide assistance (3 P.S. § 459-401).

805.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to animal fighting, illegal physical modification of an animal, animal cruelty or animal neglect (18 Pa.C.S § 5532; 18 Pa.C.S. § 5533 through 18 Pa.C.S. § 5548; 3 P.S. § 459-601).

- (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 (e.g. directing or coordinating the legal removal of the animal).

805.6 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.

805.7 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. Generally, dogs should not be transported in police department vehicles. However, if a dog is taken into custody and other, transport options (e.g. Animal Control) are not available, the dog may be transported, with supervisor approval, to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

805.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Supervisor will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

805.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), and take appropriate legal action, because such calls may involve significant quality-of-life issues.

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805.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal under suspicious circumstances, reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

805.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated or livestock animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the appropriate animal control agency should be contacted.

805.11.1 ANIMAL CARE

Members are authorized to provide reasonably necessary care to an animal that has been seized pursuant to 18 Pa.C.S. § 5552.

805.12 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.

When the owner or responsible handler of an animal cannot be located or is unavailable to provide care, or when the animal has been used in fighting or baiting and is disabled, injured or diseased beyond reasonable hope of recovery, it may be humanely destroyed (18 Pa.C.S. § 5552).

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 by members of the Plum Borough Police Department 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](#).

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 Department.

Safety checks - Direct, in-person, visual observation by a member of this department 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 period an adult is in custody at the Plum Borough Police Department prior to being released or transported to a housing or other type of facility.

Temporary holding areas - Those areas that are authorized to be used for the temporary custody of individuals being questioned, processed, or tested by department members.

900.2 POLICY

The Plum Borough Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours unless exigent circumstances exist. Members shall activate their body-worn cameras while interacting with those in temporary custody. The circumstances of the exigency shall be properly documented.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not remain in temporary custody at the Plum Borough Police Department, but should be transported, as soon as possible, to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

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- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the [Involuntary Commitments Policy](#)).
 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the [Crisis Intervention Incidents Policy](#).
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor/officer-in-charge (OIC) of the situation.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. Specific guidelines are as follows:

- If the individual in temporary custody is in a cell, the supervising member shall be in the same structure.
- If the individual in temporary custody is in a temporary holding area, the individual shall be monitored by the supervising member at all times, unless the individual is secured to a fixed object in accordance with this policy.
- If the individual is secured to a fixed object within a temporary holding area, the individual may be left unsupervised for a period of no longer than 10 minutes.

The member responsible for supervising should not have other duties that could unreasonably conflict with the member's supervision.

No individual in custody shall be permitted to supervise, control, or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

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- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Shift Supervisor/officer-in-charge (OIC).

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.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody shall evaluate the person for any apparent chronic illness, disability, hematophagous insect infestation (e.g. body lice, bedbugs), possible communicable disease, or any other potential risk to the health or safety of the individual or others.

If the receiving officer is different from the arresting officer, the receiving officer shall ask the arresting officer if there is any statement, indication, or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal (e.g. obvious signs or indications of suicidal intent), the officer shall initiate a transport to the County jail or an appropriate mental health facility. Notifications shall be made to the receiving officer/agency. The results shall be documented.

The officer should promptly notify the Shift Supervisor/officer-in-charge (OIC) of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Supervisor/officer-in-charge (OIC) shall determine whether the individual will be placed in a cell, immediately released, or transported to jail or another facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

- (a) Advise the Shift Supervisor/officer-in-charge (OIC) 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 an 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).

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4. Ensure males and females are separated by sight 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.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Command Staff will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members (See [LAW ENFORCEMENT RESOURCES](#)). There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Forward any communication from the individual to his/her consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

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900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Plum Borough Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including name and date of birth.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks.
- (e) Any medical and other screening requested and completed, including:
 - 1. Current health of the individual in temporary custody.
 - 2. Medications taken by the individual in temporary custody.
 - 3. Body deformities, trauma markings, or bruises present on the individual in temporary custody.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Plum Borough Police Department.

The Shift Supervisor/Officer-In-Charge (OIC) should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Shift Supervisor/Officer-In-Charge (OIC) should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks, security inspections, and significant incidents/activities are noted on the log. All belts, draw strings, outer jackets, shirts, jewelry and personal belongings shall be removed.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins in addition to sufficient privacy if visually monitored.
- (d) There is reasonable access to a drinking fountain or water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

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- (f) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (g) Adequate shelter, heat, light, and ventilation are provided without compromising security or enabling escape.
- (h) Adequate seating is available (e.g. bench).

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies shall be available to department members.

Should a person in custody be injured or become ill, appropriate medical assistance shall be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, the person will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Plum Borough Police Department. They should be released or transferred to another facility as appropriate. All medical treatment shall be documented in the report.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Supervisor/Officer-In-Charge (OIC) shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.5 TELEPHONE CALLS

Individuals in temporary custody, that are not being transported to the County jail may be allowed to make a completed telephone call after booking and processing.

- (a) The Department should provide the opportunity to make a reasonable number of calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual may be given time to contact and make any necessary arrangements for transportation upon release.
 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.

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900.5.6 ESCAPE PREVENTION

- (a) Authorized department members shall escort an individual in temporary custody during any movement or transfer within the temporary holding area.
- (b) When inside the temporary holding area, the individual in temporary custody should be seated away from doors and external windows.
- (c) When practicable members should use the principle of contact and cover when processing and/or testing unrestrained individuals.
 - 1. The contact member should perform the processing and any required testing.
 - 2. The cover member should continually watch the individual in temporary custody and provide security for the contact member.
 - 3. The cover member should be positioned between the individual in temporary custody and any exit door.

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the [Handcuffing and Restraints Policy](#). Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs, leg irons, or transport belt generally should not be used for individuals in temporary custody at the Plum Borough Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody shall be removed, inventoried, processed, and securely stored as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires both the detainee's as well as the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, the items of personal property shall be compared with the inventory, and the individual shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to document the name of the receiving person. The Department shall maintain a copy of the property receipt.

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The Shift Supervisor/Officer-In-Charge (OIC) shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding property. The Shift Supervisor/Office-In-Charge (OIC) shall attempt to prove or disprove the claim.

900.8 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 shall be conducted when the individual is released. Any damage noted to the area shall be photographed and documented. In cases where damage is noted to the facility, the individual shall be criminally charged for the offense.

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, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.
- (b) The individual shall constantly be monitored by a video system during the entire custody.
- (c) When possible, individual's initial placement into and removal from a locked enclosure shall be logged.
- (d) Individuals who are visibly under the influence of alcohol or drugs shall be kept separate from other individuals.
- (e) Safety checks by department members shall occur no less than every 30 minutes. Safety checks of individuals who are visibly under the influence of alcohol or drugs should occur more frequently.
 1. Safety checks should be at varying times.
 2. All safety checks shall be logged.
 3. Officers shall physically check/observe the individual to ensure they are breathing and are not in any respiratory distress.

900.8.1 HOLDING CELL EQUIPMENT CONTROL

Culinary devices (e.g., utensils, plates, glassware) should not be permitted in cells where individuals are in custody. Meals, if provided, should be of the type that are consumable without needing culinary devices.

If repairs are necessary to any part of the cell area:

- (a) Individuals in temporary custody shall not be present in the immediate area of such work.
- (b) Maintenance employees or contract workers shall not enter the cell area without authorization from a supervisor.
- (c) A department member shall monitor the use of any tools and equipment in the area for the duration of the work.

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- (d) The supervising department member shall ensure that workers have removed all tools and equipment, and conduct a documented security inspection by completing a complaint entry in the Records Management System (RMS) of the cell area upon completion of the work.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Command Staff will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Plum Borough Police Department. The procedures should include:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Supervisor/Officer-In-Charge (OIC), Command Staff through the chain of command.
- (c) Notification of the Medical Examiner.
- (d) Evidence preservation.

The following shall be directed by Command Staff:

- (a) Notification of the spouse, next of kin or other appropriate person.
- (b) Notification of the appropriate prosecutor.
- (c) Notification of the Borough Solicitor.

900.9.1 DEATH IN CUSTODY REPORTING ACT

The Department shall comply with the federal Death in Custody Reporting Act (DCRA) of 2013 that requires agencies to report, within 15 days after the end of each quarter, to the Pennsylvania Commission on Crime and Delinquency the death of any person who is detained, under arrest, or is in the process of being arrested; is en route to be incarcerated; or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility):

- (a) The name, gender, race, ethnicity, and age of the deceased.
- (b) The date, time, and location of death.
- (c) The law enforcement agency that detained, arrested, or was in the process of arresting the deceased.
- (d) A brief description of the circumstances surrounding the death.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual shall ensure the following:

- (a) All appropriate documentation (e.g. property reports and detention logs) have been completed prior to release.

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- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property that can accompany the individual, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual. Any property that cannot accompany the individual shall be logged into evidence in accordance with the Evidence Division policy.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., medical clearance records, a copy of the property receipt, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Plum Borough Police Department unless escorted by a member of the Department.
- (g) The department member transporting the individual shall ensure any known threat or danger the individual may pose (e.g. escape risk, suicide potential, medical condition) is communicated to intake personnel at the other facility and documented.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Necessary actions at the destination by the transporting member include:
 - (a) Securing firearms for safekeeping, when applicable.
 - (b) Removing restraining devices when advised by members of the receiving facility.
 - (c) Delivering appropriate documentation to the receiving officer.
 - (d) Documenting the transfer in the incident report in the RMS.

900.10.1 ESCAPE DURING TRANSPORT

The Command Staff will ensure procedures are in place to address any escape of an individual during transport by the Plum Borough Police Department. The procedures should include:

- (a) Actions to be taken by the officers conducting the transport.
- (b) Supervisor responsibilities.
- (c) Re-capture planning.
- (d) Persons to be notified of the escape.
- (e) Written reports by the officers conducting the transport.

900.11 ASSIGNED ADMINISTRATOR

The Command Staff will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security

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1. Areas used for temporary custody, including temporary holding areas and any cell areas, should be inspected for safety hazards and contraband on a daily basis.
- (b) Mass arrests
 1. Mutual aid or other agreements with appropriate agencies should be employed if mass arrests exceed the department's transportation capabilities or temporary holding area/cell space arrangements.
- (c) Key control
- (d) Sanitation and maintenance
- (e) Emergency medical treatment
 1. First-aid equipment shall be inspected weekly and replenished when necessary.
- (f) Procedures for contacting Emergency Medical Services when circumstances require distribution of medically prescribed medication
- (g) Escapes
- (h) Evacuation plans
 1. Emergency evacuation plans with observable exit diagrams shall be posted in the cell area and temporary holding areas designating emergency exits and directing the evacuation of individuals to a hazard-free area.
- (i) Fire and life-safety
 1. The cell area shall have an automatic fire alarm, smoke detection system, and firefighting equipment approved by local fire officials. Fire prevention practices and procedures shall include:
 - (a) A daily visual inspection of the automatic fire detection devices and alarm systems.
 - (b) A weekly documented visual inspection of the firefighting equipment.
 - (c) An annual documented testing of firefighting equipment.
 - (d) Required documented testing of the automatic fire detection devices and alarm systems annually or in accordance with the law and local fire code regulations.
 2. There shall be a plan for fire prevention, fire evacuation, and fire suppression for the temporary holding area.
 3. In the event of an emergency involving an individual in a cell, there is an immediate response, including a maximum time limit until arrival with a back-up system in case of non-availability.
- (j) Disaster plans
- (k) Building and safety code compliance
- (l) Alarm and alert systems

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1. A system shall be in place for alerting the designated control center of an emergency in the cell area and shall include a method of access for responding members.

900.12 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

Temporary Custody of Juveniles

901.1 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 Plum Borough Police Department (34 USC § 11133).

901.1.1 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. This also includes any juvenile 9 years of age or younger.

Juvenile offender - A juvenile 10 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes an offense under 18 Pa.C.S. § 6110.1 for the possession of a handgun by a minor

Non-secure custody - When a juvenile is held in the presence of an officer or other department member 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 (42 Pa.C.S. § 6326; Pa.R.J.C.P. 221).

Safety checks - Direct in-person visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

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 (42 Pa.C.S. § 6326).

Examples of secure custody include:

- (a) A juvenile handcuffed to a fixed bench with handcuff amenities.
- (b) Provided there are no adult detainees in the temporary holding area, a juvenile may be placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (c) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

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

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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, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

901.2 POLICY

The Plum Borough Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and to keeping juveniles safe while in temporary custody at the Department. Juveniles shall be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release (42 Pa.C.S. § 6326).

901.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at the Plum Borough Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Involuntary Commitments Policy).
 1. If the officer taking custody of a juvenile believes that the juvenile may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile exhibiting any of the above conditions shall take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the situation. These juveniles should not be held at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

901.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Plum Borough Police Department 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 who is suspected of being a victim.

No juvenile should be held in temporary custody at the Department without authorization of the Shift Supervisor/officer-in-charge (OIC). Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

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Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Department (34 USC § 11133; 42 Pa.C.S. § 6326; Pa.R.J.C.P. 220; Pa.R.J.C.P. 221).

901.4.1 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 Plum Borough Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

901.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers 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).

Juveniles may be taken into custody if there is probable cause to believe they have run away from their parents, guardian, or other custodian (42 Pa.C.S. § 6324).

901.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders shall be held in non-secure custody while at the Plum Borough Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances (42 Pa.C.S. § 6326).

Juvenile offenders may be taken into custody upon the authority of a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (42 Pa.C.S. § 6324).

Members taking a juvenile offender into custody should notify a juvenile probation officer before releasing the juvenile offender when (42 Pa.C.S. § 6325):

- (a) It is necessary to protect the juvenile or the person or property of others.
- (b) The juvenile may abscond or be removed from the jurisdiction of the court.
- (c) No parent, guardian, custodian, or other person able to provide supervision can be located.
- (d) A court has ordered the juvenile to detention or shelter care.

Petitions shall be prepared for the juvenile probation office pursuant to Pa.R.J.C.P. 231.

901.5 ADVISEMENTS

A member taking custody of a juvenile shall attempt to notify a parent, guardian or other custodian of the juvenile's custody, the reason for the custody and the juvenile's location before transporting the juvenile to any other location (42 Pa.C.S. § 6326; Pa.R.J.C.P. 220).

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901.6 JUVENILE CUSTODY LOGS

Any time a juvenile is in temporary custody at the Plum Borough Police Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile.
- (b) Date and time of arrival and release from the Department.
- (c) Shift Supervisor/OIC 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 (e.g., emergency situations, unusual incidents).
- (f) Time of all safety checks, if applicable..
- (g) Any medical and other screening requested and completed, including;
 1. Current health.
 2. Medications currently prescribed or taken.
 3. Body deformities, trauma markings, or bruises present.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Shift Supervisor/OIC should initial the log to approve the temporary custody, including any secure custody, and should initial the log when the juvenile is released.

901.6.1 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Juvenile custody logs and other information regarding the custody of juveniles shall be provided to the Pennsylvania Commission on Crime and Delinquency (PCCD) upon their request pursuant to 42 Pa.C.S. § 6326.

901.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Plum Borough Police Department (34 USC § 11133; 42 Pa.C.S. § 6326; Pa.R.J.C.P. 221). 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 Department shall maintain a constant, immediate, side-by-side 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.

901.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Plum Borough Police Department shall ensure:

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- (a) The Shift Supervisor/OIC is notified if it is anticipated that a juvenile may need to remain at the Department more than four hours. This will enable the Shift Supervisor to ensure no juvenile is held at the Department more than six hours.
- (b) Safety checks, security inspections, and significant incidents/activities are noted on the log.
- (c) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (d) When practicable, a member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (e) There is reasonable access to toilets and wash basins in addition to sufficient privacy if visually monitored.
- (f) There is reasonable access to a drinking fountain or water.
- (g) Food is provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (i) Juveniles are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (j) Adequate shelter, heat, light, and ventilation are provided without compromising security or enabling escape.
- (k) Adequate furnishings are available, including suitable chairs or benches.
- (l) Juveniles have the right to the same number of telephone calls as adults in temporary custody (see the Temporary Custody of Adults Policy).
- (m) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse.
- (n) Juveniles in non-secure custody shall be held in multipurpose areas, excluding areas designated or used for secure detention (42 Pa.C.S. § 6326; Pa.R.J.C.P. 221).

901.9 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

901.10 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 Plum Borough Police Department when the

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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 Shift Supervisor/OIC. 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 individuals in custody and monitored to protect them from abuse.

901.10.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

901.11 PERSONAL PROPERTY

The personal property of a juvenile shall be processed in the same manner as an adult in temporary custody (see the Temporary Custody of Adults Policy).

901.12 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody. Shift Supervisor/OIC 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 self or others.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody shall be considered as the method of secure custody. A member 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. If circumstances require the juvenile to remain secured to a stationary object for more than 60 minutes, Supervisor/OIC 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.

901.12.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the locked enclosure to ensure there are no weapons or contraband and that the area is clean and sanitary. An inspection shall be conducted when the juvenile is released. Any damage noted to the area shall be photographed and documented. In cases where damage is noted to the facility, the juvenile shall be criminally charged for the offense.

The following requirements shall apply:

- (a) Anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.

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- (b) The juvenile shall constantly be monitored by a video system during the entire temporary custody.
- (c) The juvenile shall have constant auditory access to department members.
- (d) The juvenile's initial placement into and removal from a locked enclosure shall be logged.
- (e) Individuals who are visibly under the influence of alcohol or drugs shall be kept separate from other individuals, when practicable.
- (f) When applicable, unscheduled safety checks by department members shall occur no less than every 15 minutes. Safety checks of individuals who are visibly under the influence of alcohol or drugs shall occur more frequently, at irregular intervals not to exceed 10 minutes.
 - 1. All safety checks shall be logged.
 - 2. The safety check should involve questioning the juvenile as to the juvenile's well-being.
 - 3. Officers shall physically check/observe the juvenile to ensure the juvenile is breathing and is not in any respiratory distress.
- (g) Males and females shall not be placed in the same locked room.
- (h) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (i) Restrained juveniles shall not be placed in a cell or room with unrestrained juveniles.
- (j) Continuous visual supervision shall be maintained by a department member (42 Pa.C.S. § 6326).

901.12.2 LOCKED ENCLOSURE EQUIPMENT CONTROL

Culinary devices (e.g., utensils, plates, glassware) should not be permitted in cells where individuals are in custody. Meals, if provided, should be of the type that are consumable without needing culinary devices.

If repairs are necessary to any part of the cell area:

- (a) Individuals in temporary custody shall not be present in the immediate area of such work.
- (b) Maintenance employees or contract workers shall not enter the cell area without authorization from a supervisor.
- (c) A department member shall monitor the use of any tools and equipment in the area for the duration of the work.
- (d) The supervising department member shall ensure that workers have removed all tools and equipment, and conduct a documented security inspection by completing a complaint entry in the Records Management System of the cell area upon completion of the work.

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901.13 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY

The Command Staff will ensure procedures are in place to address any suicide attempt, death, or serious injury of any juvenile held at the Plum Borough Police Department. The procedures should include:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Supervisor/OIC, the Command Staff through the chain of command.
- (c) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the Medical Examiner.
- (f) Notification of the juvenile court.
- (g) Evidence preservation.
- (h) Notification to the Pennsylvania Commission on Crime and Delinquency.

901.13.1 DEATH IN CUSTODY REPORTING ACT

The Department shall comply with the federal Death in Custody Reporting Act (DCRA) of 2013 that requires agencies to report, within 15 days after the end of each quarter, to the Pennsylvania Commission on Crime and Delinquency the death of any person who is detained, under arrest, or is in the process of being arrested; is en route to be incarcerated; or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility (including any juvenile facility):

- (a) The name, gender, race, ethnicity, and age of the deceased.
- (b) The date, time, and location of death.
- (c) The law enforcement agency that detained, arrested, or was in the process of arresting the deceased.
- (d) A description of the circumstances surrounding the death.

901.14 INTERVIEWING OR INTERROGATING

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.

901.15 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

Investigating officers should only take fingerprints and photographs of juvenile offenders when they are taken into custody for a misdemeanor or felony. Fingerprints of a juvenile offender 16 years of age or older accused of the summary offense of retail theft may be taken. Juvenile records and files shall be kept separate from those of adults. Fingerprints and photographs of juvenile offenders shall be immediately destroyed upon notice of the court (42 Pa.C.S. § 6308; 18 Pa.C.S. § 3929).

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901.16 TRAINING

Department members should be trained on and familiar with this policy and any supplemental procedures.

901.17 RELEASE AND/OR TRANSFER

When a juvenile offender cannot otherwise be released to a parent or guardian and must be transferred from custody to a facility, the member releasing the juvenile offender shall ensure the following:

- (a) All appropriate documentation (e.g. PAC file, property reports, and detention logs) have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) A check shall also be made of any individual taking custody of a juvenile (Via NCIC) for Wants/Warrants, Active PFAs, and Megan's Law prior to the release. This should be documented in the officer's incident report in the Records Management System (RMS).
- (d) It has been confirmed that the correct individual is being released or transported.
- (e) All property, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual.
- (f) All pertinent documentation accompanies the individual being transported to another facility (e.g., medical clearance records, a copy of the property receipt, warrant copies).
- (g) The individual is not permitted in any nonpublic areas of the Plum Borough Police Department unless escorted by a member of the Department.
- (h) The department member transporting the individual shall ensure any known threat or danger the individual may pose (e.g. escape risk, suicide potential, medical condition) is communicated to intake personnel at the other facility and documented in the incident report in the RMS.
- (i) Absent exigent circumstances, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary..
- (j) Necessary actions at the destination by the transporting member include:
 1. Securing firearms for safekeeping, when applicable.
 2. Removing restraining devices when advised by members of the receiving facility.
 3. Delivering appropriate documentation to the receiving officer.
 4. Documenting the transfer in the incident report in the RMS.

901.17.1 TRANSPORT NOTIFICATION TO DISPATCH

When conducting a transport, members shall notify dispatch of the beginning and ending mileage of the transport vehicle.

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901.17.2 ESCAPE DURING TRANSPORT

The Command Staff will ensure procedures are in place to address any escape of an individual during transport by the Department. The procedures should include:

- (a) Actions to be taken by the officers conducting the transport.
- (b) Supervisor responsibilities.
- (c) Re-capture planning.
- (d) Persons to be notified of the escape.
- (e) Written reports by the officers conducting the transport.

901.17.2 ASSIGNED ADMINISTRATOR

The Command Staff will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security
 - 1. Areas used for temporary custody, including temporary holding areas and any cell areas, should be inspected for safety hazards and contraband on a daily basis.
- (b) Mass arrests
 - 1. Mutual aid or other agreements with appropriate agencies should be employed if mass arrests exceed the department's transportation capabilities or temporary holding area/cell space arrangements.
- (c) Key control
- (d) Sanitation and maintenance
- (e) Emergency medical treatment
 - 1. First-aid equipment shall be inspected weekly and replenished when necessary.
- (f) Distribution of medically prescribed medication shall be administered with a member of Plum EMS present.
- (g) Escapes
- (h) Evacuation plans
 - 1. Emergency evacuation plans with observable exit diagrams shall be posted in the cell area and temporary holding areas designating emergency exits and directing the evacuation of individuals to a hazard-free area.
- (i) Fire and life-safety
 - 1. The cell area shall have an automatic fire alarm, smoke detection system, and firefighting equipment approved by local fire officials. Fire prevention practices and procedures shall include:
 - (a) A weekly documented visual inspection of the firefighting equipment.
 - (b) An annual documented testing of firefighting equipment.

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- (c) Required documented testing of the automatic fire detection devices and alarm systems annually or in accordance with the law and local fire code regulations.
 - 2. There shall be a plan for fire prevention, fire evacuation, and fire suppression for the temporary holding area.
 - 3. In the event of an emergency involving an individual in a cell, there is an immediate response, including a maximum time limit until arrival with a back-up system in case of non-availability.
- (j) Disaster plans
 - (k) Building and safety code compliance
 - (l) Alarm and alert systems
 - 1. A system shall be in place for alerting the designated control center of an emergency in the cell area and shall include a method of access for responding members.

Custodial Searches

902.1 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 Plum Borough Police Department facility. Such items can pose a serious risk to the safety and security of department 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.

902.1.1 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.

902.2 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.

902.3 FIELD AND TRANSPORTATION SEARCHES

An officer shall conduct a custody search of an individual immediately after the individual's arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

902.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Plum Borough Police Department facilities. This search shall be performed in addition to, and regardless of any

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other searches that have already been conducted. 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 shall 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.

902.4.1 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 department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Evidence Division 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 (e.g. refused), the inventory shall be witnessed by another department member and the reason the individual did not sign shall be documented on the inventory. The inventory shall include the case number, date, time, member's Plum Borough Police Department badge number, and information regarding how and when the property may be released.

902.4.2 VERIFICATION OF MONEY

All money shall be counted in the processing area in the presence of another member whenever possible. The name of the witnessing member will be documented in the incident report. When possible, the individual shall initial the dollar amount on the inventory. All money shall 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 shall clearly indicate the contents on the front. The member shall list the denominations of each paper currency item (e.g. five \$1 bills, twelve \$20 bills) on the property envelope, and the denominations shall also be documented in the Recovered Property Report in the Record Management System (RMS). The department member sealing the envelope shall place his/her initials across the sealed flap, any witnessing member's initials shall also initial the flap. The amount of money in the envelope should always be totaled and written on the outside of the envelope. (See Evidence Division Policy)

902.5 STRIP SEARCHES

No individual in temporary custody at any Plum Borough Police Department 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

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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.
- (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 department 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).

902.5.1 STRIP SEARCH PROCEDURES

Strip searches at Plum Borough Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from the Shift Supervisor/officer-in-charge (OIC) shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual 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 also 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 Shift Supervisor/officer-in-charge (OIC).

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4. The name of the individual who was searched.
 5. The name and sex of the members who conducted the search.
 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, that were recovered.
 10. The facts upon which the member based his/her belief that the individual 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 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/officer-in-charge (OIC) should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Supervisor/officer-in-charge (OIC) 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 Shift Supervisor authorization does not need to be in writing.

902.6 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 Shift Supervisor/officer-in-charge (OIC) and only upon a search warrant. 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).
- (b) Only a physician may conduct a physical body cavity search.

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- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts, sanitary condition requirements, and prohibitions on visual and sound recording, 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 Shift Supervisor's/officer-in-charge (OIC) 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 department members present.
 - 8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and made available to the individual who was searched or other authorized representative upon request.

902.7 TRAINING

The Command Staff 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.

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 Plum Borough Police Department 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 Plum Borough Police Department 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 Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department 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 RECRUITMENT

The Command Staff should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy will adhere to the Borough's Civil Service rules and regulations.

The Command Staff shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall 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) The submission and review of three references not related to the applicant (37 Pa. Code § 203.11)

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- (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 (VSA) examination (when legally permissible)
- (i) Medical (including drug screening) and psychological examination (may only be given after a conditional offer of employment) shall be performed by a Pennsylvania-licensed physician, psychologist, physician's assistant, or certified nurse practitioner
- (j) Review board or selection committee assessment

1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference as required (51 Pa.C.S. § 7103; 51 Pa.C.S. § 7104).

1000.5 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 Plum Borough Police Department (37 Pa. Code § 203.11; 44 Pa.C.S. § 7303).

1000.5.1 CIVIL SERVICE

As per Civil Service Commission rules and regulations, civil service will provide the department with a certified list of candidates depending on the number of available positions.

1000.5.2 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.3 STATE NOTICES

The Plum Borough Police Department shall provide written notice for any candidate rejected due to his/her criminal history (18 Pa.C.S. § 9125).

1000.5.4 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Command Staff shall only require a comprehensive list of social media accounts. Command Staff shall not require candidates to provide any passwords or access to password protected social media accounts.

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The Command Staff should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The Department fully complies with applicable privacy protections and local, state, and federal law.

The Command Staff should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.6 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.

1000.5.7 CANDIDATES HAVING CONTACT WITH CHILDREN

The Command Staff will ensure that all candidates who may have contact with children during the course of their employment have met the requirements for certification set forth by the Pennsylvania Department of Human Services and the Commonwealth of Pennsylvania (23 Pa.C.S. § 6344.2; 23 Pa.C.S. § 6344).

1000.6 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:

- (a) Age at the time the behavior occurred
- (b) Passage of time
- (c) Patterns of past behavior
- (d) Severity of behavior
- (e) Probable consequences if past behavior is repeated or made public
- (f) Likelihood of recurrence
- (g) Relevance of past behavior to public safety employment
- (h) Aggravating and mitigating factors

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- (i) Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (44 Pa.C.S. § 7303). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity, honesty, and ethics valued by the Department 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.

1000.7.1 STANDARDS FOR OFFICERS

The Department shall comply with the requirements of the Pennsylvania Municipal Police Officers' Education and Training Act regarding physical fitness standards, psychological evaluation, and educational prerequisites to employment (53 Pa.C.S. § 2164).

Candidates shall meet the following minimum standards (37 Pa. Code § 203.11):

- (a) Free of any felony or serious misdemeanor convictions
- (b) Citizen of the United States
- (c) At least 18 years of age
- (d) Read at least at the ninth-grade level as determined by the Nelson-Denny Reading Test
- (e) Fingerprinted for local, state, and national fingerprint check
- (f) Good moral character as determined by a thorough background investigation
- (g) Be a high school graduate or possess a GED equivalency
- (h) Free from any physical, emotional, or mental condition which might adversely affect the exercise of police powers as determined through the testing specified in 37 Pa. Code § 203.11
- (i) Candidates must also satisfy the minimum physical fitness standards as specified in 37 Pa. Code § 203.11
- (j) Free of illegal use of controlled substances as determined by approved laboratory testing

All sworn members of the Department shall successfully complete a certified basic law enforcement/police training course before assuming their law enforcement duties.

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1000.8 PROBATIONARY PERIODS

The Command Staff should ensure that all probationary procedures are followed, including but not limited to:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Documenting successful or unsuccessful completion of probation.

Special Assignments and Promotions

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Plum Borough Police Department.

1001.2 POLICY

The Plum Borough Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Special Assignments will be determined by the Chief of Police. Civil Service promotions will follow the guidelines and procedures in accordance with the established rules governing the Plum Borough Civil Service Commission. Appointments to ranking positions without Civil Service protection will be recommended by the Chief of Police and submitted for a majority vote by Plum Borough Council.

1001.3 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Traffic Safety Officer
- (b) Public Information Officer
- (c) Police Traffic Services (PTS) Director
- (d) Police Traffic Services (PTS) Coordinator
- (e) Motor Carrier Safety Assistance Program (MCSAP)
- (f) Firearms Instructor
- (g) Defensive Tactics Instructor
- (h) Taser Instructor
- (i) Evidence Officer
- (j) Vehicle Maintenance/Purchasing Officer
- (k) Drug Task Force Officer
- (l) Temporary Detective Assignment
- (m) Crash Reconstructionist
- (n) Field Training Officer
- (o) Community Relations Officer

1001.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Off probation

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- (b) Possession of or ability to obtain any certification required by Municipal Police Officers' Education & Training Commission (MPOETC) or law
- (c) Exceptional skills, experience or abilities related to the special assignment

1001.3.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance.
- (b) Should have extensive knowledge, experience and/or training related to the assignment..
- (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 department goals and objectives in a positive manner

1001.3.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by Command Staff to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate may submit a recommendation.
 1. The supervisor recommendations will be submitted to Command Staff.
- (b) Command Staff interview - A member of Command Staff may schedule interviews with each candidate.
 1. Based on supervisor recommendations and those of Command Staff, the Chief of Police shall make the assignment.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training and at the discretion of the Chief of Police.

1001.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process involving a civil service protected position are available through the Civil Service Commission in coordination with Command Staff.

Grievances

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Plum Borough Police Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

1002.2 POLICY

It is the policy of the Plum Borough Police Department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance. The Department shall follow the grievance process outlined by the Collective Bargaining Agreement.

Anti-Retaliation

1003.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance or collective bargaining agreement.

1003.2 POLICY

The Plum Borough Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1003.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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1003.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, Command Staff Member, or the Borough Director of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1003.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.
 1. Schedule changes should be made in accordance with the Collective Bargaining Agreement when practicable.

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1003.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1003.7 WHISTLE-BLOWING

State law protects employees who report wrongdoing or waste by a public body. Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Command Staff for investigation pursuant to the Personnel Complaints Policy (43 P.S. § 1423).

1003.8 RECORDS RETENTION AND RELEASE

The Plum Borough Police Department shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1003.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions and Court Orders

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions, court orders, civil litigation or proceedings restrict their ability to perform the official duties and responsibilities of the Plum Borough Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

1004.2 POLICY

The Plum Borough Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

1004.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

Federal and Pennsylvania law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. 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; 18 Pa.C.S. § 6105).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms 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.

1004.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Pennsylvania law prohibits the certification as a police officer of any person who has been convicted of a crime punishable by more than one year in prison (37 Pa. Code § 203.1).

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust, and shall be reported as provided in this policy.

1004.4.1 REPORTING

All members and all retired officers with identification cards issued by the Department shall immediately notify the Chief of Police or authorized designee (retired officers should immediately notify the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

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All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the on-duty Shift Supervisor or the Chief of Police) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of his/her Pennsylvania Municipal Police Officers' Education and Training Commission (MPOETC) certification.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officers may have their identification cards rescinded or modified, as may be appropriate.

1004.4.2 NOTIFICATION REQUIREMENTS

If an officer of the Plum Borough Police Department is arrested for an offense for which the penalty is one year or more in prison, the Chief of Police shall, within 15 days of the arrest, send a written notice to MPOETC (37 Pa. Code § 203.14).

Sick Leave

1006.1 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 Borough 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.).

1006.2 POLICY

It is the policy of the Plum Borough Police Department to provide eligible employees with a sick leave benefit in accordance with applicable law and the Collective Bargaining Agreement.

1006.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences.

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 and Outside Overtime Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1006.3.1 NOTIFICATION

All members should notify the Shift Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than two hours for afternoon and midnight shifts and one hour for daylight shift. 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 a planned medical procedure, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

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.

1006.4 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

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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.

Nothing in this section precludes a supervisor from requiring a health care provider's statement for an absence in accordance with the Collective Bargaining Agreement.

1006.4.1 SHORT-TERM DISABILITY

In cases where a member may qualify for short-term disability, it shall be the responsibility of the member to notify the Command Staff and file the proper documentation with the Department of Human Resources.

1006.5 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) Addressing absences and sick leave use in any type of performance evaluation when excessive or unusual use has:
 1. Negatively affected the member's performance or ability to complete assigned duties.
 2. Negatively affected department operations.
- (c) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (d) Referring eligible members to Human Resources for guidance on employee assistance programs when appropriate.

Communicable Diseases

1007.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1007.1.1 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 Plum Borough Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1007.2 POLICY

The Plum Borough Police Department 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.

1007.3 EXPOSURE CONTROL OFFICER

A member of Command Staff will serve as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 2. Bloodborne pathogen mandates in 35 P.S. § 631.3, including but not limited to:

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- (a) Engineering and work practice controls, including the adoption of needleless systems and sharps with engineered sharps injury protection.
- (b) Maintenance of a sharps injury log to record member exposures to bodily fluid.
- (c) Establishing compliance monitoring procedures and a member complaint process as required by 35 P.S. § 631.4.

Upon approval from the Chief of Police, the ECO should also act as the liaison with the Department of Labor and Industry and may, in coordination with Command Staff, request voluntary compliance inspections. The ECO should periodically review and update, at minimum annually, the exposure control plan and review implementation of the plan (35 P.S. § 631.3).

1007.4 EXPOSURE PREVENTION AND MITIGATION

1007.4.1 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:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-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.
- (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, 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.

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- (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.

1007.5 POST EXPOSURE

1007.5.1 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 practical.

1007.5.2 REPORTING REQUIREMENTS

The supervisor on-duty/Officer-In-Charge (OIC) 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 incident
- (c) Location of 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
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor/OIC 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/OIC should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Injury and Occupational Disease Reporting and Illness and Injury Prevention policies).

1007.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

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- (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 ECO.

1007.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

1007.5.5 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 ECO. If the ECO 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) Requesting a physician certification within 72 hours of exposure pursuant to 35 P.S. § 7606.
- (c) Seeking a court order (35 P.S. § 7608).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the Borough Solicitor to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1007.6 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.

1007.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Should 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) Should be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

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- (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

1008.1 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 Plum Borough Police Department facilities or vehicles.

For the purpose 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 that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1008.2 POLICY

The Plum Borough Police Department 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 Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, or any location that is likely to be viewable by a member of the public, and as is further outlined in this policy.

1008.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Plum Borough Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside Borough facilities and vehicles.

Personnel Complaints

1009.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Plum Borough Police Department. 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.

1009.2 POLICY

The Plum Borough Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1009.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or 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 department 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 Department.

1009.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Shift Supervisor 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 Command Staff, 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 Command Staff, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1009.3.2 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 department 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.

1009.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1009.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained and be accessible through the department website.

Personnel complaint forms in languages other than English may also be provided by request, as determined necessary or practicable.

1009.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department 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.

1009.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries shall also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Command Staff should audit the log.

1009.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

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1009.6.1 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 Command Staff may direct that another supervisor investigate any complaint or request that an outside agency investigate the 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.
 - 1. The original complaint form will be directed to the Assistant Chief of Police, 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 Command Staff or the Chief of Police, 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.
 - 1. Follow-up contact with the complainant should be made within 72 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Command Staff.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Command Staff are notified as soon as practicable.
- (e) Promptly contacting the Command Staff for direction regarding the supervisor's role 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 Command Staff, 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 one week after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

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- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1009.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Command Staff, the following applies to employees:

- (a) Interviews of an accused employee should be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee should be at the Plum Borough Police Department or other reasonable and appropriate place.
- (c) Prior to any interview, an employee should be informed of the nature of the investigation.
- (d) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (e) Any employee 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.
 - (a) An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* warning. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - (b) No information or evidence administratively obtained from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (f) The interviewer may record interviews of employees and witnesses.
- (g) All employees subjected to interviews that could result in discipline have the right to have an uninvolved department member or union representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - (a) The Department will not delay an interview if the uninvolved department member or union representative is not present/available at the time of the interview.
- (h) All employees shall provide complete and truthful responses to questions posed during interviews.

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- (i) While an investigator may request an employee participate in a deception device examination, no employee may be compelled to submit to such an examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

1009.6.3 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.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1009.6.4 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 department 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.

Policy Void - The allegation is true, and although the action of the agency or the member was consistent with departmental policy, the complainant suffered harm.

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.

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1009.6.5 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 six months from the date of discovery by an individual authorized to initiate an investigation. Extensions shall be approved by a member of Command Staff.

1009.6.6 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.

1009.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation.

Such areas may also be searched any time by a supervisor for non-investigative purposes.

1009.8 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 Department, the Chief of Police 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 department badge, identification, assigned weapons and any other department 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.

1009.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator or an outside agency shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Command Staff shall be notified as soon as practicable when a member is accused of criminal conduct. Command staff 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.

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The Plum Borough Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1009.9.1 CONFIDENCE IN LAW ENFORCEMENT ACT

Officers who are charged with a felony or a serious misdemeanor shall be immediately suspended until the final disposition of the charge or upon acceptance into a program of Accelerated Rehabilitative Disposition (ARD), whichever occurs first. If a judge terminates the participation of the officer in ARD, the suspension previously imposed shall be reinstated until final disposition of the charge (53 P.S. § 752.3; 53 P.S. § 752.4).

1009.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

1009.10.1 COMMAND STAFF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Command Staff of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Command Staff 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 Chief of Police, the Command Staff may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Command Staff 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.

1009.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Command Staff for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) Members shall be afforded an opportunity to respond in accordance with the Collective Bargaining Agreement (CBA).

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify

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the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1009.10.3 WRITTEN DECISION

The written decision regarding an officer shall include a clear statement of the charges and be filed with the Civil Service Commission. A copy shall be furnished to the member within five days (53 P.S. § 55644).

1009.10.4 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded, policy void) of the complaint. The contents of the investigative file shall not be released to the complainant or any member of the public and shall remain confidential.

1009.11 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 Chief of Police 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 Chief of Police to consider.
- (d) In the event that the Chief of Police elects to conduct further investigation, 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 Chief of Police on the limited issues of information raised in any subsequent materials.

1009.12 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.

1009.13 APPEAL RIGHTS

Non-probationary employees, not covered below, have the right to appeal a suspension using the procedures established by any collective bargaining agreement and/or personnel rules.

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1009.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

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. However, any of these individuals released for misconduct may be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

1009.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be securely stored and maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1009.16 TRAINING

The Command Staff shall ensure that members who are assigned to conduct internal affairs investigations receive initial and periodic training in the handling of such investigations.

Safety Belts

1010.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1010.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

1010.2 POLICY

It is the policy of the Plum Borough Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

1010.3 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 while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1010.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with 75 Pa.C.S. § 4581.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of safety 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 air bag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1010.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by safety belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

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Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1010.6 INOPERABLE SAFETY BELTS

Department vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

Department vehicle safety 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 Chief of Police.

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. The vehicle shall be taken out of service immediately until such repairs are made.

1010.7 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1010.8 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

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

1011.2 POLICY

It is the policy of the Plum Borough Police Department 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.

1011.3 ISSUANCE

The Chief of Police shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Plum Borough Police Department and shall be replaced in accordance with the Collective Bargaining Agreement.

1011.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action, including when engaged in pre-planned, high-risk incidents.
- (c) Members shall wear body armor when working in uniform or taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action. For members assigned to investigative roles, members shall have reasonable access to body armor and ensure body armor is kept in good condition.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their 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.
 1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

1011.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

Annual inspections of body armor should be inspected for fit, cleanliness and signs of damage, abuse and wear.

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1011.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
 - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
 - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
 - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
 - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.

1011.4 RANGEMASTER AND FIREARMS INSTRUCTOR RESPONSIBILITIES

The responsibilities of the Rangemaster and Firearms Instructors include, but are not limited to:

- (a) Monitoring technological advances in the body armor industry for any appropriate changes to department-approved body armor.
- (b) Assessing the level of weapons and ammunition currently utilized by the public and the suitability of approved body armor to protect against those threats.
- (c) Educating officers about the safety benefits of wearing body armor.

Commendations and Awards

1013.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Plum Borough Police Department and individuals from the community.

1013.2 POLICY

It is the policy of the Plum Borough Police Department 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.

1013.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1013.4 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.

1013.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
 1. For members of the Department - 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.

1013.4.2 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. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:
 1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act

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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.

1013.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the Command Staff for his/her review. The Command Staff should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member. A copy of the documentation will be placed into into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Command Staff. The documentation will be signed by the Command Staff and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation should be maintained in a file designated for such records.

1013.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- Award of Valor.
- Award of Meritorious Conduct.
- Lifesaving Award.

Criteria for each award and the selection, presentation and display of any award are reviewed by the Chief of Police and forwarded to the Mayor for further consideration and action.

Fitness for Duty

1014.1 PURPOSE AND SCOPE

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

1014.2 POLICY

The Plum Borough Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

1014.3 MEMBER RESPONSIBILITIES

It is the responsibility of each member of this department to maintain physical condition and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

Any member who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that a member believes that another department member is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1014.4 SUPERVISOR RESPONSIBILITIES

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

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1014.4.1 REPORTING

A supervisor observing a member, or receiving a report of a member, who is perceived to be unable to safely or effectively perform his/her duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document his/her observations and actions in a written report and inform the Command Staff.

1014.4.2 DUTY STATUS

In conjunction with the supervisor, a member of Command Staff should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of his/her job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of his/her job, the supervisor or a member of Command Staff should immediately relieve the member of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

If circumstances require a supervisor to make an immediate determination to relieve the member of duty, the Chief shall be promptly notified through the chain of command.

1014.5 FITNESS-FOR-DUTY EVALUATIONS

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death-in-custody incident.

1014.5.1 PROCESS

The Chief of Police, in cooperation with the Borough's Department of Human Resources, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Department will provide all appropriate documents and available information.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

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Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Department of Human Resources.

1014.5.2 POST-TRAUMATIC STRESS DISORDER EVALUATIONS

An officer shall be evaluated for post-traumatic stress disorder (PTSD) by a licensed mental health professional upon (44 Pa.C.S. § 7203):

- (a) Request by the officer.
- (b) Recommendation by a supervisor or the Chief of Police.
 1. Any supervisory recommendation shall require approval by a member of Command Staff.
- (c) Within 30 days of an incident involving the use of lethal force (i.e., force that caused the death of another person during the course of the officer's duties).

The evaluation shall be provided by the Department at no cost to the officer and within 10 calendar days of a request or 30 calendar days of an incident involving lethal force. Officers are required to attend and participate in any follow-up evaluations (37 Pa. Code § 261.3; 37 Pa. Code § 261.5).

Officers shall be assigned to administrative duties if (37 Pa. Code § 261.3):

- The officer fails to undergo the evaluation for PTSD when required.
- A psychotherapist determines the officer cannot resume full duties due to continued symptoms of PTSD.

The Chief of Police or authorized designee shall notify the Municipal Police Officers' Education and Training Commission (MPOETC) within five calendar days if an evaluation determines that the officer is unable to perform the officer's essential job functions or when an officer fails to undergo the evaluation as required. The notification should be in the manner set forth by the MPOETC (37 Pa. Code § 261.3). Requests for evaluations, and underlying information concerning the evaluation, diagnosis, or treatment, are confidential and shall not be disclosed (37 Pa. Code § 261.7).

An officer shall notify the officer's supervisor if the officer is placed on administrative duty by another employing law enforcement agency (37 Pa. Code § 261.5).

1014.6 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hours) period

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Fitness for Duty

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

Meal Periods

1015.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the availability of meal periods.

1015.2 POLICY

It is the policy of the Plum Borough Police Department to provide meal periods to members of this department in accordance with the Borough personnel manual.

1015.3 MEAL PERIODS

Officers shall remain on-duty subject to call during meal periods. All other members are not on-call during meal periods unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall notify the dispatcher when taking a meal period. Uniformed officers shall take their meal periods within the Borough limits and shall monitor the police radio, unless on assignment outside of the Borough. Members may request authorization from Command Staff to take their meal break at their residence or other food establishment that is situated closely to the Borough boundary.

The time spent for the meal period shall not exceed the authorized time allowed.

Lactation Breaks

1016.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to members desiring to express breast milk for the member's infant child.

1016.2 POLICY

It is the policy of the Plum Borough Police Department to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child for up to one year after the child's birth (29 USC § 207).

1016.3 LACTATION BREAK TIME

A rest period should be permitted each time the member has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1016.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

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Lactation Breaks

1016.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

Payroll Records

1017.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1017.2 POLICY

The Plum Borough Police Department maintains timely and accurate payroll records.

1017.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1017.4 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 Borough payroll procedures.

1017.5 RECORDS

The Chief of Police 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

1018.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

1018.2 POLICY

The Plum Borough Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

1018.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

1018.4 REQUESTS FOR OVERTIME COMPENSATION

1018.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor/officer-in-charge (OIC). If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

1018.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.

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1. Supervisors should seek guidance from Command Staff if there are any concerns that the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.
- (c) After verifying and approving the overtime amount, promptly forward the request for compensation utilizing the department prescribed payroll submission procedures.

1018.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in thirty-minute increments.

1018.5.1 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity, case or court trial, and the amount of time for which overtime compensation is requested varies among the officers, the Shift Supervisor or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

1018.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time in accordance with the law and the Collective Bargaining Agreement (CBA).

Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25) provided the request is in-line with the law and the CBA.

Outside Employment and Contracted Overtime

1019.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or police department contracted overtime.

1019.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

Outside employment refers to off-duty employment which does not relate to law enforcement..

Police Department Contracted Overtime - Duties or services performed by members of this department for a private organization, entity or individual, that are requested and scheduled directly through the Department. Member compensation, benefits and costs for such outside services are reimbursed to the Department. No compensatory time will be incurred for these types of overtime details, only overtime pay will be recognized.

1019.2 POLICY

Members of the Plum Borough Police Department shall obtain written approval from the Chief of Police or the authorized designee prior to engaging in any outside employment. Approval of outside employment or overtime shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment or overtime that is prohibited by this policy, may lead to disciplinary action.

The Command Staff shall be responsible for oversight of adherence to this policy and any processes or other matters related to outside employment and outside overtime.

1019.3 OUTSIDE EMPLOYMENT

1019.3.1 REQUEST AND APPROVAL

Members shall make notification of any/all outside employment to the Chief of Police through the proper chain of command.

1019.3.2 DENIAL

Any member whose request for outside employment has been denied (e.g. employment that is in conflict with the mission and goals of the department) should be provided with a written notification of the reason at the time of the denial.

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1019.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
 - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with department policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or Borough.

1019.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may file a written notice of appeal with the Chief of Police within 10 days of receiving notice of the denial, revocation or suspension.

A revocation or suspension will only be implemented after the member has completed the appeal process.

1019.4 REQUIREMENTS

1019.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment, or supplies.
- (b) The use of the Plum Borough Police Department badge, uniform, or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that the member would be required or expected to render in the course or hours of the member's employment, appointment, or as a part of the member's regular duties.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of the member's duties for this department deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Department.
- (g) A pari-mutuel racing facility (58 Pa. Code § 165.33).

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- (h) Activities related to facilities engaged in gambling activity and massage parlors.

1019.4.2 SECURITY AND LAW ENFORCEMENT OFFICER OUTSIDE EMPLOYMENT

No member of this department may engage in any outside employment as a law enforcement officer, private security guard, private investigator, or other similar private security position.

1019.4.3 DEPARTMENT RESOURCES

Members are strictly prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

1019.4.4 REVIEW OF FINANCIAL RECORDS

Prior to approving outside employment, the Department may request that a member provide his/her personal financial records for review if the Chief of Police determines that a conflict of interest may exist.

If, after approving a request for outside employment, the Department obtains information that a financial conflict of interest exists, the Department may request that the member provide his/her personal financial records for review. Failure or refusal by the member to provide such records may result in revocation or suspension of approval of the outside employment pursuant to this policy.

1019.4.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief of Police any material changes in outside employment, including any change in the number of hours, type of duties or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

1019.4.6 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the Chief of Police regarding whether such employment should continue.

In the event that the Chief of Police determines that the outside employment should be discontinued, or if the member fails to promptly notify his/her supervisor of his/her intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the member and a copy attached to the original outside employment request form.

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Criteria for revoking approval due to leave or restricted duty status include, but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the Borough's medical professional advisers.
- (b) The outside employment requires performance of the same or similar physical ability as would be required of an on-duty member.
- (c) The member's failure to make timely notice of his/her intention to the supervisor.

When the member returns to full duty with the Plum Borough Police Department, a written request may be submitted to the Chief of Police to approve the outside employment request.

1019.5 POLICE DEPARTMENT CONTRACTED OVERTIME

1019.5.1 REQUESTS FOR SPECIAL SERVICES

Any **private** organization, entity or individual seeking special services (e.g., security, traffic control) from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such services will be assigned, monitored and compensated through the Department as outside overtime assignments.

- (a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.
- (b) The requester may be required to enter into an agreement that includes indemnification with the Department prior to approval.
- (c) The requester will be required to reimburse the Department for the department vehicle expense, members' compensation, benefits and costs (e.g., court time) associated with such outside services.
- (d) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:
 - 1. The member shall wear the department uniform and carry department identification.
 - 2. The member shall be subject to the rules and regulations of this department.
 - 3. Compensation for such approved outside overtime shall be pursuant to normal overtime procedures (see the Overtime Compensation Policy).
- (e) Outside overtime shall be assigned at the discretion of the Chief of Police or the authorized designee.

1019.5.2 ARREST AND REPORTING PROCEDURE

Any officer making an arrest or taking other official law enforcement action while working in an outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to the Report Preparation Policy.

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1019.5.3 SPECIAL RESTRICTIONS

In the event an officer is assigned or involved in to a covert operation or case, the officer shall receive permission from the Chief of Police before engaging in any outside overtime opportunities.

Work-Related Injury and Occupational Disease Reporting

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related injuries, mental health issues and occupational diseases.

1020.1.1 DEFINITIONS

Definitions related to this policy include:

Work-related injury or occupational disease - Any injury arising in the course of the member's employment. The term includes any occupational disease (as defined in 77 P.S. § 27.1) that occurs within the preceding 300 weeks of the member's employment with the Plum Borough Police Department. The term work-related injury does not include an injury caused by the act of a third person intending to injure the member because of personal reasons or reasons unrelated to the member's employment with the Plum Borough Police Department or an injury sustained while the member was operating a vehicle while not otherwise in the course of employment at the time of the injury (77 P.S. § 411).

1020.2 POLICY

The Plum Borough Police Department will address work-related injuries, mental health issues and occupational diseases appropriately, and will comply with applicable state workers' compensation requirements (77 P.S. § 1 et seq.).

1020.3 RESPONSIBILITIES

1020.3.1 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.

1020.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational disease should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Boroughwide injury- or disease-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

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Work-Related Injury and Occupational Disease Reporting

1020.3.3 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1020.4 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.

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.

1020.5 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 the Chief of Police as soon as possible.

1020.5.1 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 Chief of Police 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 Chief of Police. The purpose of such notice is to permit the Borough to determine whether the offered settlement will affect any claim the Borough 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 Borough's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1021.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Plum Borough Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

1021.2 POLICY

Plum Borough Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

1021.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

1021.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to a member of Command Staff.

1021.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members shall present a tapered appearance. Hair may not fall over the member's ears or eyebrows. Hair shall not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

Hairstyles for female department members shall be neatly groomed and worn in a manner that does not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

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1021.3.3 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

1021.3.4 SIDEBURNS

Sideburns shall not extend below the middle of the earlobes and shall be trimmed and neat.

1021.3.5 FACIAL HAIR

Facial hair, other than sideburns, mustaches and eyebrows, is prohibited, unless authorized by the Chief of Police or the authorized designee.

1021.3.6 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1021.4 APPEARANCE

1021.4.1 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 concern for the department 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) Female members may wear earrings. The 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 department 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.

1021.4.2 TATTOOS

At no time while the member is on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not 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.

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Tattoos that are visible while in uniform shall be disclosed by the member to the command staff upon employment. Requests for any new/ additional visible tattoos shall be submitted to the Chief of Police for review. A submission of the artwork may be requested for further consideration.

1021.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Plum Borough Police Department in any official capacity, that 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 (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

1021.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Plum Borough Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

1021.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Plum Borough Police Department in any official capacity.

1021.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

Uniforms and Civilian Attire

1022.1 PURPOSE AND SCOPE

This policy provides guidelines for Plum Borough Police Department-authorized uniforms and civilian attire regulations. It is established to ensure that uniformed members will be readily identifiable to the public through the proper use and wearing of department uniforms, and that the appearance of members who wear civilian attire reflects favorably on the Department.

This policy addresses the wearing and maintenance of department uniforms, accessories, insignia, patches and badge; the requirements for members who wear civilian attire; and the authorized use of optional equipment and accessories by members of the Department.

Other related topics are addressed in the Badges, Patches and Identification, Department-Owned and Personal Property, and Personal Appearance Standards policies.

1022.2 POLICY

The Plum Borough Police Department will provide funding for uniforms for all employees who are required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement. The Department may provide other department members with uniforms supplements at the direction of the Chief of Police. Unauthorized modification or alteration of department designated uniforms is prohibited.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

1022.3 UNIFORMS

The Command Staff shall maintain and update uniform and equipment specifications. Uniforms shall be worn as described therein and as specified in this policy.

The following shall apply to those assigned to wear department-designated uniforms:

- (a) Uniforms 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) Officers in a non-uniformed assignment shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Uniforms shall be worn in compliance with any applicable department specifications.
- (d) All uniform buttons and snaps shall be fastened except for the collared shirt button when a tie in not being worn.
- (e) Members shall wear only the uniforms specified for their ranks and assignments.
- (f) Civilian attire shall not be worn in combination with any distinguishable part of a uniform.

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- (g) Uniforms are only to be worn while on-duty, for court, at official department functions or events, while in transit to or from work, or when authorized by the Chief of Police or the authorized designee.
- (h) Members are not to purchase or drink alcoholic beverages or engage in any other type of activity or act that could bring the department into disrepute while wearing any part of department-issued uniforms, including the uniform pants.
- (i) All supervisors will perform periodic inspections of members under their command to ensure conformance to this policy.

1022.3.1 UNIFORM CLASSES

The Chief of Police or the authorized designee shall determine the uniform to be worn by each department member or any deviations that may be authorized.

Uniforms are classified as follows:

- (a) Class A - Full dress uniform to be worn by designated department members on special occasions, such as funerals, graduations, ceremonies, or as directed by the Command Staff.
 - 1. Class A Uniform Options:
 - (a) long sleeve shirts
 - 1. Flying Cross Command (100% polyester)
 - (a) The Chief of police may wear either LAPD blue or white.
 - (b) All other Officers shall wear LAPD blue.
 - (b) pants
 - 1. Flying Cross (100% polyester)
 - (a) The Chief of Police shall have gold in color braids adorned to the trousers.
 - (b) All other Officers shall have black in color braids adorned to the trousers.
- (b) Class B - Standard issue uniform to be worn daily by designated department members.
 - 1. Class B Uniform Options:
 - (a) short sleeve shirts
 - 1. Blauer Flex RS Short Sleeve (Model #8362) Dark Navy
 - 2. Flying Cross Core STAT Short Sleeve (Model #F1 CS1000VS) LAPD Navy
 - 3. Flying Cross FX Hybrid Short Sleeve (Model #85VS78-86) LAPD Navy
 - (b) long sleeve shirts
 - 1. Blauer Flex RS Long Sleeve (Model #8361) Dark Navy

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2. Flying Cross Core STAT Long Sleeve (Model #F1 CS1020VS) LAPD Navy
 3. Flying Cross FX Hybrid Long Sleeve (Model #35VS78-86) LAPD Navy
- (c) pants
1. Blauer Flex Pant (Model #8666) Dark Navy/no braiding
 2. Flying Cross Core STAT Pant (Model #F1 CS17400) LAPD Navy/no braiding
 3. Flying Cross Command 100% polyester trouser with cargo pocket (Model #39900) LAPD Navy/no braiding
- (c) Class C - General utility uniform to be worn by designated Department members.
- (d) Specialized assignment - Specific uniforms to be worn by members in special assignments or divisions.

1022.3.2 CLASS B UNIFORM DATES

Summer Uniforms: Dates to be determined by the Chief of Police.

Winter Uniforms: Dates to be determined by the Chief of Police.

An Officer discretionary period will be in place one month prior to the uniform transition date. Members will receive notification of the transition dates per command staff memorandum.

1022.3.3 UNDERSHIRTS

Black or White crew or "V" neck shirts shall be worn. Officer shall ensure their undershirt's color remains true and does not look worn or faded.

1022.3.4 OUTERWEAR, JACKETS, AND COATS

Any outerwear purchased and worn prior to 2024 is inclusive. Any new outwear must be approved by the Chief of Police.

1022.3.5 HEADWEAR

- (a) 5 Star Duty Hat
1. Summer: Mesh (navy blue in color) with expansion band and hat badge.
 2. Winter: Cloth (navy blue in color) with expansion band and hat badge.
- (b) Baseball Cap
1. Summer: Flex Fit - ProMesh (navy blue in color). Hat must have Plum Police Patch embroidered on front and Plum Police (with badge number) embroidered on back.
 2. Winter: Flex Fit - Cotton (navy blue in color). Hat must have Plum Police Patch embroidered on the front and Plum Police (with badge number) embroidered on back.

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- (c) Earmuffs (winter only): Shall be black or LAPD blue in color. They must not display any readily visible trademark or logo.
- (d) Faux Fur Cap (winter only): Shall be black in color. Must be adorned with hat badge.
- (e) Tossle Cap (winter only): Shall be black or LAPD blue in color. It must not display any readily visible trademark or logo.
- (f) Beanie (winter only): Shall be black or LAPD blue in color. It must not display any readily visible trademark or logo.
- (g) Skull Cap (winter only): Shall be black or LAPD blue in color. It must not display any readily visible trademark or logo.
- (h) Headband (winter only): Shall be black or LAPD blue in color. It must not display any readily visible trademark or logo.

1022.3.6 DUTY BELT / BALLISTIC VEST & MOLLE CARRIER

- (a) Officers may select a duty belt brand they are comfortable with. However, the belt must be made of authentic or synthetic leather. The belt must be black in color with a basket weave pattern. Nylon belts and accessories are prohibited. The duty belt shall be worn over an under belt and secured by Velcro or belt keepers. Officers may utilize metal or plastic/polymer buckles. Metal buckles worn by the Chief, Lieutenant, Sergeants, or Corporals shall be gold in color. Metal buckles worn by patrolman shall be silver in color. Plastic/polymer buckles shall be black in color.
- (b) Officers will be provided with a ballistic vest and molle carrier per the organizations CBA. The vest shall be worn with the class B uniform. It is the officer's responsibility for the upkeep of the vest and carrier.

1. Equipment:

- (a) Holster: Officers shall utilize the equipment provided.
- (b) Magazine Pouch: Officers must utilize a double magazine pouch. It must be made of authentic leather, synthetic leather, or ruggedized material, black in color, with a basket weave pattern. The magazine pouch may be worn on the officer's molle carrier.
- (c) Handcuff case: Must be made of authentic, leather, synthetic leather, or ruggedized material, black in color, with a basket weave pattern. Case styles may be open, closed, or strap type. The case may be worn on the officer's molle carrier.
- (d) ASP Baton Holder: Must be made of authentic or synthetic leather, black in color.
- (e) Tourniquet holder: Officers shall utilize the equipment provided. The holder may be placed on the officer's duty belt or molle carrier.
- (f) OC Pouch (optional): Must be made of authentic or synthetic leather, black in color, with a basket weave pattern.
- (g) Riot Baton Ring (optional): Must be made of authentic or synthetic leather, black in color, with a basket weave pattern.

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- (h) Radio Holster/Swivel (optional): Must be made of authentic or synthetic leather, black in color.
- (i) Knife (optional): Any knife must be approved by the Chief of Police.
- 2. Placement of equipment
 - (a) The Officer's holster shall be placed on their duty belt's strong hand side.
 - (b) TASER must be worn on the Officer's duty belt, opposite side of the Officer's firearm, requiring a cross handed draw to deploy.
 - (c) ASP Baton must be worn on an Officer's duty belt.
 - (d) Remaining equipment may be placed on the officer's duty belt or molle carrier in order of individual preference.
 - 1. Officers may only carry one pair of handcuffs on the molle carrier.
 - 2. Magazine pouches may be worn vertically or horizontally.
 - (e) The carrying and use of personally owned items on the duty belt or molle webbing is optional. However, any personally owed item must be approved by the Chief of Police.

1022.3.7 FOOTWEAR

Black leather insulated boots, oxfords, or chukka boots may be worn per the officer's choice and comfort. Black athletic shoes are prohibited.

Regardless of boot type, footwear shall always maintain a shine.

1022.3.8 ACCESSORIES

Members shall adhere to the following when wearing department uniforms:

- (a) Sunglasses should be conservative in nature.
- (b) Jewelry shall be in accordance with the specifications in the Personal Appearance Standards Policy.
- (c) Neckties (class A uniforms only)
 - 1. The Necktie shall be LAPD blue in color. It shall be either Velco or "Clip on" style.
 - 2. A tie bar shall be attached to the shirt directly above its fourth button (from the top).
 - 3. Tie bars adorned with the Commonwealth's seal and "Plum Police". The tie bar shall be gold in color for the Chief of Police, Lieutenant, Sergeants, and Corporals. Patrol Officers shall wear silver.
- (d) Whistle chain (class a uniform only)
 - 1. Shall be gold in color for the Chief of Police, Lieutenant, Sergeants, and Corporals. Patrol Officers shall wear silver.
- (e) Gloves may be worn with the winter and summer uniform. While gloves are primarily intended to be worn in cold weather, Officers may utilize them in warm weather

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conditions while driving or while engaged in searches of prisoners, buildings, vehicles, etc. Gloves shall conform to the following guidelines when worn in uniform:

1. May be black, Navy, or LAPD in color.
2. Be made of smooth or semi-smooth leather or a material having a similar appearance.
3. Completely cover the fingers, palm, and back of hand.
4. Not display any readily visible trademark or logo.
5. Not be of the "Gauntlet" (motorcycle) type.
6. Not be weighted in any way.
7. Not interfere, in any manner, with the operation of any equipment which members may be required to use in the course of their duties.
8. Be properly maintained to ensure a professional image.
9. May be equipped with fixed or removable liners.
10. May be coated or constructed to prevent fluids or sharp objects from passing through the glove.

1022.3.9 INSIGNIA, PATCHES AND BADGE

Only the following elements may be affixed to department uniforms unless an exception is authorized by the Chief of Police:

(a) Badges:

1. Badges shall be worn while in uniform on the outermost garment.

(a) Badge options:

1. Standard metallic badge maybe be worn at any time on any uniform, jacket, or molle carrier.
 2. A matte finished, black in color metallic badge may be worn with the winter uniform during the afternoon or midnight shift. A matte finished, black in color metallic badge may be worn with the summer uniform on the midnight shift only.
 3. flexible badges are an acceptable substitute for a metallic badge on an Officer's bulletproof vest molle carrier or jacket.
2. Detectives (Plain Clothes) shall display badges on their belts next to their weapons.

(b) Collar Embroidery: Officer's class b uniforms, both summer and winter, shall be adorned with the initials "PPD" on their collar.

1. The Chief, Lieutenant, Sergeants & Corporals: The embroidery shall be gold in color.
2. Patrol Officers: The embroidery shall be silver in color.

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- (c) Metal Collar Pins: Officer's class A uniforms, both summer and winter, shall be adorned with metal pins with the initials "PPD" on their collar.
 - 1. The Chief, Lieutenant, Sergeants & Corporals: The pins shall be gold in color.
 - 2. Patrol Officers: The pins shall be silver in color.
- (d) Shoulder patch - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets
- (e) Rank insignia - The designated insignia indicating the member's rank must be worn at all times while in uniform. The rank insignia shall be worn on the outermost garment.
 - 1. Chief: One large gold star placed on the outermost garment's epaulets.
 - 2. Lieutenant: One gold bar placed on the outermost garment's epaulet.
 - 3. Sergeant: Three gold chevrons sewn on the outermost garments sleeve.
 - 4. Corporal: Two gold chevrons sewn on the outermost garments sleeve.
 - (a) Placement of Rank insignia
 - 1. The Chief & Lieutenant's insignia of rank shall be centered on the cross stitching of each epaulet of their outermost garment (unless authorized by the Chief of Police)
 - 2. Sergeants & Corporal's chevrons shall be worn on each sleeve of their outermost garment. The top point of the chevrons shall be one quarter inch from the bottom of their shoulder emblem (unless authorized by the Chief of Police).
- (f) Service insignia - The designated insignia indicating the member's length of service may be worn as prescribed by Department procedure.
 - 1. All Officers (no matter the rank or title) shall receive the corresponding service insignia: One gold bar for each 5 years of combined service. The embroidered gold bars shall be placed on the left sleeve of the Officer's uniform.
- (g) Assignment insignias - Assignment insignias (e.g., Firearms Instructor, defense tactics instructor, SWATField Training Officer (FTO)) may be worn as designated by the Chief of Police.
- (h) American flag pin - An American flag pin must be worn on class A uniforms, centered above the right pocket.
- (i) Award/commendation insignia - Insignia representing an award or commendation received under the Commendations and Awards Policy, or other recognition authorized by the Chief of Police, may be worn on class A uniforms as prescribed by department procedure..

1022.3.10 MOURNING BAND

Uniformed members shall wear a black or black with a thin blue line mourning band across the department badge whenever a law enforcement officer is killed in the line of duty or as directed by the Chief of Police.

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- (a)
- (b)
- (c)
- (d)
- (e)

1022.4 OPTIONAL EQUIPMENT

Any items that are allowed by the Plum Borough Police Department but that have been identified as optional shall be purchased entirely at the expense of the member. No part of the purchase cost shall be offset by the department.

Maintenance of optional items shall be the financial responsibility of the purchasing member (e.g., repairs due to normal wear and tear).

Replacement of items listed in this policy as optional shall be managed as follows:

- (a) When the item is no longer functional because of normal wear and tear or because of damage during the course of the member's duties, the member bears the full cost of replacement and shall adhere to the established practice of using their annual uniform allowance to ensure their uniforms are maintained and in good condition.

1022.5 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Members in uniform shall not wear or carry articles unless authorized by the Command Staff. However, miscellaneous articles such as pens, conservative style sunglasses, and cell phones may be carried in the pockets or on the uniform if not readily visible.

Department members may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Command Staff.

1022.6 CIVILIAN ATTIRE

There are assignments within the Department that do not require a uniform because recognition and authority are not essential to their functions. There are also assignments for which civilian attire is necessary.

- (a) Civilian attire shall fit properly, be clean and free of stains, and not be damaged or excessively worn.
- (b) Members assigned to administrative, investigative and support positions shall wear business-appropriate clothing that is conservative in style.
- (c) Variations from this policy are allowed at the discretion of the Chief of Police or the authorized designee when the member's assignment or current task is not conducive to wearing such clothing (e.g. training).
- (d) No item of civilian attire may be worn while on-duty that would adversely affect the reputation of the Plum Borough Police Department or the morale of the members.
- (e) The following items shall not be worn while on-duty or when representing the Department in any official capacity:

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1. Clothing that reveals cleavage, the back, chest, stomach or buttocks
2. T-shirt alone or exposed undergarments
3. Swimsuits, tank tops, tube tops or halter tops
4. Sweatshirts, sweatpants or similar exercise clothing
5. Spandex-type pants or transparent clothing
6. Shorts
7. Clothing, buttons or pins displaying racial, sexual, discriminatory, gang-related or obscene language
8. Unless previously authorization has been approved by the command staff for special activities (I.E. ACCAPT details).

Conflict of Interest

1023.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the Plum Borough Police Department.

1023.1.1 DEFINITIONS

Definitions related to this policy include:

Conflict of interest - Any actual, perceived or potential conflict, in which it reasonably appears that a member's action, inaction or decisions are or may be influenced by a personal or business relationship.

Personal Relationship – A family member or person with whom the department member has a romantic relationship.

1023.2 POLICY

Members of the Plum Borough Police Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and department members. Members who feel they have a conflict of interest that does not fall within the defined categories above shall seek guidance from a supervisor as soon as practicable.

1023.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members:

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other member 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 member to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel

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decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.

- (c) Whenever possible, field training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and the person is off probation.

1023.4 MEMBER RESPONSIBILITIES

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

Whenever any member is placed in circumstances that would require him/her to take enforcement action or to provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify an uninvolved supervisor or a member of Command Staff.

1023.4.1 MEMBER REPORTING RESPONSIBILITIES

It is incumbent for all members to report if they become involved in a personal relationship with another member of the police department.

1023.5 SUPERVISOR 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 possible. Supervisors shall also promptly notify the Command Staff or the authorized designee of such actual or potential violations through the chain of command.

Badges, Patches and Identification

1024.1 PURPOSE AND SCOPE

The Plum Borough Police Department (PPD) badge, patch and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

1024.2 POLICY

Members of the Department will use the PPD badge, patch and identification card, as well as the likeness of these items, appropriately and professionally.

1024.3 UNAUTHORIZED USE

The PPD badge, patch and identification card shall not be displayed or used by any member except when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the PPD badge, patch or identification card for personal gain or benefit.
- (b) Loan the PPD badge, patch or identification card to others or permit these items to be reproduced or duplicated.
- (c) Use images of the PPD badge, patch or identification card, or the likeness thereof, or the Plum Borough Police Department name, for **personal or private reasons** including, but not limited to, letters, memoranda and electronic communications, such as email, blogs, social networking or websites.

1024.3.1 LOST BADGE, PATCH OR IDENTIFICATION CARD

Department members shall promptly notify their supervisors whenever their PPD badges, patches or identification cards are lost, damaged or are otherwise removed from their control.

1024.4 BADGES

The Chief of Police shall determine the form of badges authorized for use by department members. No other badges may be used, carried, worn or displayed.

Only approved badges issued by this department are authorized to be used, displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief of Police, may purchase at their own expense a second badge or flat badge that can be carried in a wallet.

1024.4.1 RETIREE BADGES

Upon retirement, members will be permitted to retain possession of their Borough issued badge. The Borough will also purchase and present the retiring member with a ceremonial gold retirement wallet badge inscribed with the member's last name and "RETIRED" on the face of the badge.

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1024.4.2 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the PPD badge shall not be used for any purpose without the express authorization of the Chief of Police and shall be subject to the following:

- (a) An authorized employee group (e.g. Bargaining Unit) may use the likeness of the PPD badge for merchandise and official employee group business provided it is used in a clear representation of the employee group and not the Plum Borough Police Department. The following modification shall be included:
 1. Any text identifying the Plum Borough Police Department is replaced with the name of the employee group.
 2. A badge number is not included. That portion of the badge may display the acronym of the employee group.

1024.5 IDENTIFICATION CARDS

All members shall be in possession of their MPOETC Certification Identification card bearing the department name, member name, photograph, active number, and certification number at all times while on duty in plain clothes (e.g. detectives).

1024.6 BUSINESS CARDS

The Department will supply business cards to all members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and may contain identifying information including, but not limited to, the member's name, division, and contact information (e.g., telephone number, email address).

Members should provide a business card upon request.

Temporary Modified-Duty Assignments

1025.1 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, Borough rules or current collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department 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.

1025.2 POLICY

Subject to operational considerations, the Plum Borough Police Department 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 Department with a productive employee during the temporary period.

1025.3 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) or the Pennsylvania Human Relations Act (43 P.S. § 951 et. seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Plum Borough Police Department 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 Department. 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. Temporary modified duty assignment schedules will be determined by the Command Staff to best suit the needs of the department and will not be punitive in nature.

The Command Staff may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified duty assignments shall be re-evaluated on a case-by-case basis and should generally not exceed 1,040 hours in any one-year period.

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Temporary Modified-Duty Assignments

1025.4 PROCEDURE

Employees requesting a temporary modified-duty assignment for short-term injuries or illnesses shall follow the procedures outlined by the Borough and the Collective Bargaining Agreement.

The Command Staff will make decisions regarding temporary modified-duty assignments that may be available based on the needs of the and the limitations of the employee and the department.

1025.5 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 department operations and the employee's medical appointments, as mutually agreed upon with the Command Staff.

1025.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with the Command Staff.
- (b) Promptly notifying the Command Staff of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to the Command Staff no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Command Staff that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

1025.5.2 COMMAND STAFF RESPONSIBILITIES

The Command Staff shall monitor and manage the work schedule of those assigned to temporary modified duty. The Command Staff shall ensure that employees returning to full duty have completed any required training and certification.

1025.6 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 Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1025.7 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.

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1025.7.1 NOTIFICATION

Pregnant employees should notify the Command Staff 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 Borough's personnel rules and regulations regarding family and medical care leave.

1025.8 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.

1025.9 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 the Command Staff of any inability to maintain any certification, training or qualifications.

Performance History Audits

1026.1 PURPOSE AND SCOPE

This policy provides guidance for the use of performance history audits. Performance history audits can help identify commendable performance as well as provide early recognition of training needs and other potential issues. This policy addresses the responsibilities, performance indicators and components of the audit, and handling of collected data.

1026.2 POLICY

The Plum Borough Police Department collects data to assist supervisors with evaluating the performance of their employees. While it is understood that the statistical compilation of data may be helpful to supervisors, the Department recognizes that it cannot account for, and must carefully balance such data with, the many variables in law enforcement, such as:

- Ability to detect crime.
- Work ethic.
- Assignment and shift.
- Physical abilities (ability to perform the job-related physical tasks).
- Randomness of events.

1026.3 RESPONSIBILITIES

Under the authority of the Chief of Police, the Command Staff is responsible for collecting performance indicators and other relevant data. The data will be compiled to generate quarterly performance history audit reports that will be provided to the Command Staff. The Command Staff will utilize confidential methods to compile and track information regarding performance indicators for each officer during each quarter in order to prepare the report. Though generated quarterly, each report should contain data from a one-year time period.

1026.4 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance history audits should include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

1026.4.1 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police has determined may be relevant data for the generation and analysis of performance history audits. These indicators may include, but are not limited to, the frequency and/or number of:

- (a) Use of force incidents.

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- (b) Involvement, conduct, and adherence to policy during vehicle pursuits.
- (c) Personnel complaints, including the findings.
- (d) Commendations, compliments and awards from the Department and the public.
- (e) Review of self-initiated activity (e.g. traffic stops, investigations, community member interactions).
- (f) Claims and civil suits related to the employee's actions or alleged actions.
- (g) Personnel investigations.
- (h) District Attorney case rejections and the reasons.
- (i) Intentional or accidental firearm discharges (regardless of injury).
- (j) Vehicle collisions.
- (k) Missed court appearances.
- (l) Documented counseling.

1026.4.2 DATA ANALYSIS

The Command Staff will review each performance history audit report and determine whether it should be provided to the officer's immediate supervisor for further consideration.

1026.4.3 EMPLOYEE REVIEW

Upon receipt of a performance history audit report, the supervisor will carefully review the report with the officer to assess any potential trends or other issues that may warrant informal counseling, additional training or a recommendation for other action, including discipline. The officer shall date and sign the report and should be provided with a copy of the report upon request.

If a supervisor determines that an officer's performance warrants action beyond informal counseling, the supervisor shall advise the Command Staff of such recommendation. If the Command Staff concurs with the recommendation of the supervisor, he/she shall take steps to initiate the appropriate action.

If discipline or other adverse action is initiated against an officer as a result of misconduct or improper job performance determined through a performance history audit, the officer shall be entitled to all rights and processes set forth in the Personnel Complaints Policy.

1026.4.4 FOLLOW-UP MONITORING

Depending upon the results of each performance history audit, a determination should be made by the Command Staff, after discussion with the officer's immediate supervisor, about the need, type and duration of any follow-up. Performance indicators and data analysis will generally provide the basis upon which such decisions should be made.

1026.5 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop performance history audit reports shall be considered confidential as part of the employee's personnel file and will not be subject

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to discovery or release except as provided by law. Access to performance history audit reports will be governed under the same process as access to an officer's personnel file, as outlined in the Personnel Records Policy.

Access to the underlying data will be governed by the process for access to the original records (such as police reports).

1026.6 RETENTION

Performance history audit reports and associated records shall be retained in accordance with the established records retention schedule.

Speech, Expression and Social Networking

1027.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Plum Borough Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech and use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected 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 a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1027.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Plum Borough Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1027.3 SAFETY

Members 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 Plum Borough Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow department member.

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- Otherwise disclosing where another officer can be located off-duty.

1027.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the safety, performance and public-trust needs of the Plum Borough Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, 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 Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 2. Expression that demonstrates support for criminal activity.
 3. Participation in sexually explicit photographs or videos for compensation or distribution.
 4. Disparaging remarks about the department or its members. (Comments or expressions that reflect negatively on the department or any department member. These types of comments would jeopardize the public trust that the department has worked tirelessly to gain.)
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination 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 members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing 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 Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Plum Borough Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

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Members 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).

1027.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Plum Borough Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (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 or public broadcast or on 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, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Plum Borough Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or 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).

1027.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, Instagram, TikTok, Snapchat, Twitter) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1027.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

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- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (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 Department.

1027.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression and use of social networking to all members of the Department.

Illness and Injury Prevention

1028.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Plum Borough Police Department.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Boroughwide safety efforts.

1028.2 POLICY

The Plum Borough Police Department in coordination with Plum Borough Administration is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention plan and will provide tools, training and safeguards designed to reduce the potential for accidents, injuries and illness. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1028.3 ILLNESS AND INJURY PREVENTION PLAN

The Command Staff is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
 1. This should include a wellness program designed to maintain members overall physical and mental well-being.
- (b) Periodically scheduled safety meetings.
- (c) Posted or distributed safety information, when applicable.
- (d) A system for members to inform management about workplace hazards.
- (e) Subject to available resources, establishment of a safety and health committee that will:
 - (a) Meet regularly.
 - (b) Prepare a written record of safety and health committee meetings.
 - (c) Review the results of periodic scheduled inspections.
 - (d) Review investigations of accidents and exposures.
 - (e) Make suggestions to command staff for the prevention of future incidents.
 - (f) Review investigations of alleged hazardous conditions.
 - (g) Submit recommendations to assist in the evaluation of member safety suggestions.

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- (h) Assess the effectiveness of efforts made by the Department to meet applicable standards.
- (f) Establishing a process to ensure illnesses, injuries and deaths are reported as required under 43 P.S. § 12.

1028.4 COMMAND STAFF RESPONSIBILITIES

The responsibilities of the Command Staff or authorized designee include, but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:
 - 1. Informing members of the illness and injury prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet applicable standards:
 - (a) Bloodborne pathogen mandates in 35 P.S. § 631.3
 - (b) The Worker and Community Right-to-Know Act (35 P.S. § 7301 et seq.)
 - (c) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy)
- (e) Making available a form to document inspections, unsafe conditions or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

1028.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

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- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Command Staff.
- (e) Notifying the Command Staff when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. Workplace conditions warrant an inspection.

1028.6 HAZARDS

All members shall report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Command Staff via the chain of command.

The Command Staff will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1028.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Command Staff shall ensure that the appropriate documentation is completed for each inspection.

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1028.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their Personal Protective Equipment (PPE) prior to working in the field. Members shall notify their Shift Supervisor/Officer-In-Charge (OIC) if an unsafe condition cannot be immediately corrected.

1028.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

1028.9 TRAINING

The Command Staff and Plum Borough Administration should work to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1028.9.1 TRAINING TOPICS

The Command Staff and Plum Borough Administration should ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Provisions for medical services and first aid.
- (e) Handling of bloodborne pathogens and other biological hazards.
- (f) Prevention and mitigation of heat and cold stress.
- (g) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (h) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (i) Good housekeeping and fire prevention.

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- (j) Other job-specific safety concerns.

1028.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Line-of-Duty Deaths

1029.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Plum Borough Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy for a non-line-of-duty member death, or in situations where members are injured in the line of duty and the injuries are life-threatening.

1029.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of an officer during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing assigned duties.

For an officer, a line-of-duty death includes death that is the direct and proximate result of a personal injury sustained in the line of duty (34 USC § 10281).

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1029.2 POLICY

It is the policy of the Plum Borough Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1029.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Supervisor and County Dispatch.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Shift Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

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- (c) If the member has been transported to the hospital, the Shift Supervisor or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1029.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Supervisor, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

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- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting child care or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Plum Borough Police Department members may be apprised that survivor notifications are complete.

1029.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1029.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shifts. Members reporting for duty from their residences should be instructed to contact their supervisors as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

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Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1029.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed. The Department should consider seeking assistance from surrounding law enforcement agencies to fill liaison and coordinator positions, as appropriate.

1029.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Command Staff or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System.
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

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- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-staff.
- (g) Reminding department members of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1029.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Establish a command post or incident command system, as appropriate, to facilitate management of the situation and its impact on hospital operations (e.g., influx of people, parking).
- (b) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (c) Ensure, as practicable, that any suspects who are in the hospital and their families or friends are not in proximity to the member's survivors or Plum Borough Police Department members (except for members who may be guarding a suspect).
- (d) Arrange for survivors to receive timely updates regarding the member before information is released to others.
- (e) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (f) Stay with survivors and provide them with other assistance as needed at the hospital.
- (g) If applicable, explain to the survivors why an autopsy may be needed.
- (h) Make arrangements for hospital bills to be directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment, and that the member's residence address, insurance information, and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include but are not limited to:

- Arranging transportation for the survivors back to their residence.

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- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting their actions at the conclusion of duties.

1029.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Command Staff. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- The selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

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1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
 - (g) Working with the Wellness Support Liaison for survivors to have access to available counseling services.
 - (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
 - (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
 - (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
 - (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
 - (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
 - (m) Inviting survivors to department activities, memorial services (e.g., as applicable, the Annual Candlelight Vigil at the National Law Enforcement Officers Memorial), or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1029.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
 1. Members involved in the incident.
 2. Members who witnessed the incident.

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3. Members who worked closely with the deceased member but were not involved in the incident.
 - (b) Making arrangements for members who were involved in or witnessed the incident to be relieved of department responsibilities until they can receive wellness support.
 - (c) Making wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) available to members as soon as reasonably practicable following the line-of-duty death.
 - (d) Coordinating with the Survivor Support Liaison to inform survivors of available wellness support and counseling services and assisting with arrangements as needed.
 - (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

1029.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison, and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.
- (g) Addressing event-related logistical matters (e.g., parking, visitor overflow, public assembly areas).

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1029.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Plum Borough Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform duties in accordance with the Outside Agency Assistance Policy.

Where practicable, the Chief of Police should appoint a mutual aid coordinator to identify external resources in advance of any need (e.g., regional honor guard teams, county- or state-wide resources).

1029.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Work-Related Injury and Occupational Disease Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the following:
 - 1. Public Safety Officers' Benefits Program, including financial assistance available through the Public Safety Officers' Educational Assistance (PSOEA) Program, as applicable (34 USC § 10281 et seq.).
 - 2. Social Security Administration.
 - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Death benefits as specified in the Pennsylvania Municipal Retirement Law (53 P.S. § 881.301 et. seq.).
 - 2. State death benefits (53 P.S. § 891 et seq.).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs.
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

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Line-of-Duty Deaths

- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1029.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1029.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Instruct department members to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Coordinate with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Disseminate important public information, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.

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- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media have obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should notify media when survivor notifications have been made.

1029.8 INVESTIGATION OF THE INCIDENT

The Chief of Police should make necessary assignments to conduct thorough investigations of any line-of-duty death and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1029.9 NON-LINE-OF-DUTY DEATH

The Command Staff may authorize certain support services for the death of a member not occurring in the line of duty.

Wellness Program

1030.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1030.1.1 DEFINITIONS

Definitions related to this policy include:

Critical incident – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

Peer support – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

Peer support member - A member assigned by the Department to provide peer support services who receives the required training (42 Pa.C.S. § 5952).

1030.2 POLICY

It is the policy of the Plum Borough Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1030.3 WELLNESS COORDINATOR

The Plum Borough Police Department should appoint a trained wellness coordinator. The coordinator should report directly to a member of Command Staff and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).

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Wellness Program

1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
 2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
1. Peer support member selection and retention.
 2. Training and applicable certification requirements.
 3. Deployment.
 4. Managing potential conflicts between peer support members and those seeking service.
 5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
1. Defining the types of incidents that may initiate debriefings.
 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
1. Obtaining a written description of the program services.
 2. Providing for the methods to obtain program services.
 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
 5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

1030.4 DEPARTMENT PEER SUPPORT

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1030.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

1030.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
 1. Stress management.
 2. Suicide prevention.
 3. How to access support resources.
- (c) In coordination with Command Staff and the Borough Department of Human Resources, providing referrals to licensed psychotherapists and other resources, where appropriate.
 1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

1030.4.3 PEER SUPPORT MEMBER TRAINING

A department peer support member should complete department-approved training prior to being assigned.

The approved training should include (42 Pa.C.S. § 5952):

- (a) 24 hours of basic training in peer support services (e.g., listening, assessment and referral skills, basic critical incident stress management).
- (b) 8 hours of continuing training annually.

1030.5 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

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The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support members, critical incident stress management team members, authorized coparticipants, and those directly involved in the incident.

1030.5.1 CRITICAL INCIDENT STRESS MANAGEMENT TEAM MEMBER AND COPARTICIPANT COMMUNICATIONS

A critical incident stress management team member who, while in the course of duty, acquires information from an officer in confidence, may not be compelled or allowed to disclose the information in a legal proceeding, trial, or investigation before any government unit except as provided in 42 Pa.C.S. § 5950 and 42 Pa.C.S. § 5951, as applicable. A critical incident stress management team member is a person who is specially trained to provide critical incident stress management services as a member of a critical incident stress management team that holds membership in the Pennsylvania Voluntary Critical Incident Stress Management Network administered by the Department of Health and registered with the International Critical Incident Stress Foundation (42 Pa.C.S. § 5950; 42 Pa.C.S. 5951).

A coparticipant who is present during the course of a critical incident stress management team intervention (e.g., debriefing, other crisis intervention service) may not be compelled or allowed to disclose any communications made during the intervention except as provided in 42 Pa.C.S. § 5950 and 42 Pa.C.S. § 5951. A coparticipant is a person who participates in a group critical incident stress management team intervention (42 Pa.C.S. § 5950; 42 Pa.C.S. 5951).

1030.6 PHYSICAL WELLNESS PROGRAM

The Plum Borough Police Department should appoint a Physical Wellness Coordinator. The coordinator is responsible for establishing guidelines for any on-duty physical wellness program, including the following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment
- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory.
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

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Wellness Program

1030.7 WELLNESS PROGRAM AUDITS

At least annually, the appropriate coordinator(s) or the authorized designee should audit the effectiveness of the department's wellness and physical wellness programs and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinators should present the completed audit to a member of Command Staff for review and consideration of updates to improve program effectiveness.

1030.8 TRAINING

The coordinator(s) or the authorized designee should collaborate with the Command Staff to provide all members with regular education and training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.
- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Command Staff as appropriate for inclusion in training records.

Attachments

**Borough Ordinance 784-07
Warrantless Summary Arrest.pdf**

ORDINANCE NO. 784-07

**AN ORDINANCE AUTHORIZING THE BOROUGH
OF PLUM POLICE DEPARTMENT TO ESTABLISH
GUIDELINES TO EFFECTUATE WARRANTLESS
ARRESTS FOR CERTAIN SUMMARY OFFENSES
UNDER THE PENNSYLVANIA CRIMES CODE.**

WHEREAS, in 1995, the Commonwealth of Pa. State Legislature enacted 42 Pa. C.S.A. section 8902 which allows governmental bodies, employing police officers to promulgate guidelines to be followed by police officers when effectuating warrantless arrests for specifically enumerated summary offenses; and

WHEREAS, the purpose of 42 Pa. C.S.A. Section 8902 is to increase the authority that governmental bodies have in addressing summary offenses which imperil the personal security of any person or endangers public or private property and;

WHEREAS, the Borough of Plum has become increasingly aware of the growing concern regarding incidents involving individuals who are disorderly, who are manifestly under the influence of alcohol, who are obstructing highways and other public roadways or passageways and who are purchasing, consuming, possessing, or transporting liquor or malt or brewed beverages while under the age of twenty one (21) all of which impairs personal security or endangers public or private property; and

WHEREAS, currently the Borough of Plum police have the authority to issue summary offense citations pursuant to 18 Pa. C.S.A. 5503, 5505, 5507, and Section 6308; and

WHEREAS, 42 Pa. C.S.A. Section 8902 expands the authority of the Borough of Plum police to arrest for disorderly conduct, public drunkenness, obstructing highways and other public passages and purchasing, consuming, possessing and transporting liquor or malt or brewed beverages while under the age of twenty one (21) or the facts and circumstances apparent to the officer that leads the officer to believe that such persons are engaged in actions that endanger persons or public or private property; and

WHEREAS, the Borough of Plum police has promulgated the following guidelines to empower the Borough of Plum police to effectuate warrantless arrests for the above enumerated offenses; and

WHEREAS, by enabling the Borough of Plum police department to effectuate warrantless arrests for disorderly conduct, public drunkenness, obstructing highways and other public passages, and the purchase, consumption, possession, or transportation of liquor or malt or brewed beverages, the Borough is protecting the safety and general welfare of the public and citizens;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED AND RESOLVED by the Council of the Borough of Plum as follows:

The Borough of Plum hereby adopts guidelines for effectuating warrantless arrests for disorderly conduct, public drunkenness, obstructing highways and other public passages, purchasing, consuming, possessing or transportation of liquor or malt beverages as follows:

WARRANTLESS ARREST GUIDELINES for the following four offenses pursuant to 18 Pa. C.S.A. as follows: 5503 Disorderly Conduct, 5505 Public Drunkenness, 5507 Obstructing Highways and other public passages, 6308 purchase, consumption, possession or transportation or liquor of malt or brewed beverages.

SECTION 1: Policy or Purpose. The purpose of this Section is to provide officers with guidelines for effectuating warrantless arrests relating to disorderly conduct, public drunkenness, obstructing highways and other passage ways, purchase, consumption, possession or transportation of liquor or malt or brewed beverages pursuant to 42 Pa. C.S.A. Section 8902. 42 Pa. C.S.A. Section 8902 increases the enforcement and authority by the Borough of Plum and other Municipalities who employ police officers by empowering Municipalities to not only issue Citations for disorderly conduct, public drunkenness, obstructing highways and other passage ways, the purchase, consumption, possession or transportation of liquor or malt or brewed beverages, but upon view by an officer to effectuate warrantless arrests for disorderly conduct, public drunkenness, obstructing highways or other passage ways, purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

SECTION 2: Scope. A police officer shall have the right to arrest without warrant when an officer views ongoing conduct, as it relates to disorderly conduct, public drunkenness, obstructing highways or other passage ways, the purchase, consumption, possession or transportation of liquor or malt or brewed beverages, in a public place when such conduct imperils the personal security of any person or endangers public or private property.

PROCEDURE FOR EFFECTUATING WARRANTLESS ARRESTS relating to disorderly conduct, public drunkenness, obstructing highways or other passage ways, purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

The within policy applies exclusively to 42 Pa. C.S.A. Section 8902. All officers are required to adhere to all other policies pertaining to 18 Pa. C.S.A. Section 5503 relating to Summary Offense Citations for Disorderly Conduct, 18 Pa. C.S. Section 5505 relating to Summary Offense Citations for Public Drunkenness, 18 Pa. C.S.A. relating to Summary Offense Citations for Obstructing Highways and other public passageways, 18 Pa. C.S.A. 6308 relating to Summary Offense Citations for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

Warrantless arrests under 42 Pa. C.S.A. Section 8902 shall also follow those procedures set forth in Pa. Rules of Criminal Procedure in particular Rule 71.

With warrantless arrests under 42 Pa. C.S.A. Section 8902; a Citation shall be issued to the Defendant at the time of his release and thereafter the case shall proceed in accordance with Pa. Rules of Criminal Procedure, Rules 55, 56, 57, 58 and 59 as if the proceedings has been instituted by issuing a citation to the Defendant.

This Council recognizes and understands that 42 Pa. C.S.A. Section 8902 and Pa. Rules of Criminal Procedure Rule 55, 56, 57 and 59 and 71 may be amended from time to time. It is the intention of this Council that the police officers follow the terms of said rules or statutes that are currently in effect as of the date of any arrests, whether or not these guidelines have been formally amended to comply with any Commonwealth of Pa. statute changes or Commonwealth of Pa. Rules of Criminal Procedure changes.

Further this Ordinance shall not modify, restrict, or otherwise prohibit a Borough of Plum police officer from making any other warrantless arrests or arrests for other summary offenses where such arrests have otherwise expressly been authorized by any other statute.

The effective date of this Ordinance will be upon declaration of the Chief of Police

that appropriate officer training, guidelines and department protocol have been met.

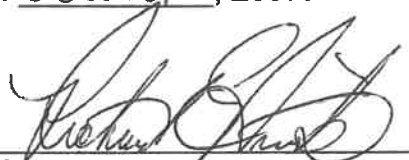
ATTEST:

BOROUGH OF PLUM




_____ Council President

Examined and approved by me this 8 day of October, 2007.


_____ Mayor

APPROVED AS TO FORM:


_____ Solicitor

Missing Person Declaration.pdf



Plum Borough Police Department
2000 Old Mine Road
Pittsburgh, PA. 15239

Missing Person Declaration

Name of Missing Person: _____ Date of Birth: _____

Address of Missing Person: _____

Disability: A person who is missing and who is physically and/or mentally disabled, thereby subjecting themselves or others to personal and immediate danger.

Involuntary: A person who is missing under circumstances indicating that their disappearance was not voluntary.

Endangered: A person who is missing under circumstances indicating that their physical safety is in danger.

Catastrophe: A person who is missing after a catastrophe, (E.G., man-made or natural disaster).

Other: A person 21 years of age or older and does not meet the criteria for entry in any other category, who is missing & for whom there is a reasonable concern for their safety.

I hereby declare and certify to the Plum Borough Police Department that the individual named above is missing as indicated in the category checked and their whereabouts are unknown. Police assistance is requested to locate this person. I am signing this document with the full understanding that any false information or statement will subject me to criminal penalties of 18 Pa. CS 4904, relating to unsworn falsification to authorities.

Name of Complainant: _____

Signature of Complainant: _____

Address / Phone # of Complainant: _____

Relationship to Missing Person: _____

Missing Persons Forms and Checklist.pdf



Plum Borough Police Department

2000 OLD MINE ROAD PITTSBURGH, PA 15239 (412) 793-7400 FAX (412) 795-6549

Plum Borough School District
900 Elicker Road
Plum, PA 15239

Attn.: Student Records Department

Re: NOTIFICATION TO SCHOOL DISTRICT - LOCATED CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency to the appropriate school district.

The following-named child has been located. Please remove the "missing child" notation from their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER:

AGENCY: Plum Borough Police Department

TELEPHONE NUMBER: (412) 793-7400

Thank you for your assistance in this matter.

Sincerely,

Investigating Officer

Badge #



Plum Borough Police Department

2000 OLD MINE ROAD PITTSBURGH, PA 15239 (412) 793-7400 FAX (412) 795-6549

Pennsylvania Department of Health
P.O. Box 1528
New Castle, PA 16103

Attn.: Director, Division of Vital Records

Re: NOTIFICATION TO DIVISION OF VITAL RECORDS - MISSING CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency.

The following-named child has been reported missing to the Plum Borough Police Department. Please make a notation on their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER:

AGENCY: Plum Borough Police Department

TELEPHONE NUMBER: (412) 793-7400

If a request for information from the record of above-named child is received, notify the investigating officer/investigating agency.

Sincerely,

Investigating Officer

Badge #



Plum Borough Police Department

SEARCH FOR MISSING PERSONS REPORT

REPORT NUMBER	Allegheny County Reference Number	DATE	TIME

ACTIONS TAKEN

<input type="checkbox"/> Checked Victim's Residence	Date:	<input type="checkbox"/> Checked ASAP / Juv. Court	Date:
<input type="checkbox"/> Checked Victim's Employer	Date:	<input type="checkbox"/> Checked ACJ / Shuman	Date:
<input type="checkbox"/> Checked Family Members	Date:	<input type="checkbox"/> Checked School / College	Date:
<input type="checkbox"/> Checked JNET	Date:	<input type="checkbox"/> Checked Social Media	Date:
<input type="checkbox"/> Checked Labor & Industry	Date:	<input type="checkbox"/> Checked USPS	Date:

List any relevant findings for the above searches.

Large empty text area for reporting findings.

REPORTING AND REVIEW

Reporting Officer	Date:
Approving Officer	Date:

Missing Person(s) report checklist:

1. Complaint entry
2. Incident report
3. NCIC worksheet (Missing Person / Juvenile) faxed to Index
4. Notification worksheet to Plum School District (Juvenile)
Fax # 412-795-3527
5. Notification worksheet to PA. Dept. of Vital Records
Fax # 724-656-3272
6. All worksheets & fax receipts to Sgt. DiMaria for **Teams**
7. Search for Missing Person worksheet – **every 60 days**
8. Upon location of Missing Person:
9. Notification to parent / guardian / complainant of located person
10. Notification to County Index for removal from NCIC
11. Notification to Plum Borough School District (Juvenile)
12. Notification to PA. Dept. of Vital Records
13. All worksheets and fax receipts to Sgt. DiMaria for **Teams**
14. Email entire department of the Notification of recovery
15. Supplemental report - **Notification of Recovery (original report #)**

P.B.S.D. Bomb Threat Protocol.pdf



900 Elicker Road
Plum, PA 15239
412-795-0100

Confidential PBSB Staff & Police Only

Bomb Threat Protocol (CONFIDENTIAL)

“The best practice, supported by federal law enforcement explosives experts, is for schools and police to assess threats rather than automatically evacuating schools. Many schools across the nation do not automatically evacuate their schools upon receiving a bomb threat. Decisions and protocols on these issues should be determined by school officials and their public safety (police, fire, etc.) partners as a part of their emergency planning process and prior to an actual incident.”¹

Threat Assessment

Evaluate each incident and determine level of threat². Search for device and search for who made the threat³.

Low Level: Lacks Realism: A threat that poses a minimum risk to the victim and public safety. Probable motive is to cause disruption.

- Threat is vague and indirect
- Information contained within the threat is inconsistent, implausible, or lacks detail
- Caller is definitely known and has called numerous times
- The threat was discovered instead of delivered (e.g., a threat written on a wall)

Medium Level: Increased Level of Realism: Threat that could be carried out, although it may not appear entirely realistic.

- Threat is direct and feasible
- Wording in the threat suggest the perpetrator has given some thought on how the act will be carried out.
- May include indications of a possible place and time
- No strong indication the perpetrator has taken preparatory steps, although there may be some indirect reference pointing to that possibility
- Indication the perpetrator has details regarding the availability of components needed to construct a bomb
- Increased specificity to the threat (e.g. “I’m serious!” or “I really mean this!”)

¹ <http://www.schoolsecurity.org/trends/school-bomb-threats-and-bombs/>

² <http://www.aets.org/article99.htm>

³ <https://www.inlander.com/Bloglander/archives/2015/04/10/idle-threats-expert-says-bomb-threats-are-pretty-much-always-duds>

High Level: Specific and Realistic; Threat appears to pose an immediate and serious danger to the safety of others.

- Threat is direct, specific, and realistic; may include names of possible victims, specific time, location of device
- Perpetrator provides his/her identity
- Threat suggests concrete steps have been taken toward carrying out the threat
- Perpetrator makes statements indicating they have practiced with a weapon or have had the intended victim(s) under surveillance

Response

Principal/Building Administrator or designee contacts local law enforcement, mobilizes building safety team, communicates with staff, limits access to building, and evaluates authenticity of threat.

Building safety team identifies threat risk and implements appropriate actions:

- Lockdown - full or partial
- Search - full or partial
- Evacuation - full or partial

Lockdown, search or evacuation will follow the protocol outlined by the National Explosives Task Force.

Communication with Parents and Community

During an emergency, it is vital that our schools have accurate and up to date emergency contact information for every student. Please update telephone and email addresses through the Parent Portal, Sapphire

<https://pbsd.sapphire.k12system.com/CommunityWebPortal/Welcome.cfm>. Our main emergency notification outlet and primary communication tool is Plum Connect. Update your information at

www.pbsd.k12.pa.us/plumconnect.aspx. Plum Connect is free and anyone can subscribe. In an emergency situation we may also send notifications via the District website, Twitter, Facebook or Constant Contact depending on emergency type and time constraints.

Training

Faculty & Administration - AED/CPR/First Aid, Stop the Bleed, Suicide Prevention, ALICE I & II, Mandate Reporter, and Cultivating Diversity

Safety Team (in addition to above) - Adult Misconduct in Schools: Prevention and Mitigation, CPI, SAP, and Bomb Threats: Response and Mitigation

Bomb Threat Awareness.pdf

Bomb Threat Awareness

Situation:

Since 09/18/2023, the Commonwealth of Pennsylvania has experienced a high volume of bomb threats. These threats have impacted schools, businesses, airports, houses of worship, etc. The greatest number of these threats have been received via email. It is common for the email to be sent through the “contact us” tab often found on websites. The verbiage of these threats remains similar, as it states that bombs are placed at the site and will detonate resulting in innocent lives being lost. It is likely these threats will continue to impact our region, as copycat threats are expected. At this time, the Western Pennsylvania All Hazards Fusion Center (WPAHFC) has not received any information indicating any of the threats were deemed credible. However, each incident should be reported to proper authorities and institutional procedures should be followed. The Federal Bureau of Investigation (FBI) is handling the investigation into these threats. Secondary reporting can be directed toward the WPAHFC, to assist in tracking these instances.

Important steps to take:

It is crucial to understand that any employee could potentially receive these emails, as the emails do not appear to be targeting specific recipients. Anyone within an organization may receive a threat, particularly if their contact information is accessible online. As a result, employees should be educated on how to handle threats and be aware of established procedures. Employers should remind their employees to check emails often. Proper training will allow threats to be reported correctly and in a timely manner.

Resources:

Below are resources to aid you and your institutions on how to handle a bomb threat:

Threat Advice: [What to Do - Bomb Threat | CISA](#)

Procedure Checklist: [Bomb Threat Checklist \(fema.gov\)](#)

Bomb Threat Guidance: [2016 DHS-DOJ Bomb Threat Guidance Brochure \(cisa.gov\)](#)

Preparation: [13 Steps Organizations Can Take to Prepare for a Bomb Threat \(asisonline.org\)](#)



Western Pennsylvania All Hazards Fusion Center

150 Hookstown Grade Rd | Moon, PA | 15108

Phone: (412) – 423 - 9245

Email: ra-spsafegdwesternpa@pa.gov

Bomb Threat Guidance.pdf



PRIOR TO THREAT

- Plan and prepare
- Develop a Bomb Threat Response Plan
- Provide Bomb Threat Response Plan training to all personnel

IF THREAT IS RECEIVED



- Conduct threat assessment
- Execute appropriate actions outlined in Bomb Threat Response Plan

1. Planning and Preparation

Planning Considerations

- Coordinate with local law enforcement and first responders to ensure smooth handling of a bomb threat
- Develop clear-cut primary and alternate levels of authority (referred to in this document as “Site Decision Maker(s)”)
- Select Evacuation Teams and Search Teams
- Develop training plan
- Determine search procedures
- Designate control center locations
- Plan for emergency assistance (police, fire, etc.)
- Establish primary and alternate evacuation routes and assembly areas
- Establish evacuation signal(s)
- Develop a communications plan
- Determine procedures for accessing/shutting off and reactivating utilities

Preparation Considerations

- Control building access
- Implement strict master key control
- Inspect incoming parcels
- Safeguard confidential material
- Keep exits unobstructed
- Ensure adequate internal/external emergency lighting
- Utilize electronic surveillance

2. Emergency Toolkit Contents

Items you may want to consider including in your Emergency Toolkit that will be taken to the Incident Command Post.

Building Facility

- Complete set of master keys: coded to rooms and corresponding with a printed key list
- Blueprints and floor plans or site map of building
- Video, photographs, or CD depicting building interior and exterior

Emergency Response Plans

- Copies of the Site Crisis Response Plan, Bomb Threat Plan, and Crisis Management Plan
- A list of the following phone numbers:
 - Site Decision Maker(s)
 - Police/Fire/Emergency Medical Services (EMS)
 - Federal Bureau of Investigation (FBI)
 - Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
 - Postal Inspector
 - Nearest hospital
 - Facility emergency names and phone numbers

Personnel Information

- Building emergency response team member contact information and assignments
- List of personnel trained in CPR and/or first aid
- Updated list, with pictures if possible, of all staff/personnel
- Staff/visitors sign-in/out sheets that include names and dates; Include provision for staff/visitors transported to medical facilities
- List of staff with special needs and description of need
- Contact information for neighboring/contiguous buildings

Additional Emergency Action Resources

- Reflective vests for building emergency response team members with identifying marks
- Bullhorn with charged batteries
- AM/FM portable radio
- Flashlights and batteries
- Local street and zone maps
- Clipboards
- Writing materials (legal pads, pens, pencils, markers)
- Plastic red/yellow tape for cordoning off areas

3. Receiving a Threat

Phoned Threat

- **Remain calm and DO NOT HANG UP**
- If possible, signal other staff members to listen and notify Site Decision Maker(s) and authorities
- If the phone has a display, copy the number and/or letters on the window display
- Write down the exact wording of the threat
- Keep the caller on the line for as long as possible and use the Bomb Threat Checklist to gather as much information as you can
- Record, if possible
- Fill out the Bomb Threat Checklist immediately
- Be available for interviews with the building’s emergency response team and law enforcement

Verbal Threat

- If the perpetrator leaves, note which direction they went
- Notify the Site Decision Maker(s) and authorities
- Write down the threat exactly as it was communicated
- Note the description of the person who made the threat:
 - Name (if known)
 - Race
 - Gender
 - Type/color of clothing
 - Body size (height/weight)
 - Hair and eye color
 - Distinguishing features
 - Voice (loud, deep, accent, etc.)

Written Threat

- Handle the document as little as possible
- Notify the Site Decision Maker(s) and authorities
- Rewrite the threat exactly as is on another sheet of paper and note the following:
 - Date/time/location document was found
 - Any situations or conditions surrounding the discovery/delivery
 - Full names of any personnel who saw the threat
 - Secure the original threat; **DO NOT** alter the item in any way
 - If small/removable, place in a bag or envelope
 - If large/stationary, secure the location

Emailed Threat

- Leave the message open on the computer
- Notify the Site Decision Maker(s) and authorities
- Print, photograph, or copy the message and subject line; note the date and time

4. Threat Assessment

All threats should be carefully evaluated. One must consider the facts and the context, and then conclude whether there is a possible threat.

Low Risk

Lacks Realism: A threat that poses a minimum risk to the victim and public safety. Probable motive is to cause disruption.

- Threat is vague and indirect.
- Information contained within the threat is inconsistent, implausible, or lacks detail.
- Caller is definitely known and has called numerous times.
- The threat was discovered instead of delivered (e.g., a threat written on a wall).



Medium Risk

Increased Level of Realism: Threat that could be carried out, although it may not appear entirely realistic.

- Threat is direct and feasible.
- Wording in the threat suggests the perpetrator has given some thought on how the act will be carried out.
- May include indications of a possible place and time.
- No strong indication the perpetrator has taken preparatory steps, although there may be some indirect reference pointing to that possibility.
- Indication the perpetrator has details regarding the availability of components needed to construct a bomb.
- Increased specificity to the threat (e.g., “I’m serious!” or “I really mean this!”).



High Risk

Specific and Realistic: Threat appears to pose an immediate and serious danger to the safety of others.

- Threat is direct, specific, and realistic; may include names of possible victims, specific time, and location of device.
- Perpetrator provides his/her identity.
- Threat suggests concrete steps have been taken toward carrying out the threat.
- Perpetrator indicates they have practiced with a weapon or have had the intended victim(s) under surveillance.

5. Staff Response

Considerations for Site Decision Maker(s)

- Immediately contact local law enforcement if not done
- Limit access to building
- Review Bomb Threat Response Plan
- Conduct Threat Assessment
- **Determine if search is warranted based on Threat Assessment**

If Search Is Initiated

- Enact Search Plan
- Communicate situation to staff/personnel and request that they make a quick and complete visual scan of their personal workspace for anything unusual
- Account for all personnel
- Assemble Search and Evacuation Team(s) and update about bomb threat condition

General Search Team guidelines:

- Search Teams make a quick and complete visual scan of the search area
- Divide individual rooms/areas into search levels
- Take special note of any object(s) that seem out of place
- Check ledges, balconies, waste baskets, and false ceilings and floors
- Check for unusual odors and listen for any unusual background noises
- If anything unusual is noticed, move people away from the potential hazard and immediately report the location of the object(s) to the Site Decision Maker(s)

NOTE: Use of radio communications is NOT recommended unless the area has been searched and cleared.

For additional information and products on bomb threats and improvised explosive device (IED) search procedures, please visit the DHS Office for Bombing Prevention website at www.dhs.gov/what-to-do-bomb-threat

6. Suspicious Item

A **suspicious item** is anything (e.g., package, vehicle) that is reasonably believed to contain explosives, an IED, or other hazardous material that requires a bomb technician to further evaluate it. Potential indicators are threats, placement, and proximity of the item to people and valuable assets. Examples include unexplainable wires or electronics, other visible bomb-like components, unusual sounds, vapors, mists, or odors. Generally anything that is **Hidden**, **Obviously suspicious**, and **not Typical (HOT)** should be deemed suspicious.

If Suspicious Item Is Found

- **DO NOT** touch, tamper with, or move the item
- Immediately report item to Site Decision Maker(s) and local law enforcement/first responders
- Site Decision Maker(s) must:
 - Ensure area is secured and cleared of personnel
 - Notify Search Teams
 - Ensure emergency responders are briefed
 - Evacuation and Search Teams should remain available to assist and inform evacuees, media, staff, and others

Considerations for Site Decision Maker(s)

- Not all items are suspicious
- An **unattended item** is anything (e.g., bag, package, vehicle) not in someone's possession and where there are no obvious signs of being suspicious (see above), especially if no threat was received

NOTE: The discovery of one suspicious item should not automatically mean the conclusion of a search. More suspicious items may be present.

The Site Decision Maker(s) must take the discovery of multiple suspicious items into consideration during the planning and execution stages of the facility's Bomb Threat Response Plan.

7. Lockdown/Evacuation

Considerations for Site Decision Maker(s)

- Repeat Threat Assessment:
 - Is the threat still credible?
 - Were any suspicious items located (if search was initiated)?
- Based on Threat Assessment, search (if initiated), and totality of circumstances, determine if addition measures are warranted:
 - Partial or full lockdown?
 - Partial or full evacuation?
 - No further action?

If Evacuation Is Initiated

- Select evacuation routes and assembly areas that are not in the vicinity of the suspicious item; ensure these routes have been searched and cleared
- Notify police/fire/EMS of evacuation and request assistance
- Account for all personnel
- Evacuation Team confirms the building is empty
- Bring emergency kit and building trauma kits, if available
- Advise all evacuees to remove all personal items (e.g., purses, backpacks)

Continuing Actions After Evacuation

- Debrief emergency services and assist in coordinating further actions
- Take accountability and report
- Open media, medical, and family areas — brief regularly
- As appropriate, determine reoccupy or dismiss action
 - Reoccupy when cleared and deemed appropriate
 - Dismiss in consultation with site administration
 - Notify all personnel of decision and ensure accountability
- Site Decision Maker(s) should remain on-scene until situation is resolved or until relieved by another administrator

A Final Note

Every bomb threat requires professional judgment and should be handled in accordance with the facility's needs. Site Decision Maker(s) and administrators should periodically review Federal guidance and work with local first responders to establish a Bomb Threat Response Plan that addresses each risk level appropriately and is optimal for their building(s) and personnel.



2016



Bomb Threat Guidance



These guidelines are designed to help Site Decision Makers of commercial facilities, schools, etc., respond to a bomb threat in an orderly and controlled manner with first responders and other stakeholders.



This product was developed jointly by the FBI and DHS Office for Bombing Prevention and reviewed by the National Explosives Task Force (NETF).

For more information, contact the DHS Office for Bombing Prevention at OBP@dhs.gov or the NETF at NETF@ic.fbi.gov.

**Allegheny County EOP V1
BASIC August 2020 FINAL v2.pdf**



County of Allegheny Pennsylvania

RICH FITZGERALD
COUNTY EXECUTIVE

WILLIAM D. McKAIN
COUNTY MANAGER

MATTHEW J. BROWN
EMERGENCY MANAGEMENT COORDINATOR

EMERGENCY OPERATIONS PLAN

BASIC PLAN

AUGUST 2020

Foreword

In order to alleviate suffering and aid citizens whose personal resources are exceeded by the effects of a disaster or emergency, government at all levels must provide public and private resources to cope with any emergency. To employ those resources in an organized, effective manner requires a consistent approach, well-defined and practiced procedures and organizational structures.

The Allegheny County Emergency Operations Plan (EOP) outlines how the County Government complies with and implements the requirement of the Pennsylvania Emergency Management Services Code to protect the lives and property of the citizens of the county. The County EOP serves as a bridge between the Local Municipal Emergency Operations Plan and the Pennsylvania Commonwealth Emergency Operations Plan (CEOP).

This plan outlines procedures and organizational structures and assigns responsibilities to accomplish the mission of helping the citizens and visitors to the County of Allegheny. It is an operational, not an administrative plan. It does not describe how things are done during non-disaster time. The responsibilities and coordination structures outlined herein align as closely as possible with day-to-day responsibilities, but their accomplishment during a disaster emergency must be coordinated. For this plan to work, the tasks and procedures outlined in this plan must be practiced and exercised.

At the federal level, the National Response Framework (NRF) aligns federal coordination structures, capabilities, and resources into a unified, all-discipline and all-hazards approach to incident response and the National Incident Management System (NIMS).

The Commonwealth of Pennsylvania Emergency Operations Plan (CEOP) will align Commonwealth operations with the NRF and incorporate the principles of NIMS. For the purposes of this plan, terminology currently in use by Emergency Management Services Code, 35 Pa. C.S.A. §§ 7107-7707, as amended, regarding the types of disasters (human-caused, natural, and war-caused) has been updated to reflect terminology used in federal guidelines.

The best possible advance planning is imperative in order to provide assurance that government is fulfilling its fundamental emergency responsibilities. Planning is a continuing process, drawing upon what is learned over time by all who are involved in emergency response. Improved understanding, broader knowledge and technological breakthroughs continue to improve the cooperation and coordination of effort. The NIMS incorporates policies and procedures that have been shaped by our mutual experiences. The continual refinement of plans and procedures and the mandated use of NIMS will accommodate situational changes and promote preparedness for all kinds of emergency situations.

This version of the EOP developed in the year 2020, is a complete revision of the Basic Plan volume of the Allegheny County Emergency Operations Plan and supersedes all previous versions.

Executive Summary

General: The County of Allegheny Emergency Operations Plan (EOP) prescribes emergency response procedures for the County of Allegheny, while it reflects the structure of emergency management throughout the Commonwealth of Pennsylvania and the nation. This plan serves as an emergency management link between local municipalities and state government while incorporating the federal organizational concepts of the National Response Framework (NRF.)

All emergency response activities within the county will utilize the National Incident Management System (NIMS). This includes prescribed incident command structures that will be used by local emergency responders at the scene of emergencies, and at the county Emergency Operations Center (EOC).

This plan employs a functional, all-hazards approach that manages the assistance that the county is likely to need or provide by defining fifteen (15) Emergency Support Functions (ESFs). These functions are basically the same as those at the state and federal levels.

Organization: The plan is divided into four sections, all published separately. This allows users to separate those portions that may contain personal information (the items in Sections III and IV) or information that may need to be kept confidential.

Volume 1 contains:

- The *Basic Plan* which describes procedures and principles for organizing emergency response throughout the county. It contains overarching structures and assigns responsibilities to various organizations in the county.
- A listing of Related Supporting Plans that;
 - depend on this plan for assignment of responsibilities and operational principles and may supplement this plan during specific emergencies,
 - because of regulatory requirements or the specific nature of the hazards they address, should stand alone,
 - are published separately, and incorporated into this plan by reference,
 - In some cases, contain personal or sensitive information and are exempted from the provision of the Right-to-Know Law, and from release to the general public.
- Appendices that provide additional information (definitions, explanation of terms, maps, etc.) that will be helpful during emergency response.

Volume 2 contains: *ESF Annexes* that describe the fifteen emergency support functions and how they will be accomplished.

Volume 3 contains:

- *Functional Checklists* that provide suggested tasks for each of the principal positions in the county EOC.

- Blank Forms that will be needed for the operation of the County EOC, and for reporting damages and other operational data to state government.

Volume 4 contains: Hazard-Specific Annexes which describe concepts of operation for specific threats and vulnerabilities. They identify strategies for detecting, assessing, and controlling the hazard; warning and protecting the public; and returning the area to a state of normalcy. Hazard-specific annexes identify mission considerations that will require coordination through the Emergency Operations Center (EOC), as well as the functional areas involved. They identify potential County, State, and Federal resources that may be needed.

Not published: Notification and Resource Manual (NARM) that contains a listing of those resources, facilities, personnel, equipment and supplies that are available to the county, along with contact information that will be needed to procure that resource for use during an emergency. It also contains the names of persons and facilities that require special notifications. (This is maintained electronically via the ACES QAES system)

Certification of Biennial Review

This Emergency Operations Plan has been reviewed by the Division of Emergency Management, within the Department of Emergency Services for the County of Allegheny.

Date	Reviewed by
September 20, 2020	Matthew Brown, Chief

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COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

Promulgation

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code (35 PA C.S. Section 7101 et seq., as amended) mandates that counties prepare, maintain, and keep current an Emergency Operations Plan for the prevention and minimization of injury and damage as caused by a major emergency or disaster within this county; and

WHEREAS, the County of Allegheny has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster in order to reduce the potential effects of a major emergency or disaster and to protect the health, safety, and welfare of the residents of the County of Allegheny; and

WHEREAS, this plan is designed to comply with all applicable county, state and, federal regulations; and provides the policies and procedures to be followed in dealing with natural and technological disasters, man-made hazards, and terrorism events.

NOW, THEREFORE, I, the County Executive of the County of Allegheny, do hereby approve, adopt, and place into immediate effect the Emergency Operations Plan of the County of Allegheny. This Emergency Operations Plan supersedes any and all previous Emergency Operations Plans for the County of Allegheny.

RESOLVED AND ADOPTED this 30 day of SEPTEMBER, 2020 by the County Executive of the County of Allegheny, Pennsylvania.

Handwritten signature of Rich Fitzgerald in blue ink.

Rich Fitzgerald
County Executive

Handwritten signature of William D. McKain in blue ink.

William D. McKain, CPA
County Manager

(Official Seal of the County)

Handwritten signature of Matthew Brown in blue ink.

Matthew Brown
Chief/Emergency Management Coordinator

MATTHEW J. BROWN, CEM, CFPS, CHIEF
DEPARTMENT OF EMERGENCY SERVICES

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I. Purpose and Scope

A. Purpose

1. This plan is to prescribe those activities to be taken by County government and officials to coordinate emergency response activities, provide support to their citizens, and interface with the private sector, political subdivisions, and the Commonwealth government for the purpose of protecting lives and property in the event of a natural, technological, or human-caused event or disaster.
2. This plan serves to satisfy the requirements of the Pennsylvania Emergency Management Services Code.
3. This plan is designed as an “All-Hazards” plan. Its organization into Emergency Support Functions allows it to be used for disasters and emergencies of all types and:
 - a. Reduces the loss of life and property of Allegheny County residents due to natural, technological, or manmade disasters.
 - b. Provides an efficient, comprehensive organizational structure for the Emergency Operations Center (EOC).
 - c. Manages emergency operations within the county by coordinating the use of resources available from municipal government, private industry, civic and volunteer organizations, and state and federal agencies.
 - d. Allows for the County to recover from emergencies by providing for the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies.

B. Scope

1. The plan will apply to all emergencies that require county-level response and occur within the geographic boundaries of the County, and to the use of county emergency response assets for response to emergencies in other counties and jurisdictions.
2. The plan is applicable to all assets of county government and supporting emergency response organizations within the county and volunteer organizations or individuals who will support county response to disasters or emergencies.

C. Methodology

The methodology used to prepare this plan is as follows:

1. The Allegheny County Department of Emergency Services (ACES) is the lead emergency planning agency and developed the basic planning policies, guidelines, and EOP document.

2. The EOP is maintained by the Emergency Management Coordinator and updated in accordance with the Pennsylvania Emergency Management Services Code, (35 Pa. C.S.), Section 7101 et seq., as amended.
3. The EOP is adopted by Executive Action by the County Executive.
4. The plan is distributed to all Emergency Operations Center (EOC) staff, support staff, liaisons, municipalities, and upon request to appropriate parties. The plan is also available on the ACES website and in CD format.
5. The EOP outlines primary organizational structure, roles, and responsibilities of all partner agencies. Each department head is required to acknowledge responsibility of assigned roles and responsibilities by signing the appropriate annexes.
6. Each Emergency Support Function (ESF) was individually drafted through focused planning sessions with the lead and support agencies.
7. The recovery and mitigation sections were drafted through focused planning sessions with the lead and support agencies.
8. Each lead and support agency are required to develop, update, and distribute operational procedures and ensure consistency with the EOP and define specific internal procedures.
9. The members of ESF planning committees, updated as the annexes were drafted, and approved, reviewed all supporting SOPs. Copies of all SOPs are maintained at the EOC for easy reference during activation.
10. The EOP will be updated as changes occur or according to state requirements.

II. Situation and Assumption

A. Situation

1. County Location and Description: County of Allegheny County is located in the Southwest portion of Pennsylvania and encompasses a land area of 730.0 square miles. According to the 2010 Census of the United States, the population of the county is 1,223,348. City of Pittsburgh, the county seat, is located in the Central portion of the county. Approximately 6.9 percent is agriculture and 93.1 percent is considered urban. There are 1176.0 miles of state and federal highways and 3740.0 miles of secondary and municipal roads in the county. The County is comprised of 130 municipalities and has 43 School District(s).
2. County Capabilities and Resources:
 - e. Allegheny County Department of Emergency Services operates a 9-1-1 Center which serves as an emergency communications hub for the entire county.
 - f. The 9-1-1 Center operates 24/7.
 - g. Mutual Aid and Support: The County is a member of the Southwest PA Emergency Response Group (Region 13) Regional Task Force. The county also has numerous mutual aid agreements with surrounding counties.
3. County Hazard Vulnerability: The County is subject to a variety of hazards. According to the county Hazard Vulnerability Analysis (HVA) contained in the County Hazard Mitigation Plan, the most likely and damaging of these are:
 - a. Civil Disturbance
 - b. Dam Failure
 - c. Drought
 - d. Earthquake
 - e. Environmental Hazards
 - f. Extreme Temperature
 - g. Flash Flood
 - h. Flood
 - i. Hailstorm
 - j. Ice Jam
 - k. Invasive species
 - l. Landslide
 - m. Lightning Strike
 - n. Nuclear Incident
 - o. Pandemic
 - p. Radon Exposure
 - q. Subsidence, Sinkhole
 - r. Terrorism
 - s. Tornado & Wind Storm
 - t. Transportation Accident

- u. Urban Fire and Explosion
- v. Utility Interruption
- w. Wildfire
- x. Winter Storm

B. Assumptions

1. A major disaster, emergency or terrorism event may cause numerous fatalities and injuries, property loss, and disruption of normal life-support systems, and will have an impact on the regional economic, physical, and social infrastructures.
2. The extent of casualties and damage will depend on factors such as the time of occurrence, severity of impact, weather conditions, population density, building construction, and the possibility of cascading events such as fires, explosions, structural collapse, contamination issues, loss of critical infrastructure and floods.
3. A major disaster or emergency will overwhelm the capabilities of the local municipal governments along with their emergency response agencies.
4. The county will coordinate and support the activities of multiple political subdivisions in accordance with the provisions of the Pennsylvania Emergency Management Services Code. The County Division of Emergency Management may need to respond on short notice to provide timely and effective assistance.
5. Using the tiered response system, resources and capabilities of the regional task force may be requested by the county to provide additional coordination and support, in accordance with The Counterterrorism Planning, Preparedness and Response Act of 2002.
6. Upon a determination that resource requests exceed or may exceed locally available resources, the county will request assistance from the regional task force or the Pennsylvania Emergency Management Agency (PEMA).
7. The occurrence of a major disaster or emergency may result in the declaration of a disaster emergency by the Governor. Depending upon the severity of the event, the Governor may request a Declaration of Emergency or Major Disaster from the President, or a declaration of Economic Emergency from the administrator of the Small Business Administration.
8. The Pennsylvania Intrastate Mutual Aid System (PIMAS) will make aid available to the county and all of its political subdivisions that have not opted out of the system.
9. PIMAS will be utilized in response to emergencies and disasters that require actions beyond the capacity of the local municipality or the county in which the incident occurs.

III. Concept of Operations

A. General

1. NIMS: All emergency response within the county will follow the National Incident Management System (NIMS) that has been specified by the U.S. Department of Homeland Security.
 - a. The designation of an Incident Commander, and, if necessary, an Incident Management structure;
 - b. The use of resource definitions specified by NIMS; and
 - c. Communication and planning protocols used in NIMS.
2. NRF: The National Response Framework (NRF) is an integral part of the national effort to prevent, and reduce America's vulnerability to terrorism, major disasters, and other emergencies, minimize the damage and recover from attacks, major disasters, and other emergencies that occur. In the event of an Incident of National Significance, as defined in HSPD-5, we will integrate all operations with all levels of government, private sector, and nongovernmental organizations through the use of NRF coordinating structures, processes, and protocols.
3. Most disasters, emergencies and terrorism related incidents are handled by local responders. The county is called upon to provide supplemental assistance and coordination whenever the consequences of a disaster or emergency exceed local capabilities and as identified within the Pennsylvania Emergency Management Code (Pa. C.S. 35 Sections 7101-7701). If the disaster, emergency, or terrorism incident exceeds the capabilities of the county, the PA Region 13 Task Force will be requested to provide assistance. The regional counter terrorism task forces can provide assistance in the form of specialized response teams. Additionally, the State (PEMA) will be requested to provide assistance. If needed, the state can mobilize an array of resources including, specialized response teams, support personnel, and specialized equipment to support disaster or emergency situations.
4. Phasing: All disasters start at the local level. Response will start there as well and will escalate with the scope of the incident.
 - a. Initial response to disasters, emergencies and terrorism related incidents is normally handled by local responders, dispatched by county 9-1-1.
 - b. If it appears that the incident will grow beyond the capabilities of the locality, or if more than one local municipality will be involved in response, the county EMA will assist with coordination of the efforts.
 - c. If local resources become overwhelmed, the county will provide supplemental assistance.
 - d. If county resources are not adequate, the county EMA will turn to other counties, the Regional Task Force and/or the state for assistance.

B. Intergovernmental Assistance

The County EMC and County Executive have developed mutual aid agreements with adjacent Counties for reciprocal emergency assistance as needed. Additionally, as provided for in Act 2002-227 (The Counter-terrorism Planning, Preparedness and Response Act) the County is a member of the regional (PA Region 13 Task Force) and may obtain assistance in the form of specialized support teams, materials and equipment. Adjacent Counties and other governments will render assistance in accordance with the provisions of intergovernmental support agreements in place at the time of the emergency. The provisions of the Regional Task Force Plan, the County 9-1-1 plan and the associated mutual aid agreements will also apply.

1. The county is a participant in the Pennsylvania Intrastate Mutual Assistance System (PIMAS) and utilizes the Mutual Aids Instructions document (The PIMAS process can be found at <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2008&sessInd=0&act=93>)
2. The Southwest Regional Task Force (Region 13) will provide materials and equipment as well as assistance in the form of specialized incident support teams (ISTs/IMTs) as available.
3. Adjacent Counties and other governments will render assistance in accordance with the provisions of PIMAS and other mutual aid or intergovernmental support agreements in place at the time of the emergency.
4. The provisions of Regional Task Force Plans, the County 9-1-1 plan and the associated mutual aid agreements will also apply.
5. The county EMA and other agencies will establish regular communication with state agency offices supporting the county (Pennsylvania Departments of Agriculture and Transportation, State Police, etc.)
6. Requests for unmet needs will be forwarded to the state EOC through the PEMA Western Area Office at 1-800-972-7362.

C. Direction, Control, Coordination, and Support

1. County Elected Officials are responsible for the protection of the lives and property of the citizens and they exercise ultimate control of emergency activities within the county.
2. The Emergency Operations Center (EOC) will be used for decision-makers to exercise direction and control of county operations, to gather information and to coordinate activities of the responders during emergency situations.
 - a. The EOC is not normally activated but will be activated as needed.
 - b. The location of the EOC is listed in the Notification and Resource Manual (available electronically via QAES).

3. The Emergency Management Coordinator (EMC) may act on behalf of the County Elected Officials. The County EOC may be activated by the EMC or the elected officials during an emergency.
4. The County EOC will use an operational structure that is based on the Incident Command System defined in the National Incident Management System. This mirrors the structure used at the state and outlined in the National Response Framework (NRF).
5. The initial Incident Command/Unified Command (IC/UC) at an incident site will be from the service having primary jurisdiction (fire, police, emergency medical services, etc.). As an incident progresses, the primary jurisdiction may change. If the line of jurisdiction becomes unclear, a unified command should be formed.
 - a. The on-site IC will coordinate with the respective municipal emergency management coordinator as much as possible.
 - b. If the county EOC is operational, it will coordinate with the scene through the local EMC (if available). If the local EMC is unavailable, the IC/UC at the incident site will coordinate directly with the county EOC.
 - c. The EOC Manager in the EOC will NOT assume command of those resources on-scene. The EOC will support the efforts of the on-site IC/UC.
6. Emergency Response will be managed through the fifteen Emergency Support Functions outlined in Table 2. The actual functions of the ESFs are detailed in Volumes II and III of this plan.
7. Within the EOC, the ESFs have been assigned to the general staff sections of the incident command structure (Figure 2). This provides for better coordination and control. As situations require, direct collaboration between ESFs will be conducted.
8. In those cases where an ESF is not staffed, ICS doctrine dictates that responsibilities and activities of that ESF revert to the section chief. If the section chief position is not filled, the responsibilities revert to the EOC Manager.
9. The County EMC will monitor local events through media outlets, internet sites, the county 9-1-1 center, reports from PEMA or the National Weather Service or other sources. Based on impending events, the EOC manager will consider a partial or full activation of the EOC.
10. Other Emergency Plans may be applicable and provide detail to supplement this plan:
 - a. An incident involving hazardous substances, weapons of mass destruction or a nuclear power plant incident may involve response prescribed by other (incident specific) plans (Regional Task Force Response Plan, SARA Plan, Nuclear/Radiological Emergency Response

Plan, High Hazard Dam Plan, etc.). These plans provide additional information or details, but do not supersede or replace this County EOP.

- b. If the incident involves implementation of response plans at various levels, the county and state Emergency Management Agencies shall serve to coordinate to the maximum extent practical to ensure effective actions.

11. Integration of Response, Recovery and Mitigation Actions:

- a. Following a disaster, immediate response operations to save lives, protect property, and meet basic human needs have precedence over recovery and mitigation. Recovery actions will be coordinated and based upon availability of resources.
- b. Mitigation opportunities will be considered throughout disaster operations.

12. County State of Emergency Declaration Process

The following sequence of events will occur when the County Emergency Management Coordinator deems a declaration necessary:

- a. The County Emergency Management Coordinator will notify the County Executive and advise of the nature of the event and potential need to declare a State of Emergency and activate the EOC.
- b. The County EMC or designee will advise the County Executive and prepare the County State of Emergency Declaration. In the absence of the County Executive, the line of succession will be County Manager.
 - 1) In the absence of both the County Executive and the County Manager, a majority of the County Council may declare a State of Emergency.
- c. Upon execution of the State of Local Emergency Declaration, all municipalities in Allegheny County will be forwarded a copy.
- d. Conference calls maybe scheduled with impacted communities and EOC staff.
- e. The Public Information Officer will prepare and release appropriate announcements advising the public of the nature of the emergency.
- f. The County State of Emergency declaration will remain in effect for 7 days or it is rescinded by a subsequent declaration of the County Executive.
- g. Upon recommendation of the County Executive or the Emergency Management Coordinator, a continuation of the County State of Emergency may be extended by County Council until the emergency is declared abated by the County Executive or by resolution of the County Council.

13. Activation of the County Emergency Operations Center (EOC):
 - a. The ACES Chief (or designee) or EOC Manager will determine which ESFs are needed in the EOC. The EOC Manager will contact the required ESFs.
 - b. Activation of the EOC will be phased in three levels (See Table 1 and Table 2), with Level 3 being normal operations, and Level 1 involving a maximum effort on the part of County EMA and both paid and volunteer staff.

PHASE	EVENT	SCOPE	EXAMPLES
STEADY STATE (Level 3)	Normal operations, routine, localized events with relatively minor damages.	9-1-1 center monitoring the situation, EMA staff are on call.	Minor Hazardous Materials incidents; flood watch.
PARTIAL ACTIVATION (Level 2)	Threats that require situational awareness, planning or possible county-level response. Significant effects to a section of the County or a significant event requiring notification or the deployment of the County Mobile Command Post	County EMA staff reports to the EOC or incident site to monitor needs for county or out of county resources.	Winter Storm Warning, Tornado Warning, Flood Warning; large fire, unusual event.
	OR		
	Significant effect across the County that may exceed normal resources. Certain Special Events.	Partial mobilization of EOC Staff & ESFs as required.	Severe flash flooding or severe weather with damage.
FULL ACTIVATION (Level 1)	Catastrophic damage in the county, or neighboring counties, requiring heavy commitment of resources and possible requests for mutual aid.	Full mobilization of EOC Staff with all available ESFs.	Severe winter storm, Category 2+ hurricane stalling over Region for days; General Emergency; September 11/Hurricane Katrina-like event.

Table 1 – Levels of EOC Activation

The EOC Staffing Levels are as listed below:

NORMAL/STEADY STATE:	Unstaffed, regular daily operations. 9-1-1 Center monitoring.
ENHANCED WATCH:	County EMA and ACES Command Staff monitoring event in EOC or remotely.
PARTIAL ACTIVATION:	County EMA and ACES Command Staff are monitoring event in EOC or remotely and supplemented with County Department and ESF Primary Agencies as required.

FULL ACTIATION:	Full mobilization of all County EMA, ACES, Command Staff, ACES Support Staff, County Departments, and ESF Primary (possibly secondary) Agencies to the EOC.
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Table 2 – Staffing Levels of the EOC

D. Continuity of Operations Planning (COOP)

The County Continuity of Operations Plan (published as a separate, related plan) contains procedures to ensure that county government continues to provide services to the citizens.

1. Lines of succession specify replacements for principal elected officials should the incumbents be unable to perform the responsibilities of their office. The line of succession should be at least three deep, i.e. it should specify at least two replacements for principal officials.
2. Emergency Authority: The County Executive has authority, under emergency conditions, to:
 - a. Declare a state of emergency;
 - b. Proclaim and enforce curfews;
 - c. Shut down nonessential government operations;
 - d. Issue emergency executive orders, proclamations, and regulations that have the full force and effect of law in coordination with State authorities.
3. An Alternate EOC (AEOC) that has the basic minimum capabilities of the EOC has been designated. Its location and capabilities are specified in the Notification and Resource Manual (available electronically via QAES).
4. Vital Records Safeguarding: Each county elected official and department/ agency is responsible for identifying, selecting and protecting vital records, both paper and automated, that are essential for continued public well-being.
5. Local Municipalities: Each political subdivision has a COOP Plan that specifies the Line of Succession, critical functions, vital records and the procedures for safeguarding them.

E. Political Subdivisions Adopting the County Plan as Their Own

To satisfy the requirements of the Emergency Management Services Code (35 Pa C.S., §7101-7707), each political subdivision must have an Emergency Operations Plan. PEMA has encouraged regionalization of local emergency management programs, including adoption of the county plan, and County EOC as their own.

1. Within Allegheny County, the political subdivisions listed in Appendix 5 have passed resolutions that adopt the county plan as their own.
2. Accordingly, for those municipalities:

- a. The requirement for a local Emergency Management Coordinator (EMC) remains. The local EMC will coordinate preparedness, especially logistical preparedness in the municipality. During time of emergency, the local EMC will function as a deputy to the County EMC, with primary responsibility for damage reporting and assessment in his/her area. In case of emergencies in political subdivisions other than her/his own, the local EMC/County EMC will assist with damage reporting and assessment in those affected parts of the county.
- b. If there is an emergency in the affected township/borough/city, there may be no local EOC, or the local EOC may be co-located with the County EOC. In that case, incident coordination will rely on the County. The County Incident Manager will determine whether to activate the County EOC in support of the local incident.
- c. The political subdivision will maintain:
 - 2) A Notification and Resource Manual (available electronically via QAES) and will ensure that a current copy of the manual is available to the County EMA.
 - 3) Functional checklists or SOPs for local reaction to emergencies.
- d. The local EMC will also coordinate public disaster awareness and individual preparedness for the citizens of his/her municipality.

IV. Responsibilities

A. General

1. All emergency response activities in Pennsylvania will utilize the principles of the National Incident Management System (NIMS) as defined by USDHS. This includes, but is not limited to:
 - a. The utilization of the Incident Command System (ICS) as defined in NIMS for command and control in the field.
 - b. The use of one of the identified EOC Staff Organizations within NIMS for incident support and control.
 - c. Strict adherence to standards and resource typing as defined in the Resource Management component of NIMS, where possible.
 - d. Compliance with Communication and Information Management protocols specified by NIMS.
2. This plan acknowledges the five mission areas as defined in the *National Response Framework* (NRF): prevention, protection, response, recovery, and mitigation. The County EOP serves primarily as a “response and recovery” plan.
3. Under the direction of the EOC Manager, large-scale missions will be assigned by ESF, and the ESF Coordinating Agency will determine how to provide the support using the resources of those agencies assigned.
 - a. On most occasions, only some of the fifteen ESFs will be activated; however, certain incidents may require activation of all fifteen.
4. Each involved County Department will send an agency representative to the EOC when requested to support response activities.
 - a. Agency Representatives (AREP) are senior personnel from each agency of County of Allegheny government. They represent the secretary/commissioner/director of their respective department, have access to executive level personnel, and have authority to speak for and commit the resources of their department.
 - b. AREPs are trained in the principles of emergency management and NIMS.
 - c. AREPs in the EOC may be called on for information or to assist any of the incident support branches (upper part of the chart) staffed by ACES, or to accomplish missions assigned by the EOC Manager.
 - d. Depending on the severity of the incident, AREPs may be activated to work in the EOC individually or in groups to support the ESFs as perceived by the EOC Manager. They may also work virtually if the situation permits and is authorized by the Senior County Official and Operations Order.

B. Command Staff

1. Policy Group

a. Elected Officials

1) Prevention and Preparedness Phases:

- i. Responsible for establishing a county emergency management organization;
- ii. Provide for continuity of operations;
- iii. Establish lines of succession for key positions;
- iv. Prepare and maintain this EOP in consonance with the State Emergency Operations Plan;
- v. Establish, equip and staff an EOC; and
- vi. Recommend for appointment by the governor an EMC who may act on their behalf, if necessary.

2) Response and Recovery Phases:

- i. Issue Protective Action Recommendations (PAR) (to evacuate or to shelter in place) as needed (See the Pennsylvania Evacuation Planning & Implementation Guidebook on the PEMA website https://www.dvrpc.org/operations/incidentmanagement/pdf/2009-02_Pennsylvaniaevacuationplanningguide.pdf)
- ii. Issue declarations of disaster emergency if the situation warrants
- iii. Apply for federal post-disaster funds, as available

b. Emergency Management Coordinator (ACES Chief)

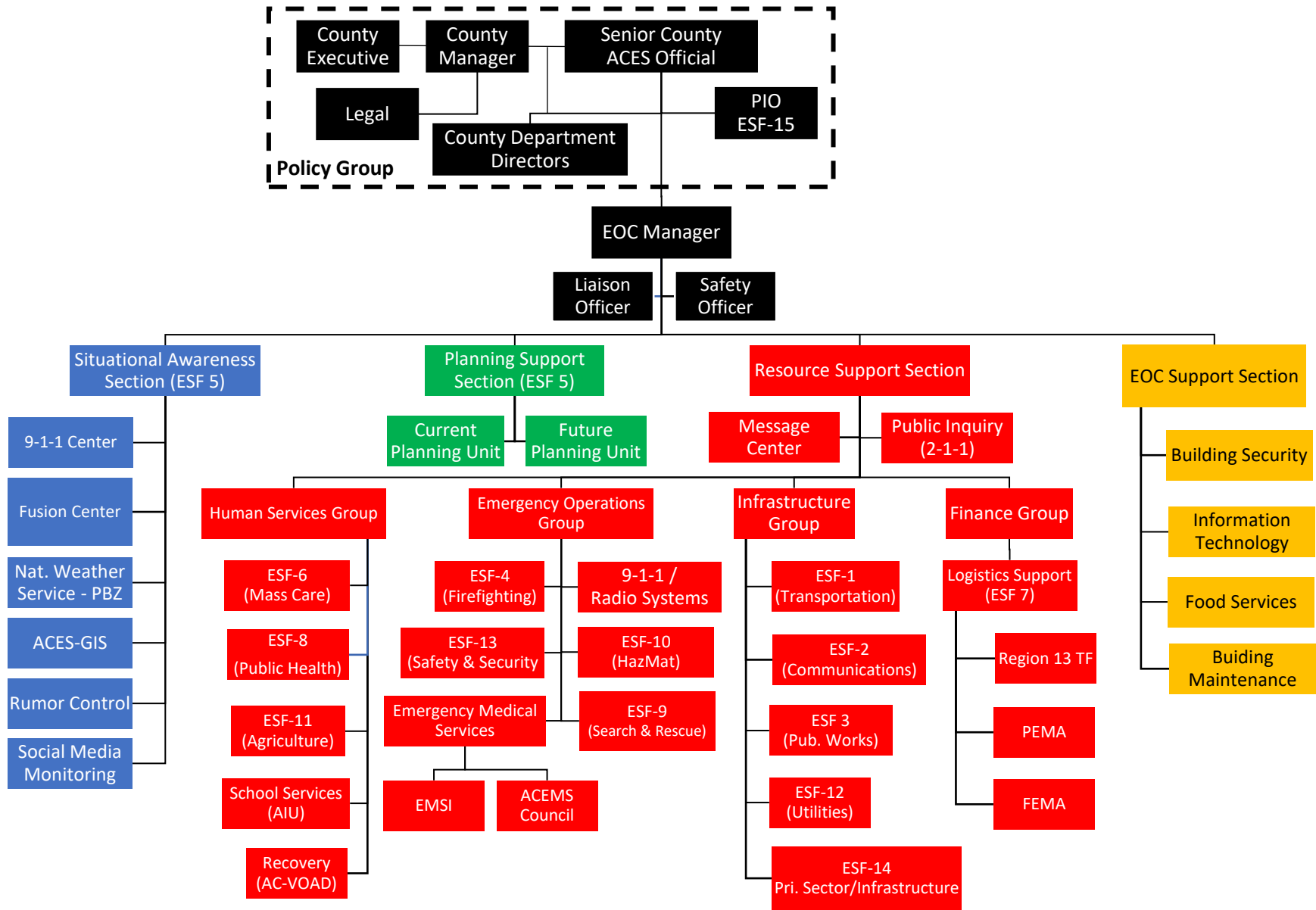
1) Prevention and Preparedness Phases:

- i. Prepare and maintain an EOP for the county subject to the direction of the elected officials, review and update as required
- ii. Attend training and workshops provided by PEMA and other sources to maintain proficiency and currency in emergency management and emergency response planning and procedures
- iii. Serve on the executive committee of the Regional Task Force

1) Response and Recovery Phases:

- i. Mobilize the EOC and act as, or designate, the EOC Manager (command function) within the EOC during an emergency

- ii. Make recommendations to the elected officials regarding choice and timing of a Protective Action Recommendation
 - iii. Compile cost figures for the conduct of emergency operations above normal operating costs
 - iv. Ensure IDR information is collected and forwarded to PEMA
- c. Public Information Officer / External Affairs (ESF #15)
- 1) Prevention and Preparedness Phases
 - i. Advise elected officials and the County EMC about Public Information activities
 - ii. Work with local EMAs to develop and maintain a list of diverse cultural sub-communities, with points of contact and of advocacy groups for special needs populations
 - iii. Develop and maintain the checklist for the Public Information function
 - iv. Assist in the development, review and maintenance of the EOP
 - 2) Response and Recovery Phases:
 - i. Respond to the EOC, the field, or Joint Information Center (JIC) as needed
 - ii. Advise elected officials and the County EOC Manager/EMC about Public Information activities
 - iii. Coordinate the activities of the JIC
 - iv. Develop and release emergency public information before and during and after an emergency



2. EOC Management

a. EOC Manager

1) Prevention and Preparedness Phases:

- i. Maintain coordination with the local municipal EMAs as well as PEMA, and provide prompt information in emergencies, as available
- ii. Identify hazards and vulnerabilities that may affect the county or its political subdivisions in coordination with the municipal EMAs
- iii. Identify resources within the County that can be used to respond to a major emergency or disaster situation and request needed resources from PEMA
- iv. Recruit, develop, train and maintain qualified personnel to staff the EOC and for other disaster needs
- v. Attend training and workshops provided by PEMA and other sources to maintain proficiency and currency in emergency management and emergency response planning and procedures
- vi. Serve on the executive committee of the Regional Task Force

2) Response and Recovery Phases:

- i. Maintain emergency response checklists appropriate for the emergency needs and resources of the community
- ii. Ensure IDR information is collected and forwarded to PEMA
- iii. Decide whether an Initial Damage Assessment is warranted and ensure that results are forwarded to PEMA
- iv. Prepare for Joint Preliminary Damage Assessment teams, if needed

b. Liaison Officer

1) Prevention and Preparedness Phases:

- i. Identify agencies and other organizations that may be needed during disaster response
- ii. Prepare to integrate agency representatives into the EOC

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Work with agency representatives to the EOC

- iii. Establish communication with affected local municipalities and with other agencies that are affected by the emergency
- c. Safety Officer
 - 1) Prevention and Preparedness Phases:
 - i. Identify, monitor and assess hazardous and unsafe situations;
 - ii. Develop measures to ensure personnel safety;
 - iii. Correct unsafe acts or conditions as warranted.
 - 2) Response and Recovery Phases:
 - iv. Identify, monitor and assess hazardous and unsafe situations
 - v. Develop measures to ensure personnel safety
 - vi. Correct unsafe acts or conditions
 - vii. Stop or prevent unsafe acts when immediate action is warranted
 - viii. Attend planning meetings to advise on safety matters
 - ix. Investigate accidents and prepare accident report
 - x. Incorporate lessons learned during emergencies or exercises into the existing plan and procedures

C. General Staff

1. **Situational Awareness Section (SAS):** The SAS compiles and analyzes information and data collected through their specific functions and produces relevant products from which the EOC, ACES senior leadership, and other stakeholders (internal or external) can make decisions affecting their specific support to an incident.
2. **Planning Support Section (PSS):** The PSS publishes and updates the operational tempo as needed and maintains the activation roster, contact information, and other pertinent information. The PSS:
 - a. addresses incident requirements for response resources, services, and program/policy decisions that cannot be resolved at the incident or county levels; and,
 - b. deals with incident consequences or requirements that affect multiple counties and/or the entire commonwealth.
 - c. publishes and updates the operational tempo as needed and maintains the activation roster, contact information, and other pertinent information.
3. **Resource Support Section (RSS):** The RSS, within the County EOC, performs resource management functions for the Counties incident responses. The Resource Support Section ensures that emergency response personnel at the

incident have the supplies, equipment, people, facilities, and services they need to respond to the incident effectively.

4. **EOC Support Section (EOCSS):** The EOCCS maintains physical security for the EOC by including access controls and other security measures. AQCES trains staff members to properly handle, protect, and manage sensitive information.

D. County Department Heads/County Agency Directors

1. Prevention and Preparedness Phases:
 - a. Provide staff support and resources
 - b. Assist in the development and maintenance of the EOP
 - c. Develop, review and approve the EOC checklists specific to their agency
2. Response and Recovery Phases:
 - a. Respond to the EOC or field location as needed
 - b. Provide guidance, direction and authority to agency/department personnel who support the EOC

E. Agency Representatives

1. Prevention and Preparedness Phases:
 - a. Work with county EMA to identify resources that may be available from their organization
2. Response and Recovery Phases:
 - a. Respond to the EOC or the field, as needed
 - b. Serve as the liaison between their respective agency and the county EOC
 - c. Serve as member of ESF Branch if needed
 - d. Interface with their respective agency to request/coordinate resources
 - e. Advise elected officials through the EOC Manager

F. ESF Responsibilities

Each ESF has been assigned a “Coordinating” agency and at least one “Support” agency. In cases where more than one agency has primary jurisdiction over functions within an ESF, a “coordinating agency” is designated from among them. Where there is only one agency with primary jurisdiction, that agency is also the coordinating agency.

ESF responsibilities in this plan mirror those in the National Response Framework and state Emergency Operations Plan. As listed below, they are broken into the Prevention and Preparedness Phases (before the disaster strikes) and the Response and Recovery Phases (after the disaster.)

ESF	FUNCTION	COORDINATING AGENCY	PRINCIPAL DUTY
1	Transportation	Port Authority, Airport Authority, or U.S. Coast Guard	Provide/control transportation resources and infrastructure.
2	Communications	Department of Emergency Services (9-1-1 Communications/IT)	Provide/maintain telecommunications and Information Technology (IT) resources.
3	Public Works & Engineering	AC Department of Public Works	Provide engineering and heavy equipment support and oversee debris removal and management
4	Firefighting	AC Department of Emergency Services (Fire Academy)	Coordinate suppression of wildland, urban, and rural fires and assist local firefighting efforts.
5	Information & Planning	AC Department of Emergency Services (Division of Emergency Management)	Coordinate countywide emergency response functions; collect/share/analyze/disseminate information; track resources; arrange for the reception and distribution of goods; coordinate debris management.
6	Mass Care, Shelter, & Human Services	AC Department of Human Services (Emergency/Risk Coordinator)	Coordinate shelter and mass care operations, provide emergency assistance, crisis counseling, and other human services to victims.
7	Logistics Management & Resource Support	AC Department of Administrative Services (Purchasing and Supplies)	Provide facilities, equipment, and supplies.
8	Public Health & Medical Services	AC Health Department	Coordinate medical care, public and crisis counseling, and mortuary services.
9	Search & Rescue	AC Department of Emergency Services (Fire Academy)	Coordinate search and rescue missions including: urban, wilderness and underground.
10	Oil & Hazardous Materials Response	AC Department of Emergency Services (Division of Emergency Management / HazMat Coordinator)	Respond/assist in incidents involving release of petroleum or other hazardous materials that may harm humans or the environment.
11	Agriculture & Natural Resources	Allegheny County Farmland Preservation Program (AG) and Allegheny Land Trust (NR)	Provide bulk food supplies; monitor animal feed and food production facilities and the health of livestock and food crops; coordinate animal safety/sheltering, protect natural, cultural and historic resources.
12	Energy & Utilities	Penn State Extension (Allegheny County)	Maintain and restore the supply of energy and utilities
13	Public Safety & Security	AC County Police	Provide physical security for citizens and their property: suppress criminal activity.

14	Private Sector & Infrastructure	Allegheny County Economic Development	Supports the coordination of cross-sector operations, including stabilization of key supply chains and community lifelines.
15	External Affairs	County Executive’s Office (Communications)	Provide information to the public through direct means and through the public media. Manage Public Inquiry and community outreach.

Table 3: Emergency Support Functions

1. Human Services Group

a. Mass Care, Shelter and Human Services (ESF # 6)

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Mass Care, Shelter and Human Services function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Maintain a listing of Mass Care – Shelter facilities including capacities in the County

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Monitor status of Mass Care – Shelter facilities including capacities in the County
- iii. Coordinate with American Red Cross and other appropriate agencies
- iv. Coordinate Mass Care – Shelter provision within the County during an emergency
- v. Coordinate with ESF # 1 (Transportation) and ESF # 7 (Resource Management) regarding evacuation issues
- vi. Advise the EOC chain of command about Mass Care, Evacuation and Shelter activities

b. Public Health and Medical Services (ESF # 8)

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Health/Medical Services function
- ii. Maintain a listing of hearing and visually impaired, handicapped and other special needs residents, based upon input received from the local EMAs, county service providers and other advocacy groups
- iii. Coordinate emergency medical activities within the County

- iv. In conjunction with the Pennsylvania Department of Health and its Strategic National Stockpile (SNS) program, plan for, staff and train workers for Points of Dispensing (SNS PODs) for the emergency distribution of vaccines and medication in case of bioterrorism or epidemic
- v. Assist in the development, review and maintenance of the EOP

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Coordinate specialized transportation if evacuation or relocation becomes necessary for hospitals, nursing homes, day care and adult care facilities
- iii. Coordinate medical services as needed to support shelter operations
- iv. Assist, as appropriate, search and rescue operations
- v. Coordinate the provision of Emergency Behavioral Health services, including the dispatch of DCORT and CISM teams.
- vi. Execute mortuary services in accordance with the Coroner's plan
- vii. Coordinate provision of inoculations for the prevention of disease
- viii. Advise the EOC chain of command about Health/Medical Services activities

c. Oil Agriculture and Natural Resources (ESF # 11)

3) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Agriculture and Natural Resources function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Work with the County Animal Response Team and other volunteer and municipal resources to provide for the welfare of production and companion animals
- iv. Maintain a listing of human and animal food and animal care and control assets within the county

4) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Maintain a listing of food and animal care and control assets within the county
- iii. Serve as a liaison between the County and the food community

- iv. Serve as a liaison between the County EMA and the Extension Office
 - v. Coordinate the dissemination of information and supplies to the food and animal care and control community within the County
 - vi. Coordinate the distribution of food to emergency workers and disaster victims
 - vii. In coordination with ESF #6, provide for shelters for household pets (See PETS Act – Appendix 1) and service animals
 - viii. Advise the EOC chain of command regarding food and animal care and control issues
- d. Long Term Community Recovery and Mitigation (ESF #14)
- 1) Prevention and Preparedness Phases:
 - i. Develop and maintain the checklist for the recovery function
 - ii. Identify the membership of the Long-Term Recovery Committee
 - iii. Assist in the development, review and maintenance of the EOP
 - iv. Identify and train members of the County Damage Assessment Team
 - 2) Response and Recovery Phases:
 - i. Respond to the EOC or the field, as needed
 - ii. Collect, compile, and report information and data, as appropriate
 - iii. Coordinate damage assessment activities
 - iv. Conduct Initial Damage Assessment utilizing the county Damage Assessment Teams
 - v. Support the State/Federal Joint Preliminary Damage Assessment teams, if needed
 - vi. Coordinate the activation of and meetings of the County Long Term Recovery Committee
 - vii. Activate a County Recovery Task Force, if needed
 - viii. Designate and assist with operation of Disaster Recovery Centers
 - ix. Serve as a liaison with state disaster recovery personnel
 - x. Coordinate with ESF #15 to disseminate recovery information to disaster victims and the general public
 - xi. Advise the EOC chain of command regarding recovery programs and needs

2. Emergency Services Group

a. Firefighting (ESF # 4)

1) Prevention and Preparedness Phases

- i. Develop and maintain the checklist for the Firefighting function
- ii. Assist in the development, review and maintenance of the EOP

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Coordinate fire services activities
- iii. Coordinate route alerting of the public
- iv. Assist, as appropriate, with evacuation of affected citizens, especially those who are institutionalized, immobilized or injured
- v. Coordinate the emergency shutdown of light and power
- vi. Coordinate the provision of emergency lights and power generation
- vii. Assist schools with evacuation, as required
- viii. Advise the EOC chain of command about fire and rescue activities

b. Search and Rescue (SAR) (ESF # 9):

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Search and Rescue (SAR) function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Maintain a list of all SAR/US&R (Urban Search and Rescue) teams and resources available to the county
- iv. Advise elected officials and the EOC Manager about SAR incidents and activities

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Maintain a list of all SAR/US&R teams and resources available to the county
- iii. Coordinate search and rescue activities within the county
- iv. Interface with the State US&R representative
- v. Refer to PEMA to contact DEP Bureau of Deep Mine Safety for assistance with Underground Search and Rescue

- vi. Refer to PEMA for assistance in identifying available Swiftwater rescue teams
 - vii. Serve as an information resource regarding SAR incidents
 - viii. Assist, as appropriate, SAR/US&R components
 - ix. Advise the EOC chain of command about SAR incidents and activities
- c. Oil and Hazardous Materials (ESF # 10):
- 1) Prevention and Preparedness Phases:
 - i. Develop and maintain the checklist for the Hazardous Materials function
 - ii. Assist in the development, review and maintenance of the EOP;
 - iii. Maintain a listing of SARA Sites within the County along with facility emergency plans based upon input received from the facilities and municipal EMAs
 - 2) Response and Recovery Phases:
 - i. Respond to the EOC or the field, as needed
 - ii. Maintain a listing of SARA Sites within the County along with facility emergency plans based upon input received from the facilities and municipal EMAs
 - iii. Coordinate hazardous materials activities within the County
 - iv. Interface with the State Certified - County Hazardous Materials team
 - v. Notify and Coordinate with the Department of Environmental Protection (DEP) as required
 - vi. Serve as an information resource regarding hazardous materials incidents
 - vii. Coordinate decontamination and monitoring of affected citizens and emergency workers after exposure to chemical or radiological hazard
 - viii. Assist as appropriate with hazardous materials operations
 - ix. Advise the EOC chain of command about Hazardous Materials incidents and activities
- d. Public Safety and Security: (ESF #13)
- 1) Prevention and Preparedness Phases:
 - i. Develop and maintain the checklist for the Law Enforcement/Police Services function

- ii. Assist in the development, review and maintenance of the EOP

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Coordinate security and law enforcement services
- iii. Establish security and protection of critical facilities, including the EOC
- iv. Coordinate traffic and access control in and around affected areas
- v. Assist as appropriate with route alerting and notification of threatened populations
- vi. Assist as appropriate with the evacuation of affected citizens, especially those who are institutionalized, immobilized or injured
- vii. Coordinate the installation of emergency signs and other traffic movement devices;
- viii. Assist as appropriate in search and rescue operations
- ix. As required, assist schools in evacuation or shelter in place
- x. Advise the EOC chain of command about Law Enforcement/Police Services operations

3. Infrastructure Group

a. Transportation (ESF #1)

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Transportation Services function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Maintain a listing of Transportation Resources and contact information including capacities in the County
- iv. Develop and maintain a listing of transportation-dependent citizens in the county

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Maintain a listing of Transportation Resources and contact information including capacities in the County
- iii. Coordinate the supply of transportation resources within the County during an emergency
- iv. Advise the EOC chain of command about transportation-related activities

b. Communications (ESF # 2)

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the Communications function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Train staff members on the operation of communications systems
- iv. Ensure ability to communicate among the County EOC, field operations and the local municipal EMAs

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Assist with notification of key staff
- iii. Train staff members on the operation of communications systems
- iv. Ensure ability to communicate among the County EOC, field operations and the local municipal EMAs
- v. Advise the EOC chain of command about Communications activities

c. Public Works and Engineering (ESF # 3)

1) Prevention and Preparedness Phases

- i. Develop and maintain the checklist for the Public Works function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Maintain a listing of Public Works assets and resources

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Maintain a listing of Public Works assets and resources
- iii. Serve as a liaison between municipal public works and the County
- iv. Coordinate the assignment of Public Works resources
- v. Provide information on water, sewerage, road construction and repair, engineering, building inspection and maintenance
- vi. Coordinate debris management
- vii. Advise the EOC chain of command about Public Works and Engineering activities

d. Utilities/Energy (ESF # 12)

1) Prevention and Preparedness Phases:

- i. Develop and maintain the checklist for the utilities/energy function
- ii. Assist in the development, review and maintenance of the EOP
- iii. Maintain a listing of energy and utility assets within the County

2) Response and Recovery Phases:

- i. Respond to the EOC or the field, as needed
- ii. Maintain a listing of energy and utility assets within the County
- iii. Serve as a liaison between the County and the utility/energy suppliers
- iv. If the State Fuel Set-aside program is implemented, maintain the County records and oversee implementation procedures
- v. Coordinate the dissemination of information to the energy suppliers within the County
- vi. Assist the County EMC (EOC Manager) and elected officials in administering the fuel set-aside program (if implemented)
- vii. Advise the EOC chain of command regarding energy utility issues

4. Finance Group

e. Group Supervisor

1) Response and Recovery Phases:

- i. Serve as the coordinator of all activities categorized under the Finance Group
- ii. Function as the interface between the Finance Group and the other Operations Section Groups
- iii. Provide periodic updates and briefings to the Operations Section Chief
- iv. Maintain oversight of all financial, cost and reimbursement activities associated with the emergency
- v. Track personnel time records and other costs incurred by the county in order to support possible claims for federal reimbursement
- vi. Consolidate equipment and personnel costs incurred by political subdivisions
- vii. Administer the financial aspects of the emergency / disaster according to County policies and procedures

- viii. Following the declaration of an emergency by the County Elected Officials, or the Governor, initiate emergency purchasing/acquisition procedures
 - ix. Serve as an interface with the Pennsylvania Emergency Management Agency (PEMA) and the Federal Emergency Management Agency (FEMA) regarding financial recovery operations
 - x. Advise the EOC chain of command regarding the financial aspects and implications of the event
- f. Logistics Support (ESF # 7)
- 1) Prevention and Preparedness Phases:
 - i. Develop and maintain the checklist for the Logistics Management and Resource Support function
 - ii. Assist in the development, review and maintenance of the EOP
 - iii. Maintain a listing of resources with contact information
 - iv. Develop procedures to rapidly order supplies and equipment, and to track their delivery and use
 - 2) Response and Recovery Phases:
 - i. Respond to the EOC or the field, as needed
 - ii. Maintain a listing of resources with contact information
 - iii. Coordinate the provision of materials, services and facilities in support of the emergency
 - iv. Coordinate the establishment of and operation of Customer Support Centers to hand out emergency water and supplies to victims
 - v. Advise the EOC chain of command about resource acquisition activities within the County

V. Training and Exercises

All exercises of this plan, or its components, will be designed, administered, and evaluated in accordance with the Homeland Security Exercise Evaluation Program (HSEEP).

A. Training Requirements

1. Elected and appointed officials and all emergency management and response personnel will be trained to meet the minimum requirements specified in applicable legislation (Title 35, Pa C.S.A.), federal NIMS requirements and PEMA training and exercise directives.
 - a. The Emergency Management Agency will keep records and ensure that needed training is available through on-line sources, community colleges or scheduled training sessions in the county.
 - b. The County EMA will conduct quarterly trainings for local coordinators and county staff to provide program updates and coordinate county-wide response and emergency management.
 - c. Exercises, as indicated above, will be used as a training vehicle for public officials, county emergency staff and emergency services personnel who are assigned emergency responsibilities in this plan.
 - d. EMA staff officers responsible for functional annexes are charged with ensuring that personnel who implement the respective annexes are competent.
 - e. Other state and federal training: EMA staff will participate in state and federal training programs as prescribed internally and by PEMA.
2. Exercises
 - a. The Allegheny County Department of Emergency Services provides guidance on emergency management exercises conducted to maintain the operational readiness of all team members. Exercises may be tabletop, functional, or full-scale scenarios based upon the required exercise objectives. The EOC operational readiness is tested annually and includes appropriate ESF primary and support agencies, other government and private agencies normally involved in emergency response, and recovery support activities.
 - b. Municipalities are invited to activate their EOCs, conduct communications checks, and participate to desired levels during the county's annual exercise and all other exercises. Upon request, the Allegheny County Department of Emergency Services will participate in interagency, cross jurisdictional and private-sector exercises including amateur radio, American Red Cross, Local Emergency Planning Committee, municipalities, etc. Exercises are designed and evaluated by the exercise design committee consisting of representatives from the Allegheny County Department of Emergency Services and other partner organizations. Upon the completion of an exercise or an actual EOC activation, an After-Action Review is conducted, and a summary report (After Action Report and Improvement Plan) will be created by the

Allegheny County Department of Emergency Services that delineates corrective actions to improve the operational readiness of the response and recovery team.

3. Training

- a. Allegheny County Department of Emergency Services provides public education, professional development training, and technical training to public safety volunteers and emergency management staff from county government and local communities across the county.
- b. Public Education includes public safety advisories, citizen preparedness information, press releases, and seminars for a variety of audiences across the county.
- c. Professional Development training is provided for all members of the public safety community and includes one-day and multi-day classes on topics that help the emergency volunteers or professionals to better do his or her job.
- d. PEMA directs that the emergency management coordinator at each level of government earn three levels of certification. A large part of the certification involves completing training offered by PEMA or the Federal Emergency Management Agency's Emergency Management Institute.
- e. The Emergency Management Certification Program lists the training requirements for people hired or appointed as a county or municipal emergency management coordinator, or deputy coordinator, or as a member of a county or municipal emergency management staff.

VI. Plan Development, Maintenance, and Distribution

A. County EMA

1. Prepare and maintain this EOP and other required contingency plans to provide for County and Municipal disaster emergency management responsibilities.
2. Monitor the maintenance of plans developed by other County and Municipal governments, departments, and agencies.
3. Receive and review recommendations for change generated by agencies using this plan and every two years, or sooner if required, publish changes to all holders of this plan.
4. Assist in the coordination and development of county department/agency, municipal, school district plans, and such other plans as may be required.
5. Develop emergency operational principles and planning guidance and distribute to other County agencies and municipal governments.
6. Supply County departments/agencies and municipal governments with the necessary technical information, advice and assistance needed to achieve effective discharge of their emergency responsibilities.

B. Other Departments and Agencies

1. All County departments/agencies shall develop supporting plans for the accomplishment of assigned emergency management responsibilities. Such plans shall be in accordance with and in support of this plan, and use consistent activities and terminology outlined in NIMS. The current plan shall be filed with ACES by originating agencies.
2. Each agency is responsible to determine the sensitivity of its plans and to take such steps as are necessary, consistent with the Pennsylvania Right-to-Know Law, to protect personal or law enforcement sensitive information in the plan.

C. ESF Annex Maintenance

1. The ESF coordinating agency for each ESF is responsible for the development and maintenance of that ESF's annex to this plan. The ESF will be reviewed and updated as necessary, but at least biennially (every two years).
2. The ESF lead is responsible to contact supporting agencies for their ESF to ensure they are aware of and can support their responsibilities within the annex.
3. Whenever the ESF is implemented during an emergency response or for an exercise, a review will be conducted to determine what changes, if any, are

necessary. Reviews and updates will be coordinated with all parties assigned responsibilities in the ESF.

D. County EOP Distribution

1. Basic distribution of this plan:
 - a. County Executive’s Office
 - b. County Manager’s Office
 - c. PEMA Western Area Office and Headquarters
 - d. All County departments/agencies
 - e. All ACES Divisions
 - f. All County Municipalities
 - g. The County website
2. The basic plan is publicly available on County’s website, and all requests for the basic plan will be directed there.
3. The ESF annexes are only available to the ESF coordinating, primary, and support agencies.

E. Miscellaneous

1. This document is effective for planning or operations on the date of issuance.
2. While the “Basic Plan” portion of this CEOP will be made available to the public, some portions of this plan are considered to be sensitive and restricted.

APPENDICES

Appendix A: Authorities and References**A. Authorities**

The authority for this Plan and county emergency management programs comes from the Pennsylvania Emergency Management Services Code and the Counterterrorism Planning, Preparedness and Response Act of 2002.

B. References

1. Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121 *et seq.*, *as amended*
2. The Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C § 7101 *et. seq.*)
3. The Pennsylvania Emergency Management Services Code (35 Pa CSA § 7101 *et. seq.*)
4. The Pennsylvania Right-to-Know Law (65 P.S. §§ 67.101, *et seq.*)
5. The Pennsylvania Intrastate Mutual Aid Program (PIMAS) (Act 93 of 2008)
6. Pets Evacuation and Transportation Standards Act of 2006 (PL 109-308)
7. US Small Business Administration (13 CFR Part 123)
8. Homeland Security Presidential Directive – 5 (HSPD-5)
9. Presidential Policy Directive – 8 (PPD-8)
10. Homeland Security Exercise Evaluation Program
11. Pennsylvania Emergency Management Agency, “Commonwealth of Pennsylvania Enhanced All-Hazard Mitigation Plan,” Section 1.3 – Risk Assessment, October 2007
12. Commonwealth of Pennsylvania, State Emergency Operations Plan (June 2019)
13. Pennsylvania Emergency Management Agency, “Pennsylvania Evacuation Planning and Implementation Guidebook” April 2006
14. Title III, Superfund Amendments and Reauthorization Act (SARA), October 17, 1986, Section 301-305, 311 and 312.
15. Allegheny County, Hazard Mitigation Plan, 2015

Appendix B: Acronyms and Definitions

AAR - After-Action Review – A review of activities after an exercise or actual event to determine lessons learned, areas of success, and areas needing improvement. This will result in a written After-Action Report with recommendations for improvement.

Area Command - An organization that oversees the management of multiple incidents or oversees the management of a very large or evolving situation with multiple ICS organizations.

AREP - Agency Representative – Representative from other County agencies or Non-Governmental Organizations (NGO) that have the authority to commit to decisions on behalf of their respective agency or department head.

ARES - Amateur Radio Emergency Service – An American Radio Relay League sponsored emergency organization of amateur radio operators that provides communications resources outside the provisions of Radio Amateur Civil Emergency Service (RACES).

All-Hazards Emergency Planning – A system of planning for response to an emergency that is based on emergency support function(s), not the emergency itself, thus allowing one plan to be applicable to all hazards.

CERCLA - Comprehensive Environmental Response, Compensation and Liability Act – An act which regulates hazardous substances released into the environment, and the cleanup of inactive hazardous waste disposal sites. Commonly referred to as “Superfund.”

CISM - Critical Incident Stress Management – A system of peer counselors who provide emergency counseling for emergency responders.

Combustible Liquid – Any liquid having a flash point at or above 100° F and below 200° F.

Communications Interoperability – The ability of public safety and emergency services agencies to share information using voice and data signals within and across disciplines and jurisdictions on demand, in real time, as needed, and as authorized.

DCORT - Disaster Crisis Outreach Team - A team of disaster behavioral health professionals and paraprofessionals organized at the county level to provide emergency crisis counseling to disaster victims and their families in accordance with standards established in the state Emergency Behavioral Health Plan.

Declaration of Disaster Emergency

Local disaster emergency – The condition declared by the governing body of a political subdivision when, in its judgment, the threat or actual occurrence of a disaster is or threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby. A local emergency arising wholly or substantially out of a resource shortage may be declared only by the Governor, on petition of the governing body of that political subdivision, when he deems the threat or actual occurrence of a disaster to be of sufficient severity and magnitude to

warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby.

Governor's proclamation of disaster emergency – The Governor is empowered to declare a state of disaster emergency when finding that a disaster has occurred or that the occurrence or the threat of a disaster is imminent. This proclamation or declaration authorizes state agencies and political subdivisions to exercise vested powers without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements). Emergency powers include, but are not limited to, the employing of temporary workers; entering into various types of contracts; purchasing materials and supplies; and the appropriation and expenditure of public funds.

Presidential declaration of emergency – Emergency means any occasion or instance when in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property and public health and safety, or to lessen or avert the threat of a severe disaster.

Presidential declaration of major disaster – Major disaster means any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm or drought) or, regardless of cause, any fire, flood or explosion in any part of the United States, that in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby.

Decontamination – The process of making any individual, object, or area safe for unprotected personnel; the process of rendering any chemical or biological agents harmless; or the process of removing chemical or radiation agents.

Disaster – A human-caused or natural catastrophe.

Natural disaster – Any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe that results in substantial damage to property, hardship, suffering, or possible loss of life.

Human-caused disaster – Any condition, including an attack on the United States by a hostile foreign state or by a domestic or foreign terrorist, or any industrial, nuclear or transportation accident, explosion, conflagration, power failure, natural resource shortage, or other condition resulting from failure of industrial or transportation systems such as oil spills and other injurious environmental contamination, that threatens or causes substantial damage to property, human suffering, hardship, or loss of life.

Disaster Emergency - Those conditions that by investigation may be found, actually or likely, to:

1. Affect seriously the safety, health or welfare of a substantial number of citizens of the County or preclude the operation or use of essential public facilities.

2. Be of such magnitude or severity as to render essential state supplementation of municipal efforts or resources exerted or used in alleviating the danger, damage, suffering, or hardship faced.
3. Have been caused by forces beyond the control of man; by civil disorder, riot, terrorism or disturbance; or by factors not foreseen or not known to exist when technological processes were put into place.

DMAT - Disaster Medical Assistance Team – A team of health workers organized to provide medical services for casualties resulting from disasters.

EAN - Emergency Action Notification – A message disseminated to state relay stations, notifying them that PEMA will activate the EAS Network.

EAS - Emergency Alert System – A voluntary program of the broadcast industry which allows the use of its facilities to transmit emergency information to the public as prescribed by the President, the Governor of the Commonwealth, or authorized state or municipal officials.

Emergency Communications – The application of communications systems and technology to the delivery of emergency services.

Emergency Management – The judicious planning, assignment and coordination of all available resources in an integrated program of prevention, preparedness, response, and recovery for emergencies of any kind, whether from human-caused or natural sources.

EMC - Emergency Management Coordinator – Official appointed to coordinate the entire spectrum of emergency activities in a political subdivision.

EMS - Emergency Medical Services – The services utilized in responding to the needs of an individual for immediate medical care to prevent loss of life or aggravation of physiological or psychological illness or injury.

Emergency Medical Services (EMS) System – The arrangement of personnel, facilities, and equipment for the effective and coordinated delivery of emergency medical services required in the management of incidents, which occur as a result of a medical emergency, accident, natural disaster, or a similar situation.

Emergency Services – Services provided for the protection or preservation of persons or property in circumstances of immediate and significant threat of injury or harm, including firefighting, law enforcement, ambulance, and medical.

Etiologic Agent – Any viable micro-organism, or its toxin, which causes or may cause human disease.

Emergency Support Function (ESF) Coordinating Agency – The department/agency responsible for ensuring that the various departments/agencies and individuals assigned responsibilities for accomplishment of an ESF operate in an efficient and effective fashion to alleviate suffering and mitigate the effects of a disaster.

Evacuation – Evacuation is a protective action—moving people from a place of danger to a place of relative safety. During an emergency, spontaneous evacuations involve a temporary mass movement of people that collectively emerges in coping with community threats, damages, or disruptions.

Explosive – Any chemical compound, mixture, or device whose primary or common purpose is to function by explosion, with substantially instantaneous release of gas and heat.

Extremely Hazardous Substance (EHS) – A substance identified by the Environmental Protection Agency (EPA) as extremely hazardous and meeting reporting requirements under the Superfund Amendments Reauthorization Act (SARA). Extremely hazardous substances are listed in 40 CFR Part 355 and in the EPA published “List of Lists.”

Facility – All buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites, and which are owned or operated by the same person. For purposes of SARA Sec. 304, this includes motor vehicles, rolling stock, and aircraft.

Fire/Rescue Service – Organized local fire departments, whether career, volunteer, or combination.

Flammable Liquids – Any liquid having a flash point below 100° F.

Flammable Solids – Any solid material, other than an explosive, which is liable to cause fires through friction, retained heat from manufacturing or processing, or which can be ignited readily and, when ignited, burns so vigorously and persistently as to create a serious hazard.

Governing Body – The elected government of political subdivisions, i.e., county, city, borough, incorporated town, or township government.

Hazardous Material (Hazmat) – The Secretary, United States Department of Transportation, has determined that a hazardous material is a substance or material capable of posing an unreasonable risk to health, safety and property when transported in commerce. Hazardous materials include, but are not limited to, explosives, radiological materials, etiologic (disease carrying) agents, flammable liquids or solids, and combustible liquids or solids.

Hazardous Substance – A substance identified as hazardous and meeting reporting requirements under CERCLA. CERCLA hazardous substances are listed in 40 CFR, Part 302 and in the EPA List of Lists.

Hazards Vulnerability Analysis (HVA) – A compilation of natural, human-caused, and technological hazards and their predictability, frequency, duration, intensity, and risk to population and property. The state’s HVA can be found in the state Hazard Mitigation Plan.

Hazardous Waste – Any garbage, refuse, sludge from an industrial or other waste treatment plant, sludge from a water supply treatment plant or air pollution control facility, and other discarded material, including solid, liquid, semi-solid or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agriculture operations, and from community activities or any combination of these factors which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or morbidity in either an individual or the total population; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Homeland Security Exercise Evaluation Program (HSEEP) – A program to design, evaluate, and follow up on exercises of a variety of emergency services and functions. The program was developed by USDHS.

IFLOWS - The Integrated Flood Observation and Warning System – A system used to gather rainfall data from remote sites and assemble it for predicting flash floods or other related conditions. The system has the capability to send and receive text message traffic between IFLOWS terminals and is also used as a backup system to Pennsylvania Statewide Telecommunications Alerting and Reporting System for sending traffic between PEMA and county EMAs that participate in the IFLOWS program.

Incident Support Manager (ISM) – The County ACES Chief or designee who assumes command and control over all statewide emergency operations during an emergency disaster declaration. The ISM reports directly to, speaks for, and in some situations, is a representative from, the Office of the Governor. The ISM is supported by PEMA’s legal counsel and Public Information Officer (PIO).

Local Municipality – A municipality that is not a county. (See “Municipality”)

Mass Care Centers – Fixed facilities that are used for short-term emergency supply of life essentials to people who are rendered temporarily homeless. In addition to lodging, food, and clothing, they should make provision for home care and social needs.

Municipality – As defined in the Pennsylvania Constitution, “. . . a county, city, borough, incorporated town, township, or similar unit of government . . .” (Article IX, Section 14, The Constitution of Pennsylvania).

NIMS – National Incident Management System – Provides a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life and property and harm to the environment.

NWS - National Weather Service – An agency within the National Oceanic and Atmospheric Administration (NOAA) that is responsible for the forecasting, observation, and dissemination of weather information.

PEIRS - Pennsylvania Emergency Incident Reporting System – A uniform emergency situation reporting system that consolidates reporting requirements and identifies PEMA as the single point of contact.

Pennsylvania Emergency Management Council – A council comprised of the Governor and the other senior state officials which has been created by law to provide policy and direction for the emergency management program statewide.

Political Subdivision – Any county, city, borough, incorporated town, or township.

Protective Action – Action taken to avoid or reduce the effects of a hazard. (The two major categories are evacuation or shelter.)

Public Safety Agency – A subdivision of Commonwealth government, public authority, or municipal authority located in whole or in part within the Commonwealth that provides or has the authority to provide firefighting, law enforcement, ambulance, emergency medical, or other emergency services.

Public Safety Communications – The application of communications systems and technology in carrying out operations by public safety agencies, including state and local government, police, fire, highway maintenance, forestry conservation, emergency medical, and special emergency services.

RACES - Radio Amateur Civil Emergency Service – An organization of licensed amateur radio operators that provides radio communications for federal, state, and municipal governments in time of emergency.

Radioactive Materials – Any material, or combination of materials, that spontaneously emits ionizing radiation and has a specific activity greater than 0.002 microcuries per gram.

Reentry – The return to the normal community dwelling and operating sites of families, individuals, governments, and businesses once the evacuated area has been declared safe for occupancy.

Release – Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (to include the abandoning or discarding of barrels, containers, and other closed receptacles) of any hazardous chemical, extremely hazardous substance, or toxic chemical.

Resource Management – The means by which PEMA identifies and responds to situations of shortages of essential resources of personnel and material or interruptions of services that could affect the safety or well-being of the people of the Commonwealth. It includes the interface between government and the private sector in restoring pre-disaster emergency conditions.

Resource Shortage – The absence, unavailability, or reduced supply of any raw or processed natural resources or any commodities, goods, or services of any kind that bear a substantial relationship to the health, safety, welfare, and economic well-being of the citizens of the Commonwealth.

Route Alerting – One component of an alerting system which is accomplished by pre-designated teams traveling in vehicles along pre-assigned routes delivering an alert/warning message.

SARA - “Superfund Amendments and Reauthorization Act of 1986” – Title III of SARA includes detailed provisions for community planning to respond to hazardous material releases. See “Title III” below.

SARA Facility – Any manufacturing or storage facility that has or may hold sufficient quantities of an EHS to trigger the planning and reporting requirements of Title III (below).

SDS - Safety Data Sheet – A document that provides detailed information on chemical substances. Also referred to as a Safety Data Sheet (SDS).

Spill - An accident that allows material to flow or escape from a containment.

Spontaneously Combustible Materials (Solid) – Any solid substance (including sludge and pastes) which may undergo spontaneous heating or self-ignition under conditions normally related to transportation or which may, upon contact with the atmosphere, undergo an increase in temperature and ignite.

Staging Area – A pre-selected location that provides a base for coordinated emergency operations, assembly of persons to be moved by public transportation to host jurisdictions, a rally point for mutual aid and a debarking area for returning evacuees.

Superfund – The trust fund established under CERCLA to provide money the on-scene coordinator can use during a cleanup.

Telecommunications – Any transmission, emission, or reception of signs, signals, writings, images, sounds, or information by wire, radio, or other electromagnetic systems.

Telecommunications Service – A specified set of information transfer capabilities provided to a group of users by a telecommunications system.

Telecommunications System – A collection of communications networks, transmission systems, relay stations, tributary stations, and data terminal equipment usually capable of interconnection and interoperation to form an integrated whole.

Terrorism – The unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

Title III – Part of SARA, this is also known as the Emergency Planning and Community Right-to-Know Act of 1986, which specifies requirements for organizing the planning process at the state and municipal levels for specified EHS, minimum plan content, requirements for fixed facility owners and operators to inform officials about EHS present at the facilities and mechanisms for making information about EHS available to citizens.

Toxic Chemicals – Toxic chemicals identified as chemicals of concern by states of New Jersey and Maryland (329 chemicals/chemical categories). This list of chemicals is subject to Toxic Chemical Release Reporting under SARA, Title III, Section 313.

Unmet Needs – Capabilities and/or resources required to support emergency operations but are either unavailable or not provided for at the respective levels of government.

United States Department of Homeland Security (USDHS) - The department of the federal government that is responsible for protection against and response to threats to the citizens of the United States. The USDHS is the parent agency of the Federal Emergency Management Agency (FEMA).

Warning – The dissemination to government officials and the general public of a forecast of impending disaster or emergency. It includes the signal, or attention aspects, as well as the notification message describing the nature of the hazard and the actions to be taken. The warning signal means to turn on EAS to receive instructions.

Weather Emergency – Issued by the NWS as subtext within either a tornado or flash flood warning, saved only for extreme cases where the potential for loss of life or extreme damage to property is likely.

Weather Warning – When issued by NWS, a warning means that the hazardous weather phenomenon has been sighted or has occurred in the specified area.

Weather Watch - When issued by the NWS, a watch means that the conditions are present for the occurrence of the hazardous weather phenomenon in the specified area.

Appendix C: Listing of Acronyms Used

It is the nature of emergency services to strive for operational efficiencies by shortening the terms that are used. However, using acronyms can lead to confusion, especially for those who do not work in that area on a regular basis. The following is a list of those acronyms that are used in this plan. The authors acknowledge that this is not a comprehensive list of all acronyms used in emergency services. In those cases where conflicts arose, the plan will use the more prevalent acronym, and spell out the other term (e.g., “Preliminary Damage Assessment” and “Pennsylvania Department of Aging” will be spelled out, because Pennsylvania Department of Agriculture is the more common use in this plan for the letters “PDA.”). Similarly, if one term has more than one acronym, the authors selected one for the sake of consistency.

AAR	After Action Review
ACP	Access Control Point
ALS	Advanced Life Support
AM	Amplitude Modulation
ARC	American Red Cross
AREP	Agency Representative
ARES	Amateur Radio Emergency Services
CAP	Civil Air Patrol
CART	County Animal Rescue Team
CBRNE	Chemical, Biological, Radiological, Nuclear, Explosive
CDC	Centers for Disease Control
CERT	Community Emergency Response Team
CFR	Code of the Federal Regulations
CHEMTREC	Chemical Transportation Emergency Center
CISM	Critical Incident Stress Management
COG	Continuity of Government
COOP	Continuity of Operations Planning
DCORT	Disaster Crisis Outreach Team
DFO	Disaster Field Office
DHHS	U.S. Department of Health and Human Services
DMAT	Disaster Medical Assistance Teams

DMORT	Disaster Mortuary Teams
DOD	U.S. Department of Defense
DOJ	U.S. Department of Justice
DRC	Disaster Recovery Center
EAN	Emergency Action Notification
EAS	Emergency Alerting System
EHS	Extremely Hazardous Substance
EMA	Emergency Management Agency
EMC	Emergency Management Coordinator
EMS	Emergency Medical Services
EOC	Emergency Operations Center
EOD	Explosive Ordnance Disposal
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency
EAS	Emergency Alert System
ESF	Emergency Support Function
FBI	Federal Bureau of Investigation
FCC	Federal Communication Commission
FCO	Federal Coordinating Officer
FEMA	Federal Emergency Management Agency
FM	Frequency Modulation
GIS	Geographic Information System
HF	High Frequencies
HIT	Hazardous Information Transmission System
HVA	Hazards Vulnerability Analysis
IC	Incident Commander
ICS	Incident Command System
IFLOWS	Integrated Flood Observation and Warning System
ISM	Incident Support Manager

IMT	Incident Management Team
IST	Incident Support Team
ITBs	Information Technology Bulletins
JFO	Joint Field Office
JIC	Joint Information Center
K-9	Police Dog
LEPC	Local Emergency Planning Committee
LOFR	Liaison Officer
LTRC	Long Term Recovery Committee
MH	Mental Health
MOU	Memorandum of Understanding
MH/MR	Mental Health/Mental Retardation
MSDS	Material Data Safety Sheet
MTF	Medical Treatment Facility
NAWAS	National Warning System
NDMS	National Disaster Medical System
NG	National Guard
NIMS	National Incident Management System
NOAA	National Oceanic and Atmospheric Administration
NRC	National Response Center
NRF	National Response Framework
NRT	National Response Team
NWC	National Warning Center
NWS	National Weather Service
OSHA	Occupational Safety and Health Administration
PAANG	Pennsylvania Air National Guard
PAARNG	Pennsylvania Army National Guard
PANG	Pennsylvania National Guard
PaCIC	Pennsylvania Criminal Intelligence Center

PA TF-1	Pennsylvania Task Force One
PEIRS	Pennsylvania Emergency Incident Reporting System
PEMA	Pennsylvania Emergency Management Agency
PIO	Public Information Officer
PSP	Pennsylvania State Police
PSTN	Public Switched Telephone Network
PTAP	Pennsylvania Technical Assistance Program
RACES	Radio Amateur Civil Emergency Services
RAST	Rapid Assessment and Support Team
RCTTF	Regional Counterterrorism Task Force (Original term for RTF, see below)
RRCC	Regional Response Coordination Center
RTF	Regional Task Force
SAR	Search and Rescue
SARA Title III	Title III of the Federal Superfund Amendments and Reauthorization Act of 1986
SBA	U.S. Small Business Administration
SCI	State Correctional Institution
SCO	State Coordinating Officer
SEOC	State Emergency Operations Center
SOP	Standard Operating Procedure
TCP	Traffic Control Point
TTD	Telecommunications Device for the Deaf
UCS	Unified Command System
UHF	Ultra-High Frequencies
US&R	Urban Search & Rescue Task Force
USAR	United States Army Reserve
USDHS	United States Department of Homeland Security
VA	United States Department of Veterans Affairs
VHF	Very High Frequencies
VOAD	Voluntary Organizations Active in Disaster

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|---|------------------------|
| <input type="checkbox"/> <p>ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.</p> | 1. Arabic |
| <input type="checkbox"/> <p>Խոսողո՞ւմ ե՞սք նշո՞ւմ կատարե՞ք այս քանակուսու՞մ, եթե խոսո՞ւմ կա՞մ կարողո՞ւմ եք հայերեն:</p> | 2. Armenian |
| <input type="checkbox"/> <p>যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।</p> | 3. Bengali |
| <input type="checkbox"/> <p>ល្អបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។</p> | 4. Cambodian |
| <input type="checkbox"/> <p>Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.</p> | 5. Chamorro |
| <input type="checkbox"/> <p>如果你能读中文或讲中文，请选择此框。</p> | 6. Simplified Chinese |
| <input type="checkbox"/> <p>如果你能讀中文或講中文，請選擇此框。</p> | 7. Traditional Chinese |
| <input type="checkbox"/> <p>Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.</p> | 8. Croatian |
| <input type="checkbox"/> <p>Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.</p> | 9. Czech |
| <input type="checkbox"/> <p>Kruis dit vakje aan als u Nederlands kunt lezen of spreken.</p> | 10. Dutch |
| <input type="checkbox"/> <p>Mark this box if you read or speak English.</p> | 11. English |
| <input type="checkbox"/> <p>اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بنيد.</p> | 12. Farsi |

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérta vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Însemnați această casuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

Missing Child Located Notification School.pdf



Plum Borough Police Department

4575 NEW TEXAS ROAD PITTSBURGH, PA 15239 (412) 793-7400 FAX (412) 795-6549

Plum Borough School District
900 Elicker Road
Plum, PA 15239

Attn.: Student Records Department

Re: NOTIFICATION TO SCHOOL DISTRICT - LOCATED CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency to the appropriate school district.

The following-named child has been located. Please remove the "missing child" notation from their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER:

AGENCY: Plum Borough Police Department

TELEPHONE NUMBER: (412) 793-7400

Thank you for your assistance in this matter.

Sincerely,

Investigating Officer

Badge #

Organizational Chart.pdf



MAYOR

CHIEF OF POLICE

ASSISTANT CHIEF

PATROL

INVESTIGATIONS

TRAFFIC

RECORDS

DETECTIVE

JUVENILE
DETECTIVE

TRAFFIC
OFFICER

RECORDS
ADMIN

SERGEANT
SQUAD A

SERGEANT
SQUAD A

SERGEANT
SQUAD B

SERGEANT
SQUAD B

SERGEANT
SQUAD C

SERGEANT
SQUAD C

PATROLMAN
SQUAD A

PATROLMAN
SQUAD A

PATROLMAN
SQUAD A

PATROLMAN
SQUAD A

PATROLMAN
SQUAD A

PATROLMAN
SQUAD B

PATROLMAN
SQUAD B

PATROLMAN
SQUAD B

PATROLMAN
SQUAD B

PATROLMAN
SQUAD B

PATROLMAN
SQUAD C

PATROLMAN
SQUAD C

PATROLMAN
SQUAD C

PATROLMAN
SQUAD C

PATROLMAN
SQUAD C

SCHOOL
CROSSING
GUARDS

FULL TIME
CROSSING
GUARD
1

FULL TIME
CROSSING
GUARD
2

SUBSTITUTE
CROSSING
GUARD
3

SUBSTITUTE
CROSSING
GUARD
4

SUBSTITUTE
CROSSING
GUARD
5

SUBSTITUTE
CROSSING
GUARD
6

FULL TIME
CLERK

Search For Missing Persons Report.pdf



Plum Borough Police Department

SEARCH FOR MISSING PERSONS REPORT

REPORT NUMBER	Allegheny County Reference Number	DATE	TIME

ACTIONS TAKEN

<input type="checkbox"/> Checked Victim's Residence	Date:	<input type="checkbox"/> Checked ASAP / Juv. Court	Date:
<input type="checkbox"/> Checked Victim's Employer	Date:	<input type="checkbox"/> Checked ACJ / Shuman	Date:
<input type="checkbox"/> Checked Family Members	Date:	<input type="checkbox"/> Checked School / College	Date:
<input type="checkbox"/> Checked JNET	Date:	<input type="checkbox"/> Checked Social Media	Date:
<input type="checkbox"/> Checked Labor & Industry	Date:	<input type="checkbox"/> Checked USPS	Date:

List any relevant findings for the above searches.

Large empty text area for reporting findings.

REPORTING AND REVIEW

Reporting Officer	Date:
Approving Officer	Date:

Missing Child Notification School.pdf



Plum Borough Police Department

4575 NEW TEXAS ROAD PITTSBURGH, PA 15239 (412) 793-7400 FAX (412) 795-6549

Plum Borough School District
900 Elicker Road
Plum, PA 15239

Attn.: Student Records Department

Re: NOTIFICATION TO SCHOOL DISTRICT - MISSING CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency to the appropriate school district.

The following-named child has been reported missing to the Plum Borough Police Department. Please make a notation on their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER:

AGENCY:

TELEPHONE NUMBER:

If a request for information from the record of above-named child is received, notify the investigating officer/investigating agency.

Sincerely,

Investigating Officer

Badge #

Missing Child Notification Records.pdf



Plum Borough Police Department

4575 NEW TEXAS ROAD PITTSBURGH, PA 15239 (412) 793-7400 FAX (412) 795-6549

Pennsylvania Department of Health
P.O. Box 1528
New Castle, PA 16103

Attn.: Director, Division of Vital Records

Re: NOTIFICATION TO DIVISION OF VITAL RECORDS - MISSING CHILD

Under the provisions of Act 106 of 1990, specifically, Section 402-A, notification of a missing child must be made by the investigating law enforcement agency.

The following-named child has been reported missing to the Plum Borough Police Department. Please make a notation on their record.

NAME OF CHILD:

DATE OF BIRTH:

PLACE OF BIRTH (INCLUDING COUNTY):

NAME OF FATHER:

MAIDEN NAME OF MOTHER:

INVESTIGATING OFFICER:

AGENCY: Plum Borough Police Department

TELEPHONE NUMBER: (412) 793-7400

If a request for information from the record of above-named child is received, notify the investigating officer/investigating agency.

Sincerely,

Investigating Officer

Badge #

Bomb Threat Checklist.pdf

BOMB THREAT CALL PROCEDURES

Most bomb threats are received by phone. Bomb threats are serious until proven otherwise. Act quickly, but remain calm and obtain information with the checklist on the reverse of this card.

If a bomb threat is received by phone:

1. Remain calm. Keep the caller on the line for as long as possible. DO NOT HANG UP, even if the caller does.
2. Listen carefully. Be polite and show interest.
3. Try to keep the caller talking to learn more information.
4. If possible, write a note to a colleague to call the authorities or, as soon as the caller hangs up, immediately notify them yourself.
5. If your phone has a display, copy the number and/or letters on the window display.
6. Complete the Bomb Threat Checklist (reverse side) immediately. Write down as much detail as you can remember. Try to get exact words.
7. Immediately upon termination of the call, do not hang up, but from a different phone, contact FPS immediately with information and await instructions.

If a bomb threat is received by handwritten note:

- Call _____
- Handle note as minimally as possible.

If a bomb threat is received by email:

- Call _____
- Do not delete the message.

Signs of a suspicious package:

- No return address
- Excessive postage
- Stains
- Strange odor
- Strange sounds
- Unexpected delivery
- Poorly handwritten
- Misspelled words
- Incorrect titles
- Foreign postage
- Restrictive notes

DO NOT:

- Use two-way radios or cellular phone; radio signals have the potential to detonate a bomb.
- Evacuate the building until police arrive and evaluate the threat.
- Activate the fire alarm.
- Touch or move a suspicious package.

WHO TO CONTACT (select one)

- Follow your local guidelines
- Federal Protective Service (FPS) Police
1-877-4-FPS-411 (1-877-437-7411)
- 911

BOMB THREAT CHECKLIST

Date: Time:

Time Caller Hung Up: Phone Number Where Call Received:

Ask Caller:

- Where is the bomb located?
(Building, Floor, Room, etc.)
- When will it go off?
- What does it look like?
- What kind of bomb is it?
- What will make it explode?
- Did you place the bomb? Yes No
- Why?
- What is your name?

Exact Words of Threat:

Information About Caller:

- Where is the caller located? (Background and level of noise)
- Estimated age:
- Is voice familiar? If so, who does it sound like?
- Other points:

Caller's Voice

- Accent
- Angry
- Calm
- Clearing throat
- Coughing
- Cracking voice
- Crying
- Deep
- Deep breathing
- Disguised
- Distinct
- Excited
- Female
- Laughter
- Lisp
- Loud
- Male
- Nasal
- Normal
- Ragged
- Rapid
- Raspy
- Slow
- Slurred
- Soft
- Stutter

Background Sounds:

- Animal Noises
- House Noises
- Kitchen Noises
- Street Noises
- Booth
- PA system
- Conversation
- Music
- Motor
- Clear
- Static
- Office machinery
- Factory machinery
- Local
- Long distance

Threat Language:

- Incoherent
- Message read
- Taped
- Irrational
- Profane
- Well-spoken

Other Information:



Homeland Security

INDEX / TOPICS