

Inver Grove Heights Police Department

Policy Manual

CHIEF'S PREFACE

The Inver Grove Heights Police Department Policy Manual is the result of countless hours of research, consultation, and review of modern police procedures, evolving law, and emerging best practices. It is a living document; additions, changes, and deletions will inevitably be required, almost from the date of its publication. Nonetheless, issuing this manual is necessary to provide guidelines for our personnel and to give insight to the communities we serve into how we do our jobs and what they can expect from us.

Each of us has an obligation to become familiar with the manual, to abide by its policies, and to ensure that our comportment reflects the Department's Core Values and Mission Statement and the Law Enforcement Code of Ethics, all of which are incorporated into the Policy Manual. The manual is not, however, a substitute for critical thinking and good judgment. No written guidance document can anticipate the entire range of human behaviors that police employees might encounter, nor can every contingency be predicted. We are all expected to follow policy.

Occasionally, given the complex and nuanced nature of police work, we may need clarification from a supervisor as to how to interpret the manual in a specific situation. Always, we are expected to use our best professional judgment and our basic human decency to guide our actions. When we act justly, we will have honored the many dedicated law enforcement personnel who have preceded us.

Go forth with Respect, Integrity, Service, and Engagement,

Melissa Chiodo

Police Chief

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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 members of the Inver Grove Heights Police Department strive to serve and engage the community through professionalism and respect while promoting public safety and enhancing the quality of life.

Vision

The Inver Grove Heights Police Department aspires to be a leader and innovator in community safety and collaboration.

Values

Respect - Treat each other and the community we serve as we would like to be treated by showing respect and giving voice.

Integrity - Adhere to moral and ethical principles while carrying out the laws we are sworn to uphold.

Service - Work in partnership with our community to serve the citizens and businesses.

Excellence - Meet challenges and adversity with perseverance while holding ourselves accountable for our actions.

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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 Inver Grove Heights Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Inver Grove Heights 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 PEACE OFFICER POWERS

Licensed officers of this department are peace officers pursuant to Minn. Stat. § 626.84 Subd. 1.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE INVER GROVE HEIGHTS POLICE DEPARTMENT

Arrest authority of a full-time officer extends to any place within the jurisdiction of the department when (Minn. Stat. § 629.34, Subd. 1 and Minn. Stat. § 629.40):

- (a) Made pursuant to a warrant.
- (b) The person is being arrested for a felony.
- (c) The person is being arrested for a non-felony crime that was attempted or committed in the officer's presence.
- (d) The person is being arrested for a non-felony crime that was not attempted or committed in the officer's presence but an arrest is permitted by statute (e.g., domestic abuse, restraining order, and no contact order violations).
- (e) The person is a juvenile committed to the custody of the commissioner of corrections and committed a felony after he/she escaped from custody (Minn. Stat. § 609.485).
- (f) There is reasonable cause to believe that the person to be arrested has committed or attempted to commit theft from a merchant (Minn. Stat. § 629.366).

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE INVER GROVE HEIGHTS POLICE DEPARTMENT

Full-time, on-duty officers may make an arrest outside the jurisdiction of the Inver Grove Heights Police Department (Minn. Stat. § 629.40):

- (a) Anytime the officer may by law make an arrest for a criminal offense committed within the jurisdiction of the Inver Grove Heights Police Department, and the person to be arrested escapes from custody or flees out of the officer's jurisdiction.
- (b) Whenever the officer is authorized by a court order.

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- (c) Under the same conditions as if the officer was in the jurisdiction of the department, whenever the officer is acting in the course and scope of employment.

A full-time officer's warrantless arrest authority when off-duty and outside the jurisdiction of the department is limited to circumstances that would permit the officer to use deadly force under Minn. Stat. § 609.066 (see the Use of Force Policy) (Minn. Stat. § 629.40, Subd. 4). Under any other circumstances, the full-time off-duty officer is limited to the same power as are members of the general public.

An officer making an arrest should, as soon as practicable after making the arrest, notify the agency having jurisdiction where the arrest was made.

100.3.3 GRANTING AUTHORITY TO OTHERS

An officer may summon the aid of private persons when making an arrest pursuant to a warrant (Minn. Stat. § 629.30).

100.4 CONSTITUTIONAL REQUIREMENTS

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

100.5 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other states:

- (a) As applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state.
- (b) When an officer enters Iowa or Wisconsin in fresh pursuit of a felony subject (Iowa Code § 806.1; Wis. Stat. § 976.04).
- (c) When an officer enters North Dakota or South Dakota in pursuit of a subject who committed any offense (N.D.C.C. § 29-06-05; SDCL 23A-3-9; SDCL 23A-3-10).

Whenever an officer makes an arrest in another state, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (Iowa Code § 806.2; N.D.C.C. § 29-06-06; SDCL 23A-3-12; Wis. Stat. § 976.04).

Peace officers from another state may possess and exercise peace officer powers in Minnesota if acting consistent with a joint powers agreement or mutual aid agreement consistent with Minn. Stat. § 471.59 Subd. 12 or transporting a prisoner as authorized by Minn. Stat. § 626.72. In addition, federal peace officers and peace officers from states adjoining Minnesota have full arrest powers if all of the following conditions are met (Minn. Stat. §626.77):

- (a) The officer is on-duty and acting on a request of a Minnesota peace officer.
- (b) The officer is acting under the direction of a Minnesota peace officer.
- (c) The officer is acting in accordance with the rules and regulations of their own agency.
- (d) If an arrest is made, the officer surrenders custody of the arrestee to a Minnesota peace officer.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

The Minnesota Legislature acting through the Minnesota Board of Peace Officer Standards and Training (POST Board) has mandated that all peace officers employed within the State of Minnesota shall hold a POST Board license (Minn. Stat. § 626.846).

101.1.1 CHIEF LAW ENFORCEMENT OFFICER REQUIREMENTS

Any chief law enforcement officer of this department, as defined in Minn. R. 6700.0100, shall as a condition of employment hold a license as a peace officer with the POST Board (Minn. R. 6700.0800; Minn. R. 6700.0501). The peace officer license shall be renewed every three years as required by Minn. R. 6700.1000.

Oath of Office

102.1 PURPOSE AND SCOPE

Officers of this department are sworn to uphold the federal and state constitutions and to enforce federal, state and local laws.

102.2 POLICY

It is the policy of the Inver Grove Heights 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 (Minn. Stat. § 358.05).

102.3 OATH OF OFFICE

Upon employment, all employees shall be required to affirm, sign and date the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of the position, regardless of whether law mandates such an oath. The oath shall be as follows:

I, (employee name), do solemnly swear under oath that on my honor, I will never betray my badge, my integrity, my character, or the public trust.

I will support the Constitution of the United States and the Constitution of the State of Minnesota, and that I will faithfully discharge the duties of (applicable position or office) within and for the (name of political entity) and State.

102.4 MAINTENANCE OF RECORDS

Oaths shall be maintained consistent with other personnel employment records.

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103.1 PURPOSE AND SCOPE

The manual of the Inver Grove Heights 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, 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, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this 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 Inver Grove Heights Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Inver Grove Heights Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Chief of Police 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 or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General 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 18 years of age or older.

CFR- Code of Federal Regulations.

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Child- Any person under the age of 18 years.

City - The City of Inver Grove Heights.

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

Department/IGH PD - The Inver Grove Heights Police Department.

DPS- The Minnesota Department of Public Safety.

DVS- The Minnesota Department of Driver and Vehicle Services.

Employee/personnel - Any person employed by the Department.

Manual - The Inver Grove Heights Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Inver Grove Heights Police Department including:

- Full- and part-time employees
- Licensed peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers.

MSP - Minnesota State Patrol

Officer - Those employees, regardless of rank, who are licensed peace officer employees of the Inver Grove Heights Police Department.

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

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

Peace officer- An employee of the Department who is required to be certified by POST pursuant to Minn. Stat. § 626.84, Subd. 1 or otherwise holds a peace officer license. The term includes licensed full-time and part-time officers who perform the duties of a peace officer.

POST- The Minnesota Board of Peace Officer Standards and Training.

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 hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department

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members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation established by a collective bargaining agreement, the Fair Labor Standards Act, the Public Employees Labor Relations Act or any similar statutes or ordinances related to employment compensation or benefits..

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

USC- United States Code.

103.5 ISSUING THE POLICY MANUAL

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

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and General 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 Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

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

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

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

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

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

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

200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Inver Grove Heights Police Department. There are three divisions in the Police Department as follows:

- Administrative Services/Investigation Division
- Patrol Division

200.2.1 ADMINISTRATIVE SERVICES/INVESTIGATION DIVISIONS

The Administrative Services/Investigation Divisions are commanded by a Commander. For Administrative Services, their primary responsibility is to provide general management, direction, and control for the Administrative Services department. The Administrative Services Division consists of Technical Services and Administrative Services. For the Investigation Division, their primary responsibility is to provide general management, direction, and control for the Investigation Division. The Investigation Division consists of the Investigation Unit, Crime Analysis Unit, Property Bureau, and Forensic Services.

200.2.2 PATROL DIVISION

The Patrol Division is commanded by a Commander, whose primary responsibility is to provide general management, direction and control for the Patrol Division. The Patrol Division consists of Uniformed Patrol and Special Operations, which includes Traffic, Canine program, and Mobile Field Force.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. For circumstances in which the Chief of Police is absent, the Chief of Police will designate a Division Commander to serve as the acting commander of the Police Department.

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

- (a) Patrol Division Commander
- (b) Administrative Services/Investigation Division Commander
- (c) Patrol Lieutenant
- (d) Investigation Lieutenant
- (e) Shift Sergeant

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Organizational Structure and Responsibility

200.3.2 UNITY OF COMMAND

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

200.3.3 ORDERS

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

200.3.4 UNLAWFUL AND CONFLICTING ORDERS

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

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

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason therefore.

General Order and Special Orders

201.1 PURPOSE AND SCOPE

General Orders and Special Orders establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding or other collective bargaining agreement. General Orders will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 GENERAL ORDERS PROTOCOL

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

All existing General Orders have now been incorporated in the updated Policy Manual as of the below revision date.

Any General Orders issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 20-01 signifies the first General Order for the year 2020.

201.1.2 SPECIAL ORDERS PROTOCOL

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

201.2 RESPONSIBILITIES

201.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by General Order.

201.2.2 CHIEF OF POLICE

The Chief of Police or designee shall issue all General Orders and Special Orders.

201.3 ACCEPTANCE OF GENERAL ORDERS AND SPECIAL ORDERS

All employees are required to read and obtain any necessary clarification of all General Orders or special orders. All employees are required to acknowledge in writing the receipt and review of any new General Order or special order.

Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Training Manager.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

The City has prepared, in compliance with the Minnesota Emergency Management Act of 1996 (Minn. Stat. § 12.09), an Emergency Operations Plan Manual. This manual is for the guidance and use by all employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

202.2 ACTIVATING THE EMERGENCY OPERATIONS PLAN

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

202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Inver Grove Heights Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

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

202.3 LOCATION OF MANUALS

The manual for employees is available in Administrative Services and the Shift Sergeants.

202.4 PLAN REVIEW

The Administrative Services Division Commander shall annually review the Emergency Operation Plan and recommend updates when applicable. The annual review, update, and approval of the plan and supporting documents must be in accord with the guidance provided by the Department of Public Safety, Division of Emergency Management and should incorporate a full or partial exercise, tabletop or command staff discussion (Minn. Stat. § 299J.10).

202.5 PLAN TRAINING

The Department shall provide training in the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles police personnel will play when the plan is implemented.

Training

203.1 PURPOSE AND SCOPE

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

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and POST training requirements. 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 POST rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

It is the responsibility of the Training Manager to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and Department-required training is completed by all employees. The plan shall include a systematic and detailed method for recording and logging of all training for all personnel. While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Training Manager shall review the entire training plan on an annual basis. The plan will include information on curriculum, training material, training facilities, course and student scheduling. The plan will address State required minimum mandated training for licensing of peace officers or hiring of non-licensed employees. The plan will also include training for volunteers that is determined to be relevant and helpful to their actions as volunteers for the Department.

Training listed may be provided in basic training programs. The Training Manager is responsible for ensuring members of the Department have been trained as required.

203.4.1 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
- (b) State-mandated training:

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1. State training requirements include but are not limited to 48 hours of POST-approved law enforcement related courses every three years.

203.4.2 TRAINING RESTRICTION

The Training Manager shall ensure that a training program does not include any training on the detection of or use of the term "excited delirium" (Minn. Stat. § 626.8437).

203.5 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Inver Grove Heights 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 Training Manager.

Members assigned to participate in DTBs shall only use login credentials assigned to them by the Training Manager. 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 logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift, or as otherwise directed by their supervisor. 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.

203.6 CLASSROOM DISCRIMINATION

The Training Manager shall ensure that procedures for the investigation and resolution of allegations of classroom discrimination are developed and implemented, and include the required elements (Minn. R. 6700.0900; Minn. R. 6700.0902).

203.7 TRAINING MANAGER

The Chief of Police shall designate a Training Manager who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Manager should review the training plan annually.

203.7.1 TRAINING MANAGER RESPONSIBILITIES

The Training Manager shall ensure that all sworn members annually review the department policies identified in Minn. R. 6700.1615 (Minn. R. 6700.1615, Subd. 2).

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203.8 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. 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 member's supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 - 1. Document the member's absence in a memorandum to the member's supervisor.
 - 2. Make arrangements through the member's supervisor or the Training Manager to attend the required training on an alternate date.

203.9 REPORTING TRAINING TO POST

The POST Board distributes license renewals directly to licensed peace officers and requires the licensee to report completed continuing education courses from the previous license period. Officers are responsible for responding to these requests in a timely manner and otherwise maintaining their licensed status.

203.10 TRAINING RECORDS

The Training Manager 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.

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. Email is a communication tool available to employees to enhance efficiency in the performance of job duties. It is to be used in accordance with generally accepted business practices and current law (e.g., Minnesota Data Practices Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration or practices of the Department.

204.2 EMAIL RIGHT OF PRIVACY

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

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

204.3 PROHIBITED USE OF EMAIL

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

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

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

204.4 EMAIL RECORD MANAGEMENT

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

Administrative Communications

205.1 PURPOSE AND SCOPE

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

205.2 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police or designee, to announce and document all promotions, transfers, hiring of new personnel, separations, individual and group awards and commendations or other changes in status. Such orders are personnel data under Minn. Stat. § 13.43 and shall be treated accordingly.

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal use or purposes.

Internal correspondence should use appropriate memorandum forms. These may be from line employee to employee, supervisor to employee or any combination of employees.

205.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police, their designee or a Division Commander.

205.5 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be promulgated by the Chief of Police, their designee or Division Commanders.

Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Inver Grove Heights Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

206.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

206.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as an officer for an aggregate of 10 years or more or, if employed as an officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) During the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the Inver Grove Heights Police Department, the State in which the individual resides or, if the State has not established such standards, either a law enforcement agency within the State in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State.
- (d) Has not been disqualified for reasons related to mental health.
- (e) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (f) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (g) Is not prohibited by federal law from receiving or possessing a firearm.

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

If the Inver Grove Heights Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

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206.3.2 AUTHORIZATION

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

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
 - 2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Minnesota law or by a private person or entity on his/her property if such prohibition is permitted by Minnesota law.

206.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Inver Grove Heights Police Department of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions and Court Orders Policy.

206.4.1 RESPONSIBILITIES UNDER LEOSA

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

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

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206.5 DENIAL, SUSPENSION OR REVOCATION

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

206.6 FIREARM QUALIFICATIONS

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

Handgun Purchase and Transfer Permit

207.1 PURPOSE AND SCOPE

The Chief of Police is given the statutory authority to issue a permit to purchase or transfer a pistol to persons within the community. This policy provides a written process for the application and issuance of such permits.

207.2 APPLICATION PROCESS

To apply for a permit to purchase or transfer a pistol, the applicant must complete and submit a signed and dated Minnesota Uniform Firearm Application/Receipt to the Department (Minn. Stat. § 624.7131, Subd. 1). These forms shall be freely available to members of the community at locations determined by the Chief of Police. Applications are also available on the internet (Minn. Stat. § 624.7131, Subd. 3).

Incomplete applications are not suitable for processing and may not be accepted.

The Department shall provide the applicant a dated receipt upon the presentation of the application (Minn. Stat. § 624.7131, Subd. 1).

207.3 INVESTIGATION

The Department shall conduct an investigation of the applicant to determine if they are eligible for a permit (Minn. Stat. § 624.7131, Subd. 2). The investigation shall include no less than:

- (a) A check of criminal histories, records, and warrants regarding the applicant through Minnesota crime information systems, the national criminal record repository, and the National Instant Criminal Background Check System.
- (b) A reasonable effort to check other available state and local record-keeping systems.
- (c) A check for any commitment history through the Direct Care and Treatment Executive Board of the applicant.

207.4 GROUNDS FOR DISQUALIFICATION

The Chief of Police shall deny a permit to an applicant when the applicant is prohibited by state or federal law from possessing a pistol or semiautomatic military-style assault weapon, determined to be a danger to themselves or the public when in possession of a firearm, or listed in the criminal gang investigative data system (Minn. Stat. § 624.7131, Subd. 4).

207.5 GRANTING OR DENIAL OF PERMIT

The Chief of Police shall issue a transferee permit or deny the application within 30 days of application for the permit. The permits and their renewal shall be granted free of charge (Minn. Stat. § 624.7131, Subd. 5).

The Chief of Police shall provide an applicant with written notification of a denial and the specific reason for the denial (Minn. Stat. § 624.7131, Subd. 5).

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When the refusal to grant a permit is due to a substantial likelihood that the applicant is a danger to themselves or the public when in possession of a firearm, the written notification shall provide the specific factual basis justifying the denial, including the source, and inform the applicant that they may submit additional documentation within 20 business days (Minn. Stat. § 624.7131, Subd. 4).

Upon receipt of additional documentation, the Chief of Police shall reconsider the denial and inform the applicant within 15 business days of the result of the reconsideration. A notice of denial after reconsideration must be in the same form and substance as the original denial, specifically address any continued deficiencies, and inform the applicant of the right to judicial review of the denial (Minn. Stat. § 624.7131, Subd. 4).

A permit holder whose permit was denied may seek a judicial review by filing a petition in the district court for the county in which the application was submitted (Minn. Stat. § 624.7131, Subd. 8).

207.6 VOIDING OR REVOKING PERMIT

The permit becomes void at the time that the holder becomes prohibited from possessing or receiving a pistol under Minn. Stat. § 624.713, in which event the holder is required to return the permit within five days to the Department.

The Chief of Police shall revoke a permit once they become aware the permit holder is ineligible to possess firearms and shall provide the holder with written notice (Minn. Stat. § 624.7131, Subd. 7).

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force and deadly 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 accordance with:

- Deadly Force and Firearms Use (Minn. Stat. § 626.8452)
- Duty to Intercede and Report (Minn. Stat. § 626.8475)
- Authorized Use of Force (Minn. Stat. § 609.06)
- Justifiable Taking of Life (Minn. Stat. § 609.065)
- Authorized Use of Force by Peace Officers (Minn. Stat. § 609.066)

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:

Authorized Device - A device an officer has received permission from the department to carry and use in the discharge of that officer's duties, and for which the officer has:

- (a) obtained training in the technical, mechanical and physical aspects of the device; and
- (b) developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

Bodily harm - Physical pain or injury.

Choke Hold - A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Deadly force - Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

De-Escalation - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the

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use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

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.

Great bodily harm - Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

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

Other Than Deadly Force - Force used by an officer that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

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. However excessive and/or gratuitous force will not be tolerated.

Officers must have an understanding of, and true appreciation for, their authority and limitations and respect for the sanctity of human life when making decisions regarding the use of force. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties. 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 Inver Grove Heights Police Department recognizes and respects the value of all human life and dignity without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer. 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. This is especially true when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from officers.

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The decision by an officer to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

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 (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

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 supervisor as soon as feasible (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

300.2.2 ADDITIONAL REQUIREMENTS

An officer reporting a use of force by another law enforcement officer or member pursuant to this policy shall also make the report in writing to the Chief of Police within 24 hours (Minn. Stat. § 626.8475).

300.2.3 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.

300.3 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

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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.

When responding to an incident, which may require the use of force officers **WILL**:

- (a) Evaluate the situation to determine the reasonableness of force to be used.
- (b) Establish control of their firearm.
- (c) When feasible and safe, provide some warning to the subject(s).
- (d) Illuminate the subject, when/if necessary.
- (e) If physical force is necessary and time allows, coordinate appropriate tactics with a sufficient number of officers to safely overcome resistance.
- (f) Use only the force necessary based on the totality of circumstances.
- (g) Target the preferred or intermediate striking areas identified in departmental training.
- (h) Handcuff and ensure cuffs are double locked at the earliest possible time to reduce potential resistance.
- (i) Notify a supervisor as soon as practicable if force was used.
- (j) Ensure that the subject is checked for injuries if force was used.
- (k) Prepare all necessary police reports as required by departmental policy.

When responding to an incident, which may require the use of force officers **WILL NOT**:

- (a) Sit, kneel, or stand on a subject's head, face, or neck, unless it involves a department approved control technique, pain compliance technique, or when the use of deadly force is authorized (Minn. Stat. § 609.06; Minn. Stat. § 609.066).
- (b) Whenever possible, sit, kneel, or stand on a subject's back or chest.
 1. If this occurs, once the subject is restrained and there is an ability to, they shall be placed in a seated upright position, or laying down in recovery position on their side. This serves to protect the subject from positional asphyxia (where the position of the subject's body interferes with the individual's ability to breathe).
- (c) Abusively kick or stomp a subject.
- (d) Tie the subject's limbs together behind the person's back to render the person immobile.
- (e) Use a choke hold, unless the use of deadly force is authorized (Minn. Stat. § 609.06; Minn. Stat. § 609.066).
 1. This includes those circumstances in which a subject attempts to ingest narcotics or other evidence. In such circumstances, the subject should be immediately transported to the nearest hospital for treatment.

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- (f) Transport a subject in a face-down position, especially when handcuffed. This serves to protect the subject from positional asphyxia (where the position of the subject's body interferes with the individual's ability to breathe).

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should 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).

De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, which seek to minimize the likelihood of the need to use force during an incident. When safe and feasible under the totality of the circumstances, officers shall slow down or stabilize the situation so that more time, options, and resources are available for incident resolution. When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:

- (a) Medical conditions
- (b) Mental impairment
- (c) Developmental disability
- (d) Physical limitation
- (e) Language barrier
- (f) Drug interaction
- (g) Behavioral crisis

An officers's awareness of these possibilities, when time and circumstances permit, shall then be balanced against the facts of the incident facing the officer when deciding which tactical options are the most appropriate to bring the situation to a safe resolution.

Mitigating the immediacy of the threat gives officers time to utilize extra resources and increases the time available to call more officers or specialty units. The number of officers on the scene may increase the available force options and may increase the ability to reduce the overall force used.

Other examples include:

- (a) Placing barriers between an uncooperative subject and an officer.
- (b) Moving from a position that exposes officers to potential threats to a safer position.
- (c) Decreasing the exposure to the potential threat by using distance, cover, or concealment.
- (d) Communication from a safe position intended to gain the subject's compliance through the use of verbal persuasion, advisements, or warnings.
- (e) Avoidance of a physical confrontation, unless immediately necessary to protect someone or stop dangerous behavior.

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- (f) Using effective verbal techniques to calm an agitated person and promote rational decision-making.
- (g) Calling additional officers or resources to assist, including more officers, officers with specialized training or skills (i.e., language interpretation, etc.), officers equipped with less-lethal tools, any other tactics and approaches that attempt to achieve the law enforcement objective by gaining compliance.

300.3.2 USE OF FORCE TO EFFECT AN ARREST

When de-escalation techniques are not effective or appropriate, an officer may consider the use reasonable other than deadly force to control a non-compliant or actively resistant individual (Minn. Stat. § 609.06 and Minn. Stat. § 629.33). An officer is authorized to use agency-approved other than deadly force techniques and issued equipment in the following circumstances:

- (a) In effecting a lawful arrest.
- (b) In the execution of a legal process.
- (c) In enforcing an order of the court.
- (d) In executing any other duty imposed by law.
- (e) In preventing the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime.
- (f) In restraining a person with a mental illness or a person with a developmental disability from self-injury or injury to another.
- (g) In self-defense or defense of another.

An officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

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.

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- (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 (Minn. Stat. § 626.8452).
- (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.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.4 CONTROL TECHNIQUES

Control techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those control techniques for which they have successfully completed department-approved training. Officers utilizing control technique should consider whether the individual has been given sufficient opportunity to comply.

The application of any control technique shall be discontinued once the officer determines the physically or actively resisting individual no longer needs to be under control.

300.3.5 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.

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300.3.6 STATE RESTRICTIONS ON THE USE OF OTHER RESTRAINTS

Officers may not use any of the following restraints unless the use of deadly force is authorized (Minn. Stat. § 609.06; Minn. Stat. § 609.066):

- (a) A choke hold.
 - 1. At all times during the application of the choke hold, the response of the individual should be monitored. The choke hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
 - 2. Any individual who has had the choke hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
 - 3. 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 choke hold and whether the individual lost consciousness as a result.
 - 4. Any officer attempting or applying a choke hold shall promptly notify a supervisor of the use or attempted use of such hold.
 - 5. The use or attempted use of a choke hold shall be thoroughly documented by the officer in any related reports.
- (b) Tying all of an individual's limbs together behind the person's back to render the person immobile.
- (c) Securing an individual in any way that results in transporting the person face down in a vehicle.

Officers must consider less than lethal measures prior to applying the above restraints.

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 should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Inver Grove Heights 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 themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified only if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary (Minn. Stat. § 609.066):

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- (a) To protect the officer or another from death or great bodily harm.
- (b) To effect the arrest or capture, or prevent the escape, of an individual whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person unless immediately apprehended.

In both scenarios, the use of deadly force is only authorized provided that the threat (Minn. Stat. § 609.066):

- Can be articulated with specificity.
- Is reasonably likely to occur absent action by the officer.
- Must be addressed through the use of deadly force without unreasonable delay.

However, an officer shall not use deadly force against a person whose actions are a threat solely to themselves or property unless the person poses an imminent danger of death or serious physical injury to the officer or others in close proximity (Minn. Stat. § 609.066).

300.4.1 MOVING VEHICLES

Discharging a firearm at or from a moving vehicle is strongly discouraged, as it is rarely effective and poses significant risks to the officer, vehicle occupants, and members of the public.

An officer shall not discharge a firearm at a moving vehicle or its occupants unless both of the following conditions are met:

- The officer reasonably believes that the vehicle or its occupants pose an imminent threat of death or great bodily harm to the officer or others, and
- No other reasonable alternative is available to avert the threat.

Officers should not shoot at any part of a vehicle (e.g., tires or engine block) in an attempt to disable it.

When feasible, officers should:

- Avoid positioning themselves in the direct path of an oncoming vehicle.
- Move to a position of safety rather than discharging their weapon.
- Consider tactical repositioning, use of cover, and coordinated alternatives when confronting a threat involving a moving vehicle.

The use of deadly force must always comply with Minn. Stat. § 609.066 and this department's Use of Force Policy. All uses of force involving moving vehicles shall be reviewed with heightened scrutiny.

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 he/she believed the use of force was reasonable under the circumstances.

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- (a) The department requires the completion of additional report forms (i.e. response to resistance and aggression) for force greater than the application of restraints (handcuffs, shackles, or belly chains), as specified in department policy, procedure, or law.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department requires the completion of additional report forms (i.e. response to resistance and aggression), as specified in department policy, procedure, or law.

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.

300.5.2 ASSESSMENT AND ANALYSIS

[See Assessment and Analysis Procedure](#)

300.5.3 STATE REPORTING REQUIREMENTS

The Chief of Police shall provide for the filing of a report with the Bureau of Criminal Apprehension (BCA) on a monthly basis and in the form required by BCA (Minn. Stat. § 626.5534).

There may be additional reporting requirements regarding misconduct (see the Standards of Conduct Policy) (Minn. Stat. § 626.8457).

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.

300.6.1 DUTY TO RENDER AID

In a use of force incident, it is expected that once the scene is safe, officers involved, or other responding officers shall offer medical assistance to all persons involved and monitor all persons to determine any need for medical attention.

- (a) Officers should remain vigilant about excited delirium and other health factors when monitoring all persons.

Officers will render medical care, for all injured persons involved. Medical care is to be provided by officers until relieved by paramedics or others who have higher levels of training and/or are uninvolved in the incident.

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 recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury and/or alleged 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.

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- (b) Ensure that any injured parties are examined and treated.
- (c) 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.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (d) Identify any witnesses not already included in related reports.
- (e) Review and approve all related reports.
- (f) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (g) Evaluate the circumstances surrounding the incident and initiate 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 SERGEANT RESPONSIBILITY

The Shift Sergeant 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

Officers shall receive training on this policy, including the learning objectives as provided by the Board of Peace Officer Standards and Training (POST), and demonstrate their knowledge and understanding at least annually (Minn. Stat. § 626.8452, Subd. 3).

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.

300.8.1 STATE-SPECIFIC TRAINING REQUIREMENTS

Warrior-style training, as defined in Minn. Stat. § 626.8434, whether provided directly by the Department or through a third party, is prohibited (Minn. Stat. § 626.8434).

300.8.2 TRAINING REQUIREMENTS

Required annual training shall include:

- (a) Legal updates.
- (b) De-escalation tactics, including alternatives to force.
- (c) The duty to intercede.
- (d) The duty to request and/or render medical aid.

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- (e) Warning shots (see the Firearms Policy).
- (f) All other subjects covered in this policy (e.g., use of deadly force, chokeholds and carotid holds, discharge of a firearm at or from a moving vehicle, verbal warnings).

300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should 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.

300.10 POLICY REVIEW

The Chief of Police or the authorized designee should annually review and update this policy to reflect developing practices and procedures.

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 Inver Grove Heights Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, the Transporting Persons in Custody 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 Inver Grove Heights 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, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

301.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual 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 assure 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 restraints, 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 themselves or others, or damage property.

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No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances, and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the detainee, officers, or others. See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

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.

301.4 HANDCUFFS OR PLASTIC CUFFS

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

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

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

In situations where a person is in a prone position, as soon as the person is handcuffed and under control, the person shall be taken from the prone position. This is done to help minimize the risk of positional asphyxiation.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual 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 SPIT HOODS

Spit hoods/masks/socks 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 restrained individuals due to the potential for impaired or

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distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

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

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

301.6 AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, 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 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 suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, 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 unit).

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 seat belt, and shall not be placed on their 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 their 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.

301.8 MEDICAL CONSIDERATION

When the use of a restraint devices described in this policy are used on a person and they express a complaint of injury or continued pain, officers shall offer medial assistance.

301.9 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.

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

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

301.10 TRAINING

The Training Manager 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 restraints, 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.

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- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

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 subjects who are violent or who demonstrate the intent to be violent, the Inver Grove Heights Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

Only officers 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 subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

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

302.4 AUTHORIZED LESS LETHAL WEAPONS

Members shall only use less lethal weapons that are issued or approved by the Department and have been thoroughly inspected by the Division Commander or designee. All other less lethal weapons not provided by the Department, that are 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 member's Division Commander.

302.4.1 LESS LETHAL LAUNCHERS

The authorized department pepper projectile launcher is the Pepperball Variable Kinetic System (VKS) launcher.

The authorized department kinetic energy projectile launcher is the 40LMTS 40 MM LMT tactical single launcher.

302.5 RESPONSIBILITIES

302.5.1 TRAINING MANAGER RESPONSIBILITIES

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

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302.5.2 RANGEMASTER RESPONSIBILITIES

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

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

302.5.3 USER RESPONSIBILITIES

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

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

302.6 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 except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

- Primary targets are the major muscle masses such as the forearms, thighs, or calves. These locations have a high potential for control and lesser potential for damage.
- Secondary targets are the joints or bones. These targets, the elbows, wrists, and knees, have a high probability of creating soft or connective tissue damage or bone fractures when struck with an impact weapon.

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

302.7 OLEORESIN CAPSICUM (OC) GUIDELINES

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

302.7.1 OC SPRAY

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

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Anytime OC spray is used on an individual or groups of individuals, the application of the OC spray will end when the individual or groups of individuals discontinues their engagement of violent behavior or aggression.

302.7.2 TREATMENT FOR OC SPRAY EXPOSURE

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

302.8 POST-APPLICATION NOTICE

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

302.9 PEPPER PROJECTILE SYSTEMS

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

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

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

Level of Control:

- (a) Low-Level Force – Display
 - Pointing the pepper projectile launcher in the direction of another person with no deployment of the pepper projectiles
- (b) Low-Level Force (active resistance) – Area Denial/Area Saturation
 - A use of pepper projectiles to deny access to an area or gain compliance of movement from an area. In this deployment, pepper projectiles will be launched

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to impact surrounding objects like walls, ground, automobile and trees and must not be launched directly at a person.

- (c) Intermediate Force – Direct impact
 - A use of pepper projectiles to impact the target areas on a person.
- (d) Deadly Force – Direct impact to deadly force target areas.
 - A use of pepper projectiles to impact target areas on a person designated as deadly force areas. This is only authorized if deadly force would be authorized under the totality of the circumstances and department policy.

302.9.1 DEPLOYMENT AND USE

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

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

302.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging pepper projectiles, the officer should consider such factors as:

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

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

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

302.9.3 TREATMENT FOR PEPPER PROJECTILE EXPOSURE

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

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302.9.4 SAFETY PROCEDURES

Launchers specifically designated for use with pepper projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the launcher and projectiles at the beginning of each shift to ensure that the launcher is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the launcher will be properly and securely stored in the vehicle.

302.10 KINETIC ENERGY PROJECTILE GUIDELINES

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

302.10.1 DEPLOYMENT AND USE

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

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

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

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

302.10.2 DEPLOYMENT CONSIDERATIONS

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

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

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A verbal warning of the intended use of the device 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 give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

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

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

302.10.3 TREATMENT FOR DEPLOYMENT OF KINETIC ENERGY PROJECTILE

Persons who have been incapacitated from a projectile and are reporting any injury as a result of being incapacitated they shall be examined by appropriate medical personnel. If a person is reporting any injury as a result of being incapacitated the injury shall be photographed.

302.10.4 SAFETY PROCEDURES

Launchers specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the launchers and projectiles at the beginning of each shift to ensure that the launcher is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the launcher will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile launcher, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the launcher.

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

302.11 TRAINING FOR CONTROL DEVICES

The Training Manager shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Officers will receive training on the use of issued control devices and this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3).

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

302.12 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

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

Conducted 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 DEFINITIONS

Conducted Electrical Weapon (CEW) - (Also referred to as an 'Electronic Defense Weapon' or 'EDW') The CEW is a less lethal weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

Deployment - Does not include the mere removal of the CEW from the holster, but does include any use of a CEW against any person, including the illumination of the laser sight onto an individual or activating the arc switch.

303.4 ISSUANCE AND CARRYING CEDS

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

The Rangemaster should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

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.

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303.4.1 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.

303.5 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:

- (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.

303.6 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.

303.6.1 APPLICATION OF THE CEW

The CEW may only be deployed when the officer reasonably believes, based on the totality of the circumstances at the time, that:

- (a) **Threat of Harm** – The subject poses, or the officer reasonably believes the subject is about to pose, a threat of physical harm to the officer, another person, or themselves; or
- (b) **Intent + Means + Opportunity** – The subject has demonstrated, by words or actions, an intent to use violence or cause injury, and has the means and opportunity to do so; or

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- (c) **Active Resistance with Potential for Injury** – The subject is actively resisting during a lawful arrest and/or detention that creates a risk of injury or threatens the safety of the officer, the subject, or others.

The use of a CED must be **objectively reasonable, necessary, and proportional to the threat** as perceived under the circumstances.

303.6.2 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.
- (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. Drive-stun is **not to be used as a primary pain-compliance tool** unless necessary for officer safety.

303.6.3 DRIVE-STUN BACKUP

Drive-stun capability is available with the CEW. When using the drive-stun, the front of the CEW should be pushed (drive) firmly against the body of the subject. Simply "touching" the CEW against the subject is not sufficient. The subject is likely to recoil and try to get away from the CEW. It may be necessary to aggressively drive the front of the energy weapon into the subject for maximum effect.

Drive-stun mode is not designed to cause incapacitation and primarily becomes a pain compliance option. Drive-stun is only effective while the CEW's electrodes are in direct contact with the subject or when pushed against the subject's clothing. As soon as the energy weapon is moved away, the energy being delivered to the subject stops. If the probes are deployed, even at very close range, the user may drive-stun to another portion of the body that is further away from the probes, thereby increasing the possibility of inducing incapacitation.

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303.6.4 PROHIBITED USE

The prohibited use of the Conducted Energy Weapon (CEW) shall include:

- (a) **Passive Resistance Only** – Against subjects solely engaged in non-violent, non-threatening resistance, such as sitting down, going limp, verbal refusal, or other acts of civil disobedience without aggression.
- (b) **Mere Flight Alone** – Against subjects fleeing without additional factors that indicate they present an imminent or potential threat of injury to the officer, the public, or themselves. *Flight may justify deployment if tied to a violent offense, weapon threat, or danger to the public/officers.*
- (c) **Non-Violent Restrained Individuals** – On a non-violent handcuffed, restrained, or otherwise secured individual who poses no imminent threat.
- (d) **Hazardous Conditions** – Where deployment would create a substantial risk of serious injury or death (e.g., in proximity to flammable substances, in water, on elevated surfaces, on or near moving vehicles).
- (e) **Special Populations** – On known pregnant individuals, the elderly, visibly frail persons, or young children, except when deadly force is the only remaining option to prevent imminent serious harm.
- (f) **Punitive, Coercive, or Improper Purposes** – As punishment, to induce compliance absent threat, for "pain compliance" where no threat is present, to psychologically torment, or to elicit statements.
- (g) **Awakening or Prodding** – To rouse unconscious, impaired, or intoxicated individuals, or to prod/escort individuals for convenience.
- (h) **Unprofessional or Recreational Use** – For horseplay, pranks, or use in any unprofessional manner.
- (i) **Experimental or Unauthorized Demonstrations** – To experiment on a person or to allow a person to experience the device, even voluntarily, when such use would not otherwise be authorized by policy.
 - 1. Exception: Voluntary exposure for approved training or demonstrations as authorized by the Department.

303.6.5 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.

303.6.6 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:

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- (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.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

303.6.7 DEPLOYMENT ON MULTIPLE SUBJECTS

When the Conducted Energy Weapon (CEW) has been deployed on a single individual, it may be used on another individual with a deployment from the second bay. However, Officers should generally not deploy the second bay cartridges while the first bay cartridge is still being used against the first individual unless there is articulable reason to do so. When deploying the second bay cartridge and having the first individual still connected to the first bay cartridge, that individual will receive a subsequent cycle. If that subsequent cycle is NOT justified, it may be deemed excessive force.

303.6.8 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.

303.6.9 DANGEROUS ANIMALS

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

303.6.10 OFF-DUTY CONSIDERATIONS

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

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

303.7 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.

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303.7.1 REPORTS

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

- (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

303.8 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).

303.9 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 supervisor or Rangemaster 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.

303.10 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 qualified CED instructor prior to again carrying or using the device.

Personnel who have been issued CEDs will receive training on this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3).

A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate, by the Training Manager. 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 Training Manager is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency 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 Training Manager should include the following training:

- (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) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.

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

Officer-Involved Shootings and Critical Incidents

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.

304.1.1 DEFINITIONS

Definitions related to this policy include:

Critical Incident - An action which arises from any act or omission within the scope of employment in which;

- (a) serious injury or death occurs; or
- (b) the discharge of a weapon is involved.

304.2 POLICY

The policy of the Inver Grove Heights Police Department is to ensure that officer-involved shootings and critical incidents are investigated in a thorough, fair and impartial manner.

304.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and critical incidents 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.

304.3.1 INVESTIGATION RESPONSIBILITIES

The Inver Grove Heights Police Department conforms to the Minnesota Bureau of Criminal Apprehension for investigating officer-involved shootings and critical incidents.

304.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and critical incidents. This may include at least one investigator from the agency that employs the involved officer.

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

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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 Inver Grove Heights Police Department would control the investigation if the suspect's crime occurred in Inver Grove Heights.

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

Requests made of this department to investigate a shooting or critical incident involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

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.

304.4.4 POST ADMINISTRATIVE INVESTIGATIONS

The Minnesota POST Board may require an administrative investigation based on a complaint alleging a violation of a statute or rule that the board is empowered to enforce. An officer-involved shooting may result in such an allegation. Any such complaint assigned to this department shall be completed and a written summary submitted to the POST executive director within 30 days of the order for inquiry (Minn. Stat. § 214.10, Subd. 10).

304.4.5 COOPERATION WITH BUREAU OF CRIMINAL APPREHENSION INVESTIGATIONS

The Department will fully cooperate with and promptly respond to requests for information from the Bureau of Criminal Apprehension regarding an officer-involved critical incident (Minn. Stat. § 626.5534).

304.5 INVESTIGATION PROCESS

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

304.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or critical incident, the first uninvolved IGH PD 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.

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- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.
 - 1. Obtain a Public Safety Statement if no supervisor is going to arrive in a short period of time and the statement is needed for the public's safety.

304.5.2 SUPERVISOR RESPONSIBILITIES

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. If there are no uninvolved officers who can supply an adequate overview, the supervisor shall not attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any IGH PD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects. See Public Safety Statement section.
- (c) Provide all available information to the Shift Sergeant and the Dispatch Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional IGH PD 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 IGH PD officer should be given an administrative order not to discuss the incident with other involved officers or IGH PD members pending further direction from a supervisor.
 - i. Assign a monitoring officer for each involved officer.
 - 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 SERGEANT RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Sergeant shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Shift Sergeant.

304.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

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- Chief of Police
- Investigation Division Commander
- Patrol Division Commander
- Outside agency investigators (if appropriate)
- Internal Affairs Unit supervisor
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)

304.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Providing a Public Safety Statement.
- (b) Any request for legal or union representation will be accommodated.
 1. Involved IGH PD 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-IGH PD officers should be referred to their employing agency.
- (c) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (d) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (e) A licensed psychotherapist shall be provided by the Department to each involved IGH PD officer. A licensed psychotherapist may also be provided to any other affected IGH PD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (f) Communications between the involved officer and a peer support member, peer support counselors, and critical incident stress management team members are addressed in the Wellness Program Policy.

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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 IGH PD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Sergeant to make schedule adjustments to accommodate such leave.

304.5.6 PUBLIC SAFETY STATEMENT

A Public Safety Statement shall be obtained from one of the involved officer/officers by an uninvolved supervisor. If there is no supervisor arriving and a public safety statement is needed for the public's safety, an uninvolved officer in charge must obtain the Public Safety Statement.

- (a) The uninvolved on-scene supervisor or uninvolved officer in charge shall not attempt to order any involved officer to provide any information other than public safety information.
- (b) Public safety information shall be limited to the information below;

The Inver Grove Heights Police Department Public Safety Statement

As an uninvolved supervisor or uninvolved officer in charge, I am ORDERING you to give this Public Safety Statement:

- (a) To the best of your knowledge, is anyone injured that we are not aware of?
- (b) If weapons were used, what direction(s) or area(s) should we check?
- (c) Are you aware of anyone else we should search for?

This concludes the Public Safety Statement. I am ordering you to turn off your Body Worn Camera.

304.6 CRIMINAL INVESTIGATION

The department may utilize an outside agency to as the agency responsible for the criminal investigation into the circumstances of any officer-involved shooting or critical incident.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies 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) IGH PD supervisors and Internal Affairs Unit personnel should not participate directly in any voluntary interview of IGH PD 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, involved officers 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 coerced statement will be provided to any criminal investigators unless the officer consents.

304.6.1 REPORTS BY INVOLVED IGH PD OFFICERS

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

While the involved IGH PD 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 IGH PD 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 AND INTERVIEWS

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

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

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- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

304.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or critical incident, it shall be the responsibility of the designated Investigation Unit supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from an outside agency and may be assigned to separately handle the investigation of any related crimes not being investigated by the outside agency.

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

304.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or critical incident, this department may conduct an internal administrative investigation of involved IGH PD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Internal Affairs Unit and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (Personnel Complaints Policy; Minn. Stat. § 626.89).

- (a) Any officer involved in a shooting or critical incident may be requested or administratively compelled to provide a blood sample for alcohol/drug screening in accordance with the drug and alcohol testing guidelines in the Drug- and Alcohol-Free Workplace Policy adopted under the authority of Minn. Stat. § 181.950 to Minn. Stat. § 181.957. 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.

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- (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 (Minn. Stat. § 626.89).
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. The interview must be taken at the IGH PD or at a place agreed to by the interviewer and the involved officer.
 3. The interview must be of reasonable duration and provide the involved officer reasonable periods for rest and personal necessities. When practicable, the interview must be held during the involved officer's regularly scheduled work shift. If not, the involved officer must be compensated at his/her current pay rate.
 4. If requested, the officer shall have the opportunity to select an uninvolved representative or an attorney, or both, 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.
 5. Administrative interviews shall be recorded electronically or otherwise by the investigator. The officer may also record the interview. A complete copy or transcript of the interview must be provided to the involved officer upon written request without charge or undue delay.
 6. 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 informed in writing or on the record that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 7. The Internal Affairs Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 8. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be subject to a Use of Force Review, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
 9. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

304.8 CIVIL LIABILITY RESPONSE

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

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

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304.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or critical incident may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

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

Any MAV, 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 City Attorney's Office, as appropriate.

304.9.1 AUDIO AND VIDEO RECORDINGS OF USE OF FORCE INCIDENTS INVOLVING DEATHS OF INDIVIDUALS

When a person dies as a result of the use of force by an officer, the Department shall (Minn. Stat. § 13.825, Subd. 2; Minn. Stat. § 626.8473, Subd. 3):

- (a) Allow certain individuals as identified in Minn. Stat. § 13.825, upon request, to inspect all portable recording system data that documents the incident within five days of the request pursuant to the provisions of Minn. Stat. § 13.825.
 - 1. Unless the Chief of Police determines that there is a compelling reason that inspection would interfere with an active investigation pursuant to section Minn. Stat. § 13.82, Subd. 7.
- (b) Release all portable recording system data that documents the incident within 14 days of the incident pursuant to the provisions of Minn. Stat. § 13.825.
 - 1. Unless the Chief of Police asserts in writing that the public classification would interfere with an ongoing investigation pursuant to section Minn. Stat. § 13.82, Subd. 7.

The Chief of Police should work with the Support Services Supervisor when redactions or denials are necessary (Minn. Stat. § 13.825, Subd. 2; Minn. Stat. § 626.8473, Subd. 3).

304.10 DEBRIEFING

Following an officer-involved shooting or critical incident, the Inver Grove Heights 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.

304.10.1 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 criminal and/or administrative investigators.

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304.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Sergeant, Investigation Division Commander and Public Information Officer in the event of inquiries from the media.

The Department will release the identities of involved officers when the release does not hinder a law enforcement purpose, does not reveal the identity of an undercover officer, and as otherwise required by law (Minn. Stat. § 13.82).

No involved IGH PD officer shall be subjected to contact from the media.

No involved IGH PD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Division Commander.

Department members receiving inquiries regarding officer-involved shootings or critical incidents 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.

304.12 REPORTING

If an officer discharges a firearm in the course of duty, the Chief of Police shall notify the Commissioner of Public Safety within 30 days of the reason for and the circumstances surrounding the discharge of the firearm (Minn. Stat. § 626.553).

Firearms

305.1 PURPOSE AND SCOPE

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

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

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

305.1.1 AUTHORIZATION TO CARRY FIREARMS

All licensed personnel shall successfully complete department training regarding the use of force, deadly force and the use of firearms before being issued a firearm or being authorized to carry a firearm in the course of their duties (Minn. Stat. § 626.8452, Subd. 3; Minn. Stat. § 626.8463).

The Chief of Police or designee may suspend the peace officer privilege to carry a firearm during the period of a suspension from duty or other removals from active duty.

305.2 POLICY

The Inver Grove Heights 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 head 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 member's Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

305.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 17 9MM.

The following additional authorized department-issued handguns are approved for on-duty use:

MAKE	MODEL	CALIBER
Glock	19	9MM
Glock	43	9MM

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305.3.2 PATROL RIFLES

The authorized department-issued patrol rifle is the AR-15 style rifle, .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.
- (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.

305.3.3 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

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- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

305.3.4 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 peace officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used and carried 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 the member 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) If a member desires to use more than one firearm while off-duty, the member may do so, as long as all requirements set forth in this policy for each firearm are met.
- (f) When armed, officers shall carry their badges and/or Inver Grove Heights Police Department identification cards under circumstances requiring possession of such identification.

305.3.5 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh 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.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by a Rangemaster when needed, in accordance with established policy.

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.

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305.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for the maintenance of an assigned firearm including the field striping and cleaning on an as needed basis.

The department shall be responsible for maintenance firearms assigned to squads.

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

Firearms that are the property of the Department shall 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 head Rangemaster.

The repair or modification of a member's personally owned secondary handgun that are approved for department use shall be done at his/her expense. The repair or modification should be done by a certified armorer or gunsmith for the specific firearm.

305.4.2 HOLSTERS

Only department-approved holsters level 2 or higher shall be used and worn by members while on duty. 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 department issued handgun carried on- or off-duty after they have been examined and approved by a Rangemaster. Once the approved tactical lights have been properly installed on the handgun, the member shall qualify with the handgun to ensure proper functionality and sighting of the handgun prior to carrying it.

305.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a department issued handgun carried on- or off-duty after they have been examined and approved by the head Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on the handgun, the member shall qualify with the handgun to ensure proper functionality and sighting of the firearm prior to carrying it. All department issued handguns that have optics or laser sights must have backup sights (iron sights) installed in the event there is a failure of the optic or laser sights.

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 a Rangemaster. Members shall not dry fire or practice quick draws except as instructed by a Rangemaster or other firearms training staff.

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- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) 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 as necessary.
- (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 a 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

Department-issued handguns shall be inspected regularly and upon access or possession by another person. Department-issued handguns shall be subject to inspection by a supervisor at any time. 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 rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Department-issued firearms and personally owned firearms shall be safely and securely stored at the end of the shift. Department-owned firearms not issued shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster and/or manner.

305.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit 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 and criminal liability (Minn. Stat. § 609.666; Minn. Stat. § 609.378).

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

305.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete an annual training with their duty firearms. In addition to annual training, all members will qualify at least annually with their duty firearms (Minn. Stat. § 626.8452). Officers will also receive training on this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3).

Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting, cold weather, and shoot/no-shoot.

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 qualify on their first shooting attempt, may be given another opportunity before leaving the training at the discretion of the Rangemaster. The Rangemaster will take into consideration the availability of time and range schedule.

Those who fail to qualify on their second shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Given a "Minimum Standard Qualification Plan" for a ten-day remedial training period. During this remedial training period, it is the member's responsibility to arrange for range time for further training and assistance from a Rangemaster. The Rangemaster will continue to provide remedial training until proficiency is demonstrated.
- (b) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (c) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (d) No range credit will be given for the following:
 1. Unauthorized range make-up.
 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards or who fail to qualify over ninety days will be removed from field assignment and may be subject to disciplinary action.

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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 their 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:

- (a) If on-duty at the time of the incident, the member shall file a written report with their Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement 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.

Because domestic pets are considered by many as family members, consultation with veterinarian services is preferred to avoid any anguish to the family. Injured domestic animals should be euthanized only after a reasonable search to locate the owner has been made.

305.7.3 WARNING AND OTHER SHOTS

Generally, 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.

Warning shots shall not be used.

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305.7.4 REPORTING FIREARMS DISCHARGE

The Chief of Police shall notify the Commissioner of Public Safety within 30 days of an on-duty firearm discharge, except when the discharge is in the course of training or destruction of animals (described in this policy). The notification shall contain information concerning the reason for and circumstances surrounding the discharge (Minn. Stat. § 626.553).

305.8 RANGEMASTER DUTIES

The range will be under the exclusive control of a Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Manager 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.

Rangemaster's working with the Training Manager have 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 privately owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

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.

Rangemasters shall complete and submit to the Training Manager documentation of the courses provided. Documentation shall include the qualifications of each Rangemaster 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. Rangemasters should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Manager.

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 Inver Grove Heights 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

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should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).

- (c) The Inver Grove Heights Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Inver Grove Heights 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 the 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 the officer's assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on the officer's person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should 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 the officer's Inver Grove Heights 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,

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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.

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306.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects (Minn. Stat. § 626.8458, Subd. 3).

306.1.1 PHILOSOPHY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable, and that decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit (Minn. Stat. § 626.8458, Subd. 2 (a)(1)).

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An individual's unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement pursuit (Minn. Stat. § 626.8458, Subd. 2 (a)(2)).

306.1.2 DEFINITIONS

Definitions related to this policy include:

Blocking or Vehicle Intercept - A coordinated, low-speed maneuver involving two or more law enforcement vehicles that strategically position themselves to intercept and restrict the movement of a suspect vehicle. This technique is used when the driver may be unaware of an impending enforcement stop. The primary objective is to contain the vehicle and prevent a pursuit. *Blocking is not considered a moving or stationary roadblock.*

Boxing-in - A low-speed tactic designed to stop a fleeing vehicle by surrounding it with emergency vehicles and then slowing all vehicles to a stop.

Channeling - A method of directing vehicular traffic into a specific path or lane by creating a progressively narrowing roadway or designated passageway, typically using physical barriers, patrol vehicles, or other means to control movement and reduce options for evasive action.

Compelling Path - A pursuit intervention technique that combines channeling with a modified roadblock at the narrowed end of the channel. Unlike a termination roadblock, a compelling path allows the fleeing driver or any approaching vehicle an exit option at the end of the channel, thereby reducing the risk of a direct vehicle collision while encouraging compliance.

DRIVES - The required minimum critical information that must be communicated to dispatch as soon as possible upon initiation of a pursuit.

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D – Direction of travel and current location

R – Reason for initial contact (e.g., specific observed violation or offense)

I – Identity of the fleeing driver, if known

V – Vehicle description, including license plate (if known)

E – Environmental conditions (traffic, road, weather)

S – Speed of the fleeing vehicle

Evolving Information - Critical details that must be communicated as soon as possible and continuously updated throughout the pursuit. This includes, but is not limited to:

- Traffic conditions, including cross traffic, pedestrian presence, and any violations of controlled intersections.
- The speed and direction of the fleeing vehicle, including wrong-way travel or maneuvers that pose a risk to public safety.
- The number and description of vehicle occupants.

Flee - The operation of a motor vehicle with the intent to evade law enforcement following a lawful signal to stop, including but not limited to increasing speed, turning off headlights or taillights, ignoring traffic control devices, or otherwise attempting to elude a law enforcement officer by evasive driving behavior.

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

Roadblock - A tactic designed to stop a fleeing vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the fleeing vehicle.

Severe and Imminent Threat - A situation in which the fleeing driver or an occupant of the fleeing vehicle is reasonably believed to have recently caused great bodily harm or death to another person—as defined in Minn. Stat. § 609.02, Subd. 8—or it is reasonably likely that such harm or death will occur if immediate action is not taken to apprehend them. *The act of fleeing alone does not constitute a severe and imminent threat.*

Termination of a Pursuit - An officer is deemed to have terminated a pursuit when they turn off emergency lights and siren, return to non-emergency operation, informs dispatch, and safely change their direction of travel.

Tire deflation device - A device designed to be placed on the roadway and puncture the tires of a fleeing vehicle, sometimes referred to as spike strips.

Tort Claim - A civil claim filed by a person (the claimant) alleging that they suffered harm or loss—such as physical injury, property damage, or financial loss—as a result of another party's wrongful or negligent actions.

Vehicle pursuit - An attempt by one or more law enforcement officers to apprehend a suspect in a motor vehicle who, having been given a visual and audible signal to stop, fails to yield or uses

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high-speed driving or other evasive tactics (e.g., driving off a highway, turning suddenly) in an attempt to avoid arrest (Minn. Stat. § 609.487).

Paralleling - The tactic of non-pursuing law enforcement vehicles traveling on adjacent or nearby roadways in a direction generally parallel to the active pursuit route, in order to maintain situational awareness or assist with containment. Officers engaged in paralleling are not exempt from traffic laws and must operate their vehicles in accordance with Minn. Stat. § 169.14, Subd. 1, and other applicable statutes.

306.2 POLICY

It is the policy of this department to balance the need to apprehend a fleeing suspect with the risks associated with vehicle pursuits.

306.3 PURSUIT DECISION-MAKING AND RISK ASSESSMENT

Officers must carefully consider the risks associated with initiating or continuing a vehicle pursuit. Any decision to engage in a pursuit shall be based on a prompt assessment of the potential danger to the public, officers, and fleeing individuals, weighed against the necessity of immediate apprehension.

To reduce the likelihood of a pursuit, officers intending to stop a vehicle should be in close proximity before activating emergency lights and siren. Once initiated, the decision to continue a pursuit must be reassessed continuously throughout its duration.

There are circumstances in which the risk of serious injury or death from a pursuit outweighs the need for immediate apprehension. In such cases, officers are expected to terminate the pursuit.

Pursuit decisions must be based on the information reasonably known to the officer at the time. A suspect fleeing for unknown reasons does not, in itself, justify the continuation of a pursuit.

All pursuits should be conducted using a pursuit-rated police vehicle. IGH PD units involved in a pursuit must use at least one continuously flashing red light visible from the front, or an activated siren, to warn pedestrians and other drivers of the vehicle's approach, in accordance with Minn. Stat. § 169.17 and Minn. Stat. § 169.68.

Although Minnesota law allows emergency vehicles to disregard traffic control devices during a lawful pursuit (Minn. Stat. § 169.03), officers remain legally obligated to operate their vehicles with due regard for the safety of all persons. This provision does not protect officers from liability in cases of reckless disregard for safety (Minn. Stat. § 169.17).

All supervisory directives given during a pursuit shall be followed immediately.

306.4 INITIATING A PURSUIT

Officers who have received appropriate training are authorized to initiate a vehicle pursuit when the need to apprehend a fleeing suspect clearly outweighs the risks a vehicle pursuit poses for officers and the public (Minn. Stat. § 626.8458, Subd. 1).

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When balancing the risk of a pursuit with the need to apprehend the suspect, officers shall consider (Minn. Stat. § 626.8458, Subd. 2 (a)(2)):

- (a) The seriousness of the known or reasonably suspected crime committed by the suspect and the threat to the safety of the public if the suspect remains at large.
- (b) Whether the identity of the suspect is known with enough certainty to enable apprehension at a later time.
- (c) The speed of the vehicles relative to the conditions of the area, such as the population density, amount of vehicular and pedestrian traffic (e.g., school zones), time of day, and road and weather conditions.
- (d) The pursuing officer's driving capabilities, familiarity with the area, and quality of radio communications with the dispatcher/supervisor.
- (e) The nature of the pursuing unit (e.g., marked vs. unmarked) and its speed and performance capabilities in relation to the fleeing vehicle (e.g., performance motorcycle).
- (f) Whether there are other persons in or on the fleeing vehicle, their ages, and their relationship to the situation (e.g., passengers, co-offenders, hostages).
- (g) Whether the pursuing unit is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist.
- (h) The availability of other resources such as air support or vehicle locator/deactivation technology.

306.4.1 PURSUIT CONTINUUM

The Pursuit Continuum is not a scoring matrix but a structured, practical decision-making tool designed to guide the initiation, continuation, and termination of vehicle pursuits. It supports all involved personnel in weighing risk versus necessity in accordance with department policy and Minn. Stat. § 626.8458.

The continuum helps evaluate the totality of circumstances by balancing risk factors with the need for immediate apprehension.

- (a) Risk Factors to Consider
 - 1. The continuum highlights environmental, tactical, and situational elements that must be continuously assessed throughout a pursuit. As conditions shift toward the high-risk end of the continuum, officers must strongly consider terminating the pursuit, unless the suspect presents a severe and imminent threat as defined in policy.
- (b) Offense-Based Justification
 - 1. The decision to initiate or continue a pursuit must be based on both the risk factors present and the nature of the suspected offense. The following offense categories are generally insufficient to justify a pursuit unless accompanied by a severe and imminent threat:

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- (a) Traffic or license violations
 - (b) Property crimes
 - (c) Stolen vehicles
 - (d) Drug offenses
 - (e) Unknown offenses
 2. Pursuits involving these offenses require heightened justification, particularly under the following high-risk conditions:
 - (a) Fleeing vehicle traveling the wrong way
 - (b) Suspect is believed to be a juvenile
 - (c) Officers have lost visual contact with the vehicle
 - (d) The fleeing vehicle is being actively GPS-tracked
 - (e) A non-sworn passenger (e.g., ride-along, arrestee) is present in the police unit
- (c) Required Initial Information – **DRIVES**: At the onset of a pursuit, officers shall communicate DRIVES, the minimum required initial information to dispatch:
- **D** – Direction of travel and current location
 - **R** – Reason for the pursuit, including the observed violation or suspected offense
 - **I** – Identity of the fleeing driver, if known
 - **V** – Vehicle description, including make, model, color, and license plate (if known)
 - **E** – Environmental conditions (e.g., traffic, weather, road hazards)
 - **S** – Speed of the fleeing vehicle

This information forms the foundation for supervisory oversight and supports real-time assessment of whether a pursuit remains justified under department policy.

[See attachment: Pursuit Continuum](#)

306.5 PURSUIT UNITS

Vehicle pursuits should be limited to three police department emergency vehicles (one primary unit and two secondary units). A canine unit, if available, may also join if requested, bringing the total number of units to four emergency vehicles. However, a supervisor may request that additional units join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of officers involved may be insufficient to arrest the number of suspects safely.

If an unmarked emergency vehicle initiates a pursuit, it must disengage once a primary marked unit and two secondary marked units become involved.

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306.5.1 EMERGENCY EQUIPMENT

Vehicle pursuits shall only be conducted using authorized police department vehicles that are equipped with emergency lighting and sirens as required by law (Minn. Stat. § 169.68). Each pursuit unit's emergency lights and sirens should remain activated throughout the unit's participation in the pursuit.

Officers operating vehicles not equipped with emergency lights and siren are prohibited from pursuing a fleeing vehicle or joining a pursuit. Officers in such vehicles may provide support to pursuing units when needed, but should operate the vehicle in compliance with all traffic laws and should discontinue such support immediately upon arrival of a sufficient number of authorized emergency vehicles or any air support.

306.5.2 UNMARKED UNITS

When involved in a pursuit, police department unmarked vehicles should be replaced by marked emergency vehicles as soon as practicable.

306.5.3 PRIMARY UNIT

The initial pursuing officer should be designated as the primary unit and will be responsible for the conduct of the pursuit unless that unit is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to themselves or others (Minn. Stat. § 626.8458, Subd. 2 (a)(4)).

As soon as practicable, the primary unit should notify the Dispatch Center of the pursuit, request priority radio traffic, and provide the following minimum required **DRIVES** information, along with any additional critical details:

- **D** – Direction of travel and current location
- **R** – Reason for the pursuit, including the suspected violation or crime
- **I** – Identity of the fleeing driver, if known
- **V** – Vehicle description, including make, model, color, and license plate (if known)
- **E** – Environmental conditions, such as traffic, road, and weather conditions
- **S** – Speed of the fleeing vehicle

In addition to the initial information, the primary unit is responsible for providing Evolving Information throughout the pursuit. Evolving Information refers to critical updates that must be conveyed as soon as possible and continuously throughout the pursuit, including but not limited to:

- Changes in traffic conditions, such as cross traffic, pedestrian presence, or violations of controlled intersections
- Driving behavior of the fleeing vehicle, including wrong-way travel, aggressive maneuvers, or actions that place the public at risk
- Updated location, speed, and direction of travel
- Any changes in vehicle occupancy or updated descriptions of occupants

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- Emergence of new hazards (e.g., observed weapons, injuries, threats of violence, presence of hostages)
- Requests for medical assistance or additional resources (Minn. Stat. § 626.8458, Subd. 2(a)(6))

The primary unit is responsible for broadcasting the progress of the pursuit until a secondary or air unit joins the pursuit. Once an additional unit joins the pursuit, the primary unit should relinquish the responsibility of broadcasting the progress to the secondary or air unit unless circumstances reasonably indicate otherwise.

306.5.4 SECONDARY UNIT

The second officer in the pursuit should be designated as the secondary unit and is responsible for:

- (a) Notification: Immediately notify the Dispatch Center upon entering the pursuit.
- (b) Positioning: Maintain a safe distance behind the primary unit unless directed to assume the role of primary or if the primary unit becomes unable to continue.
- (c) Communication: Assume responsibility for broadcasting the progress of the pursuit, including all Evolving Information, unless the situation reasonably dictates otherwise. This includes updates on:
 1. Changes in speed, direction, and location
 2. Traffic and road conditions
 3. Driving behavior of the fleeing vehicle
 4. Any new or emerging hazards
 5. Changes in the number or behavior of vehicle occupants
- (d) Support Role: Serve as backup to the primary unit once the fleeing vehicle is stopped.

Unit Involvement Limits:

- (a) The number of IGH PD units actively involved in a pursuit shall generally be limited to four: one primary unit, two secondary units, and an on-duty canine unit if available and applicable.
- (b) Additional units may only join with supervisory approval based on the evolving nature of the pursuit or specific tactical needs.

306.5.5 AIR UNITS

When available, air unit assistance should be requested. The air unit should assume responsibility of broadcasting the pursuit once they have established visual contact with the fleeing vehicle. Ground units should maintain operational control and consider whether the continued close proximity and/or involvement in the pursuit is warranted (Minn. Stat. § 626.8458, Subd. 2 (a)(4)).

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide pursuing units with details of upcoming traffic congestion, road hazards, or other information pertinent to evaluating whether to continue the pursuit. If ground units are not

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within visual contact of the fleeing vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend termination.

306.6 PURSUIT DRIVING

The decision to use specific driving tactics requires consideration of the same factors as initiating a pursuit. In addition, officers involved in the pursuit should adhere to the following (Minn. Stat. § 626.8458, Subd. 2 (a)(3)):

- (a) Pursuing units should space themselves far enough from other involved vehicles to be able to see and avoid hazards and react safely to maneuvers by the fleeing vehicle.
- (b) Pursuing units should exercise caution and slow down as necessary when proceeding through intersections.
- (c) Pursuing units should not follow a fleeing vehicle driving against traffic (wrong way) and should instead:
 1. Request assistance from available air support.
 2. Maintain visual contact with the fleeing vehicle by paralleling it on the correct side of the roadway.
 3. Request other units to observe exits available to the fleeing vehicle.
- (d) Pursuing units should request that the Dispatch Center notify the Minnesota State Patrol and/or another law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Pursuing units should not attempt to pass other pursuit units unless the situation indicates otherwise or they are requested to do so. Passing another pursuit unit should only be attempted with a clear understanding of the maneuver.
- (f) Pursuing units should evaluate speed limits on a continuing basis. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.
Should high vehicle speeds be reached during a pursuit, officers and the Shift Sergeant shall also consider these factors when determining the reasonableness of the speed of the pursuit:
 1. If pursuit speeds have become unreasonably unsafe for the surrounding conditions.
 2. If pursuit speeds have exceeded the driving ability of the officers.
 3. If pursuit speeds are beyond the capabilities of the pursuing units, thus making vehicle(s) operation unsafe.

306.6.1 RULES OF THE ROAD

Officers shall drive with due regard for the safety of all persons and property. However, when in pursuit, if there is no unreasonable risk to persons and property, officers may (Minn. Stat. § 169.03; Minn. Stat. § 169.17):

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- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.

306.6.2 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers not directly involved in the pursuit should stay alert to its progress and location and may proceed safely to intersections ahead of the pursuit to warn cross traffic. When clearing intersections along the pursuit path, officers are authorized to use emergency equipment and should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or a suspect intentionally trying to ram the police department vehicle.

Other than clearing intersections along the pursuit path, uninvolved officers should avoid operating under emergency conditions (emergency lights and siren) and should remain in their assigned areas unless directed otherwise by a supervisor.

When needed, non-pursuing officers and officers who have dropped out of the pursuit should respond to the pursuit termination point in a non-emergency manner, observing the rules of the road. Officers should not parallel the pursuit route.

306.7 SUPERVISORY CONTROL AND RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Shift Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Sergeant has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command (Minn. Stat. § 626.8458, Subd. 2 (a)(4)). The Shift Sergeant is responsible for.

- (a) Immediately notifying the involved units and the dispatcher of supervisory presence and ascertaining all reasonably available information in order to continuously assess the situation and risk factors associated with the pursuit.
- (b) Exercising management and control of the pursuit and, when appropriate, engaging in the pursuit to provide on-scene supervision.
- (c) Confirming that no more pursuing units than required are involved in the pursuit.
- (d) Directing that the pursuit be terminated if, in the supervisor's judgment, continuing the pursuit is not justified under the guidelines of this policy.
- (e) Assessing the emotional state of the officers involved and directing an officer to disengage from the pursuit if it appears they are unable to control their emotions.
- (f) Requesting additional assistance from air support, canines, or other resources, if available and appropriate.
- (g) Verifying that the proper radio channel is being used.

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- (h) Overseeing the notification and/or coordination of outside agencies if the pursuit leaves or is likely to leave the jurisdiction of this department.
- (i) Continuing the management and control of Inver Grove Heights Police Department units when a pursuit enters another jurisdiction.
- (j) Preparing documentation of the pursuit and conducting a post-pursuit review, as required.

If there are two or more Shift Sergeants on duty, one supervisor must declare themselves on the radio as the pursuit supervisor to avoid confusion.

306.7.1 SHIFT SERGEANT RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Shift Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Sergeant has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command (Minn. Stat. § 626.8458, Subd. 2 (a)(4)).

306.8 THE DISPATCH CENTER

Radio communications during a pursuit should be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

306.8.1 THE DISPATCH CENTER RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for (Minn. Stat. § 626.8458, Subd. 2 (a)(4)):

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

306.9 INTERJURISDICTIONAL CONSIDERATIONS

Unless entry into another jurisdiction is expected to be brief, the primary unit or supervisor should ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist (Minn. Stat. § 626.8458, Subd. 2 (a)(5)).

When a pursuit enters another agency's jurisdiction, the primary officer or Shift Sergeant, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

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306.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

When a pursuit enters another agency's jurisdiction, the primary unit or the supervisor should determine whether to request the other agency assume the pursuit, taking into consideration the distance traveled, familiarity with the area, and other pertinent facts.

Once another agency has agreed to assume the pursuit, pursuing units should relinquish control and discontinue participation unless the continued assistance of the Inver Grove Heights Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may, with supervisory approval, proceed to the termination point in order to provide information and assistance for the arrest of the suspect and reporting of the incident. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for department reports.

306.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Officers from this department should not join a pursuit being conducted by another agency unless specifically requested to do so by that agency and with approval from a supervisor.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Inver Grove Heights Police Department, the Shift Sergeant should review the request as soon as practicable, taking into consideration:

- (a) Whether the need to apprehend the fleeing suspect outweighs the risks of the pursuit to officers and the public.
- (b) Whether there is adequate staffing to continue the pursuit.
- (c) The available units' capabilities to maintain the pursuit.
- (d) The number of available units and other resources of the pursuing agency.
- (e) The required initial information (**DRIVES**) is communicated to the department; as well as Evolving Information.

The Shift Sergeant, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department should terminate at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department should continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers should provide appropriate assistance to the pursuing agency such as scene control, inter-agency coordination, completion of supplemental reports, and any other reasonable assistance requested or needed.

306.9.3 PURSUITS CROSSING STATE LINES

Vehicle pursuits that may cross into another state present heightened legal and operational risks and shall be conducted with extreme caution.

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- (a) Supervisor approval is required before any officer continues a pursuit outside the State of Minnesota. If such approval is not granted, the pursuit shall be terminated at the state line.
- (b) Pursuits into Iowa or Wisconsin should generally be limited to cases involving violent felonies, due to limitations on jurisdiction and legal authority across state lines.
- (c) Once across state lines, officers shall:
 - 1. Coordinate with the local jurisdiction for assistance.
 - 2. Do not remove the suspect from that state without proper legal process. A suspect may only be brought back to Minnesota following a judicial hearing, typically involving a waiver of extradition or warrant under the Uniform Criminal Extradition Act.
- (d) Officers shall document all cross-border actions, and the Shift Sergeant must notify the Patrol Command of the incident.

306.10 PURSUIT INTERVENTION

Pursuit interventions should only be used when it reasonably appears that using the intervention will contain or prevent the pursuit, and the need to immediately stop the fleeing vehicle outweighs the risks of injury or death to officers and others.

Pursuit interventions may be construed as a use of force, including deadly force, and are subject to the policies guiding such use. Officers should consider the guidelines for the use of force when deciding how, when, where, and if a pursuit intervention should be employed. Refer to the Use of Force Policy for additional guidance.

Whenever practicable, an officer should seek approval from a supervisor before employing any pursuit intervention to stop a fleeing vehicle. Officers should not attempt a pursuit intervention unless they have received the appropriate training for the intervention being used.

306.10.1 BOXING-IN

Boxing-in is a coordinated maneuver that involves multiple law enforcement vehicles surrounding and containing a fleeing vehicle to prevent further movement. This tactic should only be used under the following conditions:

- (a) The fleeing vehicle is stopped or traveling at a low speed where the maneuver can be performed safely.
- (b) The maneuver is coordinated in real time among all involved units to ensure proper positioning and to reduce the risk of collision or injury.
- (c) Due consideration is given to public safety, officer safety, and the risk of escalating the situation.

306.10.2 CHANNELING

Before deploying a channeling maneuver, officers should consider the following factors:

- (a) Intent and Purpose – Channeling is intended to guide a suspect vehicle into a controlled path that limits evasive options without creating a physical barrier. It should

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only be used when it contributes to the safe resolution of a pursuit and does not pose an unreasonable risk to the public or officers.

- (b) **Environmental Conditions** – Roadway configuration, traffic patterns, visibility, and weather conditions must allow for safe deployment of patrol vehicles or other channeling tools. Channeling should not be used in high-speed scenarios where safe control of the suspect vehicle is unlikely.
- (c) **Officer Safety and Cover** – Officers involved in creating the channel must position their vehicles in a manner that allows for immediate escape from oncoming traffic and offers adequate cover from potential threats.
- (d) **Coordination and Communication** – Channeling must be coordinated in real time with pursuing units and the Dispatch Center, and should not be implemented independently without supervisory awareness.

306.10.3 COMPELLING PATH

Before implementing a compelling path intervention, officers should evaluate the following considerations:

- (a) **Exit Availability** – A compelling path differs from a termination roadblock by providing a visible and viable exit route at the end of the channel. This exit must remain unobstructed to reduce the likelihood of a collision and to encourage the suspect to surrender voluntarily.
- (b) **Speed and Control** – Compelling path techniques are most appropriate in lower-speed scenarios where the fleeing vehicle can be guided into a decision point without creating an imminent risk of loss of control.
- (c) **Officer Positioning** – Officers involved in creating the modified roadblock must ensure proper placement of vehicles to allow for both containment and safety. No officer should remain on foot within the suspect's likely path of travel.
- (d) **Authorization and Oversight** – The use of a compelling path requires supervisory approval and should be part of a coordinated strategy involving all pursuing and assisting units.

306.10.4 FIREARMS

The use of firearms to disable a fleeing vehicle is strongly discouraged, as it is rarely effective and presents a significant risk to officers, the public, and occupants of the vehicle. Officers shall not discharge a firearm during a pursuit unless deadly force is justified under the department's Use of Force Policy and Minn. Stat. § 609.066.

An officer may discharge a firearm at a moving vehicle or its occupants only when:

- The officer reasonably believes there are no other reasonable means available to prevent an imminent threat of death or great bodily harm posed by the vehicle or its occupants.
- Deadly force is being used against the officer or others by means other than the vehicle itself.

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Officers should:

- Not shoot at a vehicle in an attempt to disable it (e.g., shooting at tires or the engine compartment).
- Avoid placing themselves in a position where they are directly in the path of a moving vehicle, unless tactically unavoidable.
- Make every reasonable effort to move out of the vehicle's path instead of discharging their firearm.
- Nothing in this section prohibits the use of a firearm to stop a suspect from using a vehicle as a deadly weapon, provided the use of deadly force is otherwise justified.

For further guidance, refer to the Use of Force policy.

306.10.5 RAMMING AND ROADBLOCKS

Ramming to intentionally stop a fleeing vehicle constitutes a use of deadly force. These tactics shall only be employed under the following conditions:

- (a) Deadly force is justified under the department's Use of Force Policy and Minn. Stat. § 609.066.
- (b) All other reasonable alternatives have been exhausted or are not feasible under the circumstances.
- (c) Supervisory authorization is obtained when time and circumstances allow.

Officers must be able to clearly articulate the necessity of such action based on the severity of the threat and the immediacy of the risk to human life.

306.10.6 ROADBLOCKS

Roadblocks should be done under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor.

306.10.7 TIRE DEFLATION DEVICE

Before deploying a tire deflation device, officers should consider factors such as:

- (a) Speed of the fleeing vehicle - Traveling at high speeds increases the risk that the suspect will lose control of the vehicle after driving over or swerving to avoid a tire deflation device.
- (b) Weather and visibility - Tire deflation devices should only be deployed when the location, weather, and other conditions allow the deploying officer to clearly see the fleeing vehicle, pursuit units, and other approaching traffic.

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- (c) Cover - Deployment should occur in a location that provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicles.
- (d) Road conditions - Soft or loose material such as dirt or gravel may prevent a tire deflation device from puncturing the vehicle's tire. Deploying the device on loose pavement or icy or wet roads increases the risk of the suspect losing control of the vehicle.
- (e) Characteristics of the deployment area - A tire deflation device should not be deployed in areas that are heavily populated with pedestrians, at times of heavy traffic, or at a location where there is a heightened chance of striking a fixed object.
- (f) Characteristics of the fleeing vehicle - Except in extraordinary circumstances, a tire deflation device should not be used when the fleeing vehicle is a motorcycle or other vehicle with fewer than four wheels, an ATV, a vehicle transporting hazardous materials, or a school bus transporting children.

Because of the risks to deploying officers, the intent to deploy a tire deflation device and its location should be clearly communicated to the dispatcher and all involved units.

If a tire deflation device was deployed, see tire deflation device procedure.

306.11 TERMINATING A PURSUIT

The decision to continue or terminate a pursuit must be continuously evaluated by pursuing officers and supervisors based on the totality of circumstances. A pursuit shall be terminated when the risks of continued pursuit reasonably outweigh the need for immediate apprehension, as required by Minn. Stat. § 626.8458, Subd. 2(a)(2).

- (a) Mandatory Termination Criteria - A pursuit shall be terminated under any of the following conditions:
 - 1. A supervisor directs the pursuit to be terminated.
 - 2. The fleeing vehicle's location is no longer known.
 - 3. Communication with pursuing units or dispatch becomes broken or unreliable.
 - 4. The pursuing unit sustains damage or a mechanical/emergency equipment failure that renders it unsafe or non-compliant for emergency operation, and no backup unit is available.
 - 5. Visual contact with the fleeing vehicle is lost for a reasonable period, and the direction of travel cannot be determined.
 - 6. The pursuit is determined to be out of compliance with department policy or applicable law.
- (b) Discretionary Termination Factors - Supervisors and officers should give strong consideration to terminating the pursuit under any of the following conditions:
 - 1. The suspect is known and can be apprehended at a later time without creating a substantial risk of injury or death to others.

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2. The offense is non-violent and does not involve a known, immediate threat to public safety (e.g., property crimes, traffic offenses, stolen vehicles).
 3. The distance between the fleeing vehicle and pursuing officers has become so great that continued pursuit would be futile or unreasonable in duration.
 4. Road, weather, or traffic conditions increase the risk to the public or officers.
 5. The suspect is observed driving the wrong way on a limited access highway, divided road, or one-way street.
 6. The suspect is reasonably believed to be a juvenile and does not pose an imminent threat to others.
 7. There is a non-sworn passenger (e.g., ride-along, arrestee) in the pursuing vehicle.
 8. The fleeing vehicle is being actively tracked by GPS or aerial surveillance.
- (c) Termination Procedure
1. When an officer discontinues a pursuit, they shall follow the standard procedure for Termination of a Pursuit, defined as:
 - (a) Turning off emergency lights and siren.
 - (b) Returning to non-emergency operation.
 - (c) Informing dispatch
 - (d) Safely changing direction of travel (make the first available turn off the pursuit route).
 2. All involved units shall verbally acknowledge the termination over the radio and resume normal driving behavior in accordance with traffic laws.

306.11.1 LOSS OF PURSUED VEHICLE

When a pursuit is terminated because the location of the fleeing vehicle is no longer known, the primary unit should broadcast pertinent information for other units to assist in locating the suspect. The primary unit or supervisor will be responsible for coordinating any further search for the pursued vehicle.

306.11.2 APPREHENSION OF SUSPECTS

At the conclusion of a pursuit, officers shall exercise proper self-discipline and sound professional judgment when apprehending fleeing suspects. All actions must be conducted with due regard for public safety, officer safety, and suspect safety.

Unless otherwise directed by a supervisor, an officer other than the primary unit should coordinate efforts to contain and apprehend the suspect, while the primary unit provides support and scene security.

Any use of force during apprehension shall be objectively reasonable and in full compliance with the department's Use of Force Policy and Minn. Stat. § 609.06.

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306.12 DEBRIEFING

Participating officers should return to the Department as soon as practical following a pursuit to debrief with a supervisor.

306.13 REPORTING REQUIREMENTS

All vehicle pursuits must be properly documented and reviewed to ensure compliance with department policy and state law, including Minn. Stat. § 626.5532 and § 626.8458, Subd. 2(a)(7).

306.13.1 OFFICER RESPONSIBILITIES

- (a) The primary officer shall complete all necessary incident and arrest reports before the end of their shift unless otherwise directed by a supervisor. Reports must include:
 - 1. Required Initial Information (**DRIVES**) and Evolving Information showing the officer's ongoing assessment of risk and justification for continuing or terminating the pursuit.
 - 2. Date and time of pursuit.
 - 3. Length of pursuit in distance and time.
 - 4. Starting and termination points.
 - 5. The outcome of the pursuit.
 - 6. Medical treatment for any injured person involved and/or not involved (bystanders)
 - 7. Property damage to any involved units, fleeing vehicle, or to any other property.
 - 8. Alleged offense, charges filed or disposition: arrest, citation or other release.
 - 9. Suspect information if applicable.
- (b) The primary officer shall complete the appropriate pursuit summary report for all Inver Grove Heights Police Department officers involved.
 - 1. The pursuit summary report shall be submitted to Records for entry into the Department of Public Safety supplemental reporting system after the Shift Sergeant has reviewed the pertinent information.
- (c) The primary officer shall complete a tire deflation device deployment report as soon as practicable after the incident.
- (d) The primary officer shall complete a liability form if there was damage caused to property (tires, vehicles, yards, signs, buildings, etc...) as a result of the pursuit.
- (e) The primary officer assisting in a pursuit initiated by another agency:
 - 1. No pursuit summary is necessary if officers only monitored the pursuit or took containment action.
 - 2. A pursuit summary report is only required if IGH officers actively engaged in the pursuit.
 - 3. An incident report must be completed referencing the initiating agency's case number.

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306.13.2 SUPERVISOR RESPONSIBILITIES

The Shift Sergeant (or acting field supervisor) shall ensure:

- (a) All reports substantiate the required Initial Information (**DRIVES**) and Evolving Information as well as elements of any crimes charged.
- (b) A follow-up investigation occurs for any fleeing driver and/or other occupants who were not apprehended.
- (c) Review the pursuit summary report before the primary officer submits it.
- (d) Ensure that a post-pursuit assessment and analysis of all incident report(s) and mobile video recorder video(s) is completed as soon as practicable after the incident.
- (e) Immediately notify Patrol Command of any pursuit which has the likelihood of resulting in a tort claim.
- (f) Ensure a tire deflation device deployment report has been completed by the primary officer when a tire deflation device was used.
- (g) Ensure a liability form is completed by the primary officer if there was damage caused to property as a result of the pursuit.
- (h) Conduct an Assessment and Analysis to determine policy compliance, equipment/training needs, and tactical evaluation. For further information, see [Inver Grove Heights PD Procedures Manual: 300.2 Assessment and Analysis Procedure](#).

306.13.3 ADMINISTRATIVE RESPONSIBILITIES

- (a) The Chief of Police or designee shall:
 1. Review the Assessment and Analysis as appropriate to overall policy compliance and recommended changes to equipment, training, or tactics.
 2. Ensure reviews are conducted and compiled for trend analysis.
- (b) The Chief of Police may direct an annual documented analysis of department vehicle pursuits to evaluate:
 1. Policy adequacy and alignment with best practices
 2. Overall compliance with pursuit policy
 3. Equipment or training deficiencies

306.13.4 STATE-SPECIFIC REPORTING REQUIREMENTS

The Records Manager shall ensure the appropriate forms are filed with the Department of Public Safety within 30 days (Minn. Stat. § 626.5532).

306.14 PURSUIT TRAINING

The Training Manager should ensure that members of this department receive initial and annual training on this policy and vehicle pursuits relevant to their role (e.g., officers, supervisors, air units, dispatchers).

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Officer training should address decision-making involved in initiating, continuing, and terminating a pursuit by balancing the need to apprehend the suspect with the risk of a pursuit. Subject to available resources, training on pursuit driving and the deployment of pursuit intervention tactics should include scenario-based training and behind-the-wheel practice, in addition to classroom instruction.

306.14.1 STATE-SPECIFIC TRAINING REQUIREMENTS

The Training Manager shall ensure the frequency and content of emergency vehicle operations and vehicle pursuit training meets or exceeds that required by law (Minn. Stat. § 626.8458, Subd. 5).

306.15 YEARLY CERTIFICATION

This policy shall be reviewed and certified to the state annually that it complies with requirements of any new or revised model policy adopted by the state (Minn. Stat. § 626.8458, Subd. 3).

Officer Response to Calls

307.1 PURPOSE AND SCOPE

The State of Minnesota finds that emergency vehicle operations are an integral part of law enforcement's commitment to public safety. This policy provides for the safe and appropriate response to all emergency and nonemergency situations (Minn. Stat. § 626.8458, Subd. 1).

307.2 POLICY

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

307.3 RESPONSE TO CALLS

307.3.1 RESPONSE TO EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate. Officers responding to an emergency call shall sound the siren or display at least one lighted red light to the front of the vehicle. Whenever practicable, during an emergency call response the officer should continuously operate emergency lighting equipment and sound the siren (Minn. Stat. § 169.03 et seq.; Minn. Stat. § 169.17).

Responding with a red light, emergency lighting and/or siren does not relieve the operator of an authorized emergency vehicle or a law enforcement vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others. The use of any other warning equipment without emergency lights and siren does not provide an exemption under Minnesota law (Minn. Stat. § 169.17).

Officers should only respond with a red light, emergency lights and/or siren when so dispatched or when circumstances reasonably indicate an emergency response is appropriate. Officers not responding with a red light, emergency lights and/or siren shall observe all traffic laws.

307.3.2 LIGHTING EXEMPTION OF LAW ENFORCEMENT VEHICLES

An officer may operate a vehicle without lights as otherwise required while performing law enforcement duties when the officer reasonably believes that operating the vehicle without lights is necessary to investigate a criminal violation or suspected criminal violation of state laws, rules or orders, or local laws, ordinances or regulations. The operation of a vehicle without lights must be consistent with the standards adopted by Minnesota Peace officer Standards and Training Board (POST) (Minn. Stat. § 169.541). This may not be appropriate when several officers are responding to one incident or driving at a Code Two or Three Response.

An officer may **not** operate a vehicle without lights contrary to Minn. Stat. § 169.541. **LIGHTING EXEMPTION FOR LAW ENFORCEMENT; STANDARDS.** under conditions of limited or reduced visibility as defined in Minn. Stat. § 84.87, 84.928, 169.48 to 169.65 and 86B.511:

- on an interstate highway.

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- at speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions.
- faster than the posted speed limit.
- in situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN STAT 609.487.

307.3.3 CODE ONE RESPONSE

"Code One" calls do not require the immediate response by an officer.

In responding to a "Code One" call, traffic laws are obeyed and the emergency signal devices are not used.

"Code One" calls are handled when an officer is not assigned another call with a higher priority. As a courtesy officers should notify the reporting party if the reporting party expects to see the officer, and response is going to be delayed.

307.3.4 CODE TWO RESPONSE

"Code Two" calls may require an immediate, but non-emergency response by an officer or multiple officers (the number of officers is dependent upon the type of call).

In responding to a "Code Two" call, traffic laws are obeyed and the emergency signal devices are not used. If the call does not require the officer to meet with the reporting party a phone call to advise them of police action on the incident is appropriate.

A minimum of two officers should respond to any "Code Two" calls that pose a threat to:

- (a) Property (included are alarm calls).
- (b) Persons (included are domestic disturbances, person disturbing, and prowler calls).
- (c) Responding officers.

Patrol Supervisors should monitor response to ensure an appropriate number of officers are responding, or are on scene.

307.3.5 CODE THREE RESPONSE

"Code Three" calls may require an emergency response from multiple officers (the number of officers is dependent upon the type of call). The following may require a "Code Three" response:

- (a) Structure fires;
- (b) Reports of in-progress burglaries;
- (c) Intrusion alarms indicated by a portable Department alarm;
- (d) Robbery alarms or reports of in progress robberies;
- (e) For Robbery alarms an unannounced arrival is required. Officers secure the perimeter and make phone contact when appropriate to avoid precipitating a hostage incident. If the perpetrators have fled officers may enter the building to begin the investigation.
- (f) False alarms require an employee to exit the building to speak with officers.

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- (g) Life threatening medicals (may only require one officer);
- (h) Violent crimes (in-progress rape, homicides, in-progress assaults, aggravated robberies, felony assaults);
- (i) Accidents with injuries or fatalities;
- (j) Person with a gun or "shots fired"; and
- (k) Officer needs assistance.

Officers must operate the red lights and/or the siren when responding to an emergency in order to be exempt from traffic regulations. The siren is defined as the wail, yelp, or high low functions on the siren controller. The air horn and vehicle horn may be used in addition to the siren; however, they may not be used in place of the siren.

Some incidents require an unannounced arrival such as in-progress burglaries to avoid causing the burglar to flee, or robbery alarms to avoid precipitating a hostage taking. In these instances officers take the environment into account and turn off their siren prior to reaching a location where it may be heard by the offender, and turn off their emergency lights prior to being seen by the offender. Officers must proceed very cautiously when their emergency signal devices are not activated.

Officers continuously evaluate the appropriateness of an emergency response. Upon arrival at the scene officers evaluate the situation and notify other responding officers when an emergency response is no longer necessary.

While operating a vehicle in response to an emergency call for service, officers shall do so with due regard to the safety of others as stated in Minnesota Statutes 169.03, Subd. 1 through 5 and 169.17.

169.03 EMERGENCY VEHICLES; EXEMPTIONS; APPLICATION.

- Subdivision 1. Scope. The provisions of this chapter applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state, or any county, city, town, district, or any other political subdivision of the state, subject to such specific exemptions as are set forth in this chapter with reference to authorized emergency vehicles.
- Subdivision 2. Stops. The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety, but may proceed cautiously past such red or sign or sign or signal after sounding siren and displaying red lights, except that a law enforcement vehicle responding to a call shall sound its siren or display at least one lighted red light to the front.
- Subdivision 3. One-way roadway. The driver of any authorized emergency vehicle, when responding to any emergency call, may enter against the run of traffic on any one-way street, or highway where there is authorized division of traffic, to facilitate traveling to the area in which an emergency has been reported; and the provisions of this section shall not affect any cause of action arising prior to its passage.

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- Subdivision 4. Parking at emergency scene. An authorized emergency vehicle, when at the scene of a reported emergency, may park or stand, notwithstanding any law or ordinance to the contrary.
- Subdivision 5. Course of duty. No driver of any authorized emergency vehicle shall assume any special privilege under this chapter except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

169.17 EMERGENCY VEHICLES

- The speed limitations set forth in sections 169.14 to 169.17 do not apply to authorized emergency vehicles when responding to an emergency. Drivers of all emergency vehicles shall sound an audible signal by siren and display at least one lighted red light to the front, except that law enforcement vehicles shall sound an audible signal by siren or display at least one lighted red light to the front. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others.

307.4 REQUESTING EMERGENCY ASSISTANCE

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

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

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

307.4.1 NUMBER OF UNITS PARTICIPATING

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

307.5 INITIATING EMERGENCY CALL RESPONSE

If an officer believes an emergency call response to any call is appropriate, the officer shall immediately notify the Dispatch Center. Emergency responses of more than one unit should include, if circumstances reasonably permit, coordination of the response of the second responding unit by the Dispatch Center to avoid unanticipated intersecting of response routes.

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An emergency call response of more units outside of the recommendations by the incident type should initiate notification by the Dispatch Center to the Shift Sergeant or field supervisor of the response. The Shift Sergeant or field supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

The nature of some incidents, due to being high profile, or exposing the city to liability, requires that an officer on-scene notify a Shift Sergeant of the incident. Once notified, the Shift Sergeant must determine whether to assume command of the incident or delegate command to an officer already at the scene. Incidents a Shift Sergeant must be notified of, or acknowledge, are:

- (a) Arson
- (b) Armed Robbery
- (c) Deaths
- (d) Civil disturbances
- (e) Felony assault
- (f) Felony level Incidents involving weapons
- (g) Injury accidents involving on-duty police vehicles
- (h) Kidnappings
- (i) Officer use of deadly force
- (j) On-duty officer injury
- (k) Vehicle pursuit
- (l) Labor disputes
- (m) Sexual assault
- (n) Unusual Occurrences
- (o) Subjects injured due to police action
- (p) Injuries on City property
- (q) Fatal traffic accidents
- (r) Accidents with a life-threatening injury
- (s) Incidents involving significant property damage or loss
- (t) Threats to schools or staff
- (u) Significant incidents arising from extra-duty or non-duty employment
- (v) Any police response to off-duty behavior, incident, or injury involving a Department employee and investigated by the Inver Grove Heights Police Department
- (w) Any calls that may have media attention
- (x) Calls that may be of concern to department administration

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Shift Sergeant notified of such incidents must notify a Commander as soon as practicable. Command Staff need to learn of incidents through police department channels, not when the media or City administration asks for information on the incident.

307.6 RESPONSIBILITIES OF RESPONDING OFFICERS

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. During a response to an emergency call officers may (Minn. Stat. § 169.03; Minn. Stat. § 169.17):

- (a) Proceed cautiously past a red or stop signal or stop sign but only after slowing down and utilizing a red light or siren as may be necessary for safe operation.
- (b) Exceed any speed limits, provided this does not endanger life or property.
- (c) Disregard regulations governing direction of movement or turning in specified directions as authorized by law.
- (d) Disregard regulations governing parking or standing when using a warning lamp.

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

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

When emergency vehicles are on the scene of an emergency and pose any hazard, or when the vehicle operators seek exemption to park, stop or stand contrary to any law or ordinance pursuant to Minn. Stat. § 169.541, adequate warning lights shall be operated whenever practicable.

307.8 SUPERVISORY RESPONSIBILITIES

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

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

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

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

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

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

307.9 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency call response and respond accordingly. The officer shall notify the Shift Sergeant, field supervisor or the Dispatch Center of the equipment failure so that another unit may be assigned to the emergency response.

307.10 TRAINING

The Training Manager shall ensure the frequency and content of emergency vehicle operations training meets or exceeds that required by law (Minn. Stat. § 626.8458).

Canines

308.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community including, but not limited to locating individuals and contraband and apprehending criminal offenders.

308.2 POLICY

It is the policy of the Inver Grove Heights Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

308.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Division to function primarily as cover units when responding to incidents in which a canine is needed. However, they may be assigned by the Shift Sergeant to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time, such as guarding a prisoner being treated at the hospital. If such an assignment is necessary, it should only be made with the approval of the Shift Sergeant.

Subject to the provisions of this policy, canines trained in patrol applications may be utilized for area searches, building searches, tracking, evidence searches, narcotics detection, suspect apprehensions, handler protection, and community presentations.

308.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Division Commander or the authorized designee.

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

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

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308.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Shift Sergeant.

If the Shift Sergeant is not available, the canine handler will evaluate the request for assistance to the outside agency.

308.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Shift Sergeant and are subject to the following:

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

308.5.2 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

308.6 APPREHENSION GUIDELINES

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

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

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

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

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

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

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

308.6.1 PREPARATION FOR DEPLOYMENT

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

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The articulable belief or increased risk of potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

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

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

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

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

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308.6.2 WARNINGS AND ANNOUNCEMENTS

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

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

308.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

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

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

Immediate notification of command staff will be made if the subject of the unintended bite was a member of the public, or in the case of a department member, if serious injury results.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as reasonably practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from dangerous dog registration, impoundment, and reporting requirements (Minn. Stat. § 347.51, Subd. 4).

308.7 NON-APPREHENSION GUIDELINES

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

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

308.7.1 ARTICLE DETECTION

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

308.7.2 NARCOTICS DETECTION

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

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

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

308.7.3 BOMB/EXPLOSIVE DETECTION

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

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

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

308.7.4 CROWD CONTROL

- (a) Canines are not used for crowd control. More specifically, police canines are not to be utilized to move groups of people in civil disturbances, peaceful demonstrations, crowd control formation, or labor strikes.
- (b) Whether there are a small or large number of people gathered, the deciding factors to use the canine will be for officer and/or citizen safety.

308.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer with a minimum of (3) years of patrol experience and off probation.
- (b) Residing in an adequately fenced single-family residence.
- (c) Off-street parking, which can accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the Inver Grove Heights City limits.
- (e) Agreeing to be assigned to the position for the useful life of the canine, unless reassigned.

308.9 HANDLER RESPONSIBILITIES

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

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle is parked off-street or in a garage.
- (d) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (f) When off-duty the canine shall be confined to the handler's property or other property by kennel fence, or leash.
 - 1. Under no circumstances will the canine be at a property other than the handler's unless approved by the canine coordinator, commander, or chief.

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- (g) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Shift Sergeant.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Sergeant.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.
- (k) Regularly bathing, brushing, exercising, feeding, and grooming.
- (l) Cleaning of the canine's kennel and transport vehicle.
- (m) Administering drugs or medicine for preventive care and/or illness.

308.9.1 CANINE IN PUBLIC AREAS

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

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

308.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the memorandum of understanding (29 USC § 207).

308.11 CANINE INJURY AND MEDICAL CARE

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

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

308.12 TRAINING

Before assignment in the field each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-

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trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

- New canine teams that have completed the department-approved training will be allowed to work for a period of up to 16 months before certifying with a Police Canine Association.

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

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

308.12.1 CONTINUED TRAINING

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

- (a) Canine teams should receive training as defined in the current contract with the Inver Grove Heights Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) Canine handlers are encouraged to continue on-going training on an as-needed basis with the approved outside vendor with the approval of the Canine coordinator.
 1. The Canine team may be required to undergo an assessment by an outside vendor on an as-needed basis to ensure that the handler is maintaining proper control of the Canine and that proper development of the Canine is being accomplished.
- (d) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

308.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

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

308.12.3 TRAINING RECORDS

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

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308.12.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Inver Grove Heights Police Department may work with outside trainers with the applicable licenses or permits.

308.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with federal laws and if they comply with applicable state requirements (21 USC § 823(g)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Inver Grove Heights Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

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

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

308.12.6 CONTROLLED SUBSTANCE PROCEDURES

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

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

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- (g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.
- (i) All controlled substance training samples not returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency shall be documented in an incident report and turned over to the Property Room supervisor for destruction.

308.12.7 EXPLOSIVE TRAINING AIDS

Officers may own, possess, or use explosives or destructive devices in compliance with state and federal laws (Minn. Stat. § 609.668, Subd. 3(a)(1); Minn. Stat. § 609.668 Subd. 4; 18 USC § 842; 27 CFR 555.41).

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

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- (c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

308.13 CANINE OWNERSHIP AND DISPOSAL

- (a) All police apprehension and detection canines are the property of the City of Inver Grove Heights. All police apprehension and detection canines will not be utilized for purposes other than official duties. All police apprehension and detection canines will not be registered with any organization or society unless approved by the Chief of Police or designee.
 1. Therapy canines may or may not be property of the City of Inver Grove Heights.

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- (b) Police apprehension and detection canines will not be used for breeding, participation in shows, field trials, exhibitions, or other demonstrations, or for off-duty employment unless approved by the Chief of Police or designee.
- (c) Police apprehension and detection canines that are retired, permanently injured, unsuitable for duty, or the handler resigns after 2 years of service or retires, and a decision is made not to retrain the dog for another handler, the canine will be placed with their handler if possible.
 - 1. The handler can do this upon request to the Chief of Police or designee and approval by the City Council. Placement of the police apprehension and detection canine will occur with the paid sum of one dollar (\$1.00) and a written agreement releasing the City of Inver Grove Heights from liability.

308.14 DEPARTMENT THERAPY CANINE

The mission and purpose of the department therapy canine is to provide comfort to all department members and to help mitigate mental health issues or stress they may occur on a given day. Therapy canines help reduce anxiety or provide immediate calm with the individuals they interact with. The presence of the department therapy canine will contribute to the overall wellbeing of all employees in the workplace.

The department therapy canine will also help to establish connections that may not have otherwise been established with law enforcement officers by attending community engagement events.

308.14.1 THERAPY CANINE ROLE AND APPLICATIONS

The therapy canine will be made available to those agencies who are in the peer support consortium with the Inver Grove Heights Police Department. Deploying the canine to other agencies will be at the discretion of the handler.

The department therapy canine will also be made available to all city departments if requested to help alleviate stress and could be used for critical incident de-escalation. Deploying the canine within the city departments will be at the discretion of the handler.

The department therapy canine can be made available to officers who believe the utilization of the dog will help victims who are having a difficult time giving statements or just being at the police department. Utilizing the canine with victims or children will be at the discretion of the handler. The therapy canine will only be deployed in circumstances like this at the police department.

308.14.2 TRAINING

- (a) The therapy canine will receive an initial certification, and every year with re-certify with a nationally registered therapy canine organization approved by the Canine Coordinator.
- (b) Therapy canine teams will train a minimum of four hours a month to maintain proficiency and operational readiness.
- (c) All training will be documented.

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308.14.3 HANDLER RESPONSIBILITIES

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

The handler will be responsible for the following:

- (a) The therapy canine handler's residence must be capable of housing the canine and/or have adequate space for the animal.
- (b) The handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (c) During extended calls, the handler will give the canine frequent breaks so the canine is able to maintain a calm demeanor, while ensuring the canines needs are met.
- (d) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (e) Therapy canines are treated differently than other law enforcement canines. Therapy canines are intended to be social, happy, and trusting of people. For this reason, they are not kenneled in commercial kennels, or put in baggage on airlines. Therapy canines should stay with the handler.
- (f) The department therapy canine is a resource for all police department employees. One of the purposes of the canine is to bring joy and wellbeing to those within the department. Employees who have been properly trained by the handler can take the canine for walks. This will be at the discretion of the handler.

308.14.4 REPORTING BITES AND INJURIES

In the event of an accidental bite or injury, the handler will be responsible for the following:

- (a) The handler will ensure that proper medical treatment is received by the person who was bitten and/or injured as soon as possible.
- (b) Any unintended bite or injury caused by the canine, whether on or off duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by the canine should be documented in an incident report.
- (c) Any injury, either visible or not visible, occurring on duty shall be photographed as soon as practicable after first tending to the immediate needs of the injured party.
- (d) For any injury, either visible or not visible occurring off duty, photographs will be requested as soon as practicable after first tending to the immediate needs of the injured party.

308.14.5 RECORD KEEPING AND PEER SUPPORT CONTACTS

The handler will ensure the following administrative record keeping items are completed:

- (a) Make a CAD entry through dispatch with community event details when the canine is deployed.

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- (b) Make efforts to estimate the total number of contacts the therapy canine makes at events.
- (c) Complete monthly reports on the number of trainings, events, and contacts made with the therapy canine.
- (d) No personal information is to be recorded in reference to contacts made with the therapy canine while in the peer support role. While the therapy canine is working under the peer support umbrella, the handler will follow the peer support procedures and practices.

Domestic Abuse

309.1 PURPOSE AND SCOPE

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

309.1.1 DEFINITIONS

Definitions related to this policy include:

Child: A person under the age of 18.

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

Domestic abuse - Commission of any of the following if committed against a family or household member by another family or household member (Minn. Stat. § 518B.01, Subd. 2):

- (a) Actual or fear of imminent physical harm, bodily injury, or assault
- (b) Threats of violence with intent to terrorize as specified by Minn. Stat. § 609.713, Subd.1.
- (c) Criminal sexual conduct (Minn. Stat. § 609.342 to Minn. Stat. § 609.3451)
- (d) Interference with an emergency call as specified by Minn. Stat. § 609.78, Subd.2.

Domestic Abuse Program: public or private intervention project or advocacy program which provides support and assistance to the victims of domestic abuse.

Domestic Call: A request for assistance to a law enforcement agency regarding domestic abuse or any other crime against a family or household member.

Family or Household Member: Has the meaning given it in MN Statute 518B.01 Subd. 2(b)(1)-(7): spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

Felony Domestic Assault by Strangulation: Unless a greater penalty is provided elsewhere, whoever assaults a family or household member by strangulation is guilty of a felony and may be sentenced to imprisonment for not more than three years or to the payment of a fine of not more than \$5,000, or both. Strangulation is defined as "intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person." (MN Statute 609.2247)

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Qualified Domestic Violence-Related Offense (QDVRO): Has the meaning given it in MN Statute 609.02 Subd. 16 and includes a violation of or an attempt to violate a domestic abuse order for protection; first or second-degree murder; first through fifth-degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth-degree criminal sexual conduct; malicious punishment of a child; terroristic threats; violation of harassment restraining order; stalking; interference with an emergency call; and violation of domestic abuse no contact order; and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

If a person arrested for a domestic crime has a prior QDVRO, the new offense may be enhanceable as a higher-level crime.

Order for Protection (OFP): An order issued under MN Statute 518B.01 by a judge in civil court upon the request of the petitioner. Any family or household member of the abuser may ask the court for an OFP. The relief granted to the petitioner may include an order for the respondent to stop domestic abuse, no direct or indirect contact with the petitioner, temporary custody of minor children, temporary financial support, and/or counseling for the respondent. Other forms of relief are also available. Violating an OFP is a crime.

Domestic Abuse No Contact Order (DANCO): An order issued under MN Statute 629.75 by a judge in criminal court limiting contact between a defendant and a victim of domestic abuse. DANCOs may be issued as a pretrial condition of release and/or as a probationary condition of the sentence.

Harassment Restraining Order (HRO): An order issued under MN Statute 609.748 by a judge in civil court when a petitioner requests a court order preventing another person from having contact with him/her. These orders generally prohibit all contact of any kind (including, but not limited to, phone calls, letters, e-mail, social media and contact through a third party) and may limit the respondent's ability to come within a certain distance of the petitioner's home, work or school. This type of order can be issued no matter the relationship between the individuals involved.

Harassment: Has the meaning given to it in MN Statute 609.748 Subd. 1(a): a single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.

Probable Cause: A belief, based on an officer's observations and reasonable judgment, and statements by parties and witnesses involved, that a crime occurred, and the subject committed the crime.

Self Defense: Reasonable force used by any person in resisting or aiding another to resist an offense against the person (MN Statute 609.06 Subd.1(3)). The use of force must be reasonable for that person given the nature of the threat. Reasonable force to defend oneself does not include seeking revenge or punishing the other party.

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Stalking: Has the meaning given to it in MN Statute 609.749 Subd.1: engaging in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

Lethality Assessment: An assessment, which is administered by either advocacy or police, to help to determine if a victim is "high risk" of lethal violence based on the assessment findings. It helps the victim and advocacy work on safety planning and referral services.

309.2 POLICY

The Inver Grove Heights Police Department's response to incidents of domestic abuse and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic abuse 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 abuse 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 abuse cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic abuse 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.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigation Unit 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.

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- (g) If the suspect is no longer at the scene and there is probable cause for an arrest, officers should make reasonable efforts to locate and arrest the suspect by issuing a KOPS Alert within the preceding 72 hours, exclusive of the day probable cause was established. If there is no arrest within 72 hours, officers should seek an arrest warrant if appropriate.
- (h) Officers should provide the suspect with an opportunity to make a statement.
- (i) Officers investigating domestic abuse incidents who have probable cause to believe the domestic abuse incident involved any firearms or other dangerous weapons should, when lawfully possible, seize all firearms and other dangerous weapons used in the assault for evidence. In other instances, it may be appropriate to take firearms or other dangerous weapons for safekeeping. The purpose of this is twofold, to preserve evidence and to safeguard the welfare of the people involved.
- (j) 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. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (k) 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. Marital status of suspect and victim.
 - 2. Whether the suspect lives on the premises with the victim.
 - 3. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 4. The potential financial or child custody consequences of arrest.
 - 5. The physical or emotional state of either party.
 - 6. Use of drugs or alcohol by either party.
 - 7. Denial that the abuse occurred where evidence indicates otherwise.
 - 8. A request by the victim not to arrest the suspect.
 - 9. Location of the incident (public/private).
 - 10. Speculation that the complainant may not follow through with the prosecution.
 - 11. 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.
 - 12. The social status, community status, or professional position of the victim or suspect.

309.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

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- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail (Minn. Stat. § 629.72 Subd. 6).
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

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 unit).
- (b) Document the resolution in a report.

309.4.3 FURTHER INVESTIGATION

- (a) The Domestic Abuse Response Team (DART) assists the victim by interacting with officers, investigators, prosecutors, advocates, court, and the community in an attempt to lower repeat domestic assaults.
 - 1. DART team officers may have contact with victims during the initial investigation, or shortly thereafter, to take additional photographs of injuries and property damage, and to assist victims with questions and concerns.
 - 2. DART team officers may conduct a safety assessment to investigate a domestic violence situation to help the victim not be re-victimized.
 - 3. In some cases, charges can be sought through the DART investigation that were not possible during the initial report.
 - 4. DART team members may probe into reports officers have identified as a volatile situation that may progress into a physical assault in the future to work with the local Domestic Abuse Program to see if the parties would like advocacy services.
- (b) A domestic abuse investigation shall be turned over to an investigator for further follow-up if appropriate. If there is an arrest, the investigator shall determine the defendant's criminal record, and if there is evidence of a previous conviction, the investigator should advise the prosecutors of any enhanced criminal charges which may be available.

309.4.4 CHILDREN

If a child is present at the scene of a domestic call or is the victim of domestic abuse, officers should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect, whether or not an arrest is made.

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Officers must always make a determination about the safety or advisability of leaving the child in the residence and comply with the requirements of MN Statute 626.556, Reporting of Maltreatment of a Minor.

Before interviewing a child as a witness of domestic abuse, the officer should consider:

- (a) The child's physical, emotional, or psychological ability to give a statement
- (b) The child's age and ability to understand questions and formulate responses
- (c) The likelihood the child will suffer adverse consequences

Officers shall also attempt to verify whether the child(ren) are parties to an Order for Protection (MN Statute 260C.201).

If a child is a victim of domestic abuse, the previous sections of this policy about arrests and assistance are applicable.

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 should be provided with the department's victim's rights card, even if the incident may not rise to the level of a crime.
- (b) Victims should be alerted to any available victim advocates, shelters, and community resources.
- (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 as soon as practicable.
- (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 LETHALITY ASSESSMENT

A Lethality Assessment screening tool is used to determine the history and severity of the abuse taking place and what resources would be most helpful. A responding officer will engage a victim in a series of questions to determine the risk level. If the victim is deemed high-risk, the officer, will contact advocacy and connect them with the victim so that guidance and assistance can be offered to you immediately.

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Officers cannot force a victim to speak with an advocate, but it is highly recommended. The advocates are the professionals who can connect them to services that will be helpful in ensuring their future safety and welfare. At minimum, as stated above an officer will provide a "victim's rights" card that will have phone numbers to several resources that are available. The victim's information will also be forwarded to advocacy.

The officer will leave the scene when the victim has been given the opportunity to speak with an advocate, and they appear to be in a safe environment.

309.6.1 LETHALITY ASSESSMENT ADMINISTRATION

When responding to a Domestic Incident, the LA should be administered if;

- (a) There is an arrest.
- (b) There is mention of physical violence.
- (c) There has been physical violence in the past, or
- (d) The responding officer believes other factors exist that warrant a LA.

If the incident does not meet any of the above (4) circumstances required for the LA, the victim should be provided with a victim's rights card even if the incident may not rise to the level of a crime.

309.6.2 LETHALITY ASSESSMENT PROCEDURE

- (a) Conduct the LA asking all eleven Yes/No questions.
- (b) Complete the form and determine if the individual screened in as "high risk."
 - 1. If the victim does screen in as "high risk" the officer should call advocacy and inform them of the incident and results of the LA.
 - 2. If the victim does not screen in as "high risk" but the officer believes the victim would benefit from advocacy, the officer may call advocacy and inform them of the incident and results of the LA.
- (c) If the victim screened in provide them with an the opportunity to speak with an advocate.
- (d) Include in the incident report the outcome of the LA questions including a summary with pertinent information related to the questions that had a "Yes" answer. The question should not be summarized as; "There was a yes to questions 1, 2,3, etc..."
 - 1. Also provide in the narrative the name of the advocate this information was communicated with.
- (e) The victim should be provided with a victim's rights.
- (f) Completed LA forms
 - 1. If an electronic LA form was completed within the department's Field Based Report system it will be automatically routed to advocacy
 - 2. If a printed copy of the LA form was completed with it will need to be left in the proper location for Records to route to advocacy.

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309.7 DISPATCH ASSISTANCE

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

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

309.8 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic abuse 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.

309.8.1 CANADIAN ORDERS FOR PROTECTION

An order for protection issued by Canada or a Canadian province shall be enforced as if it were the order of a court in this state and afforded the same consideration as foreign court orders with respect to proper issuance and registration (Minn. Stat. § 518F.03).

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

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.

309.10 LEGAL MANDATES AND RELEVANT LAWS

Minnesota law provides for the following:

309.10.1 STANDARDS FOR ARRESTS

Officers investigating a domestic abuse report should consider the following:

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- (a) An officer shall arrest a person without a warrant, including at the person's residence, if the peace officer has probable cause to believe that the person has, within the preceding 72 hours, exclusive of the day probable cause was established, assaulted, threatened with a dangerous weapon, or placed in fear of immediate bodily harm any person covered by the "family or household member" definition, even if the assault did not rise to the level of a felony or did not take place in the presence of the peace officer (Minn. Stat. § 629.34; Minn. Stat. § 629.341).
- (b) Single Offender:
 - 1. If a person is determined to be the sole aggressor, and the persons involved meet the definition of family or household member; that person shall be arrested and taken into custody when an officer has probable cause to believe that the person committed non-felony domestic abuse within the last twenty-four hours:
 - (a) Assaulted a family or household member causing visible signs of injury or physical impairment.
 - (b) Placed a family or household member in fear of immediate bodily harm, injury, or physical impairment.
 - (c) Committed criminal sexual conduct against a family or household member in the fifth degree within the meaning of MN Statute 609.3451.
 - (d) Interference with an emergency call of a family or household member within the meaning of section 609.78, subdivision 2.
 - 2. When an officer determines that probable cause exists to make an arrest under the above conditions, the officer should make diligent efforts to ensure that the offender is arrested within the seventy-two (72) hours, exclusive of the day probable cause was established. If the officer is unable to make an arrest by the end of his/her shift when the initial report was taken, the officer shall advise the on-duty supervisor of the following:
 - (a) The ICR, victim's name, date, time, and location of the incident.
 - (b) The name of the offender and any pertinent information that may aid in the offender's arrest.
 - (c) That probable cause exists to arrest the offender and when the time period for the arrest expires.
 - 3. At no time is an officer to leave a citation with the victim to give to the offender or mail a citation to the offender.
- (c) Officers should generally not make dual arrests but may make an arrest of a primary aggressor. Where there are allegations that each party assaulted the other, the officer shall determine whether there is sufficient evidence to conclude that one of the parties was the primary aggressor based on the following criteria and the officer's judgment (Minn. Stat. § 629.342, Subd. 2):
 - 1. Comparative extent of any injuries and intimidation inflicted
 - 2. Fear of physical injury because of past or present threats

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3. Officers must determine whether any injuries were inflicted as a result of self-defense or to protect oneself. Reasonable force may be used by any person in resisting or aiding another to resist an offense against the person. The use of force must be reasonable for that person given the nature of the threat and may include the use of weapons. If one of the persons acted entirely in self-defense, the situation is dealt with as if there were a single offender.
 4. History of domestic abuse perpetrated by one party against the other
 5. Existence or previous existence of an order for protection
 6. The likelihood of either party to commit domestic abuse in the near future.
 7. The disposition of the predominant aggressor should be determined using the criteria for "Single Offenders".
 8. In situations where probable cause exists to arrest both parties, but self-defense is not involved, and an arrest of the predominant aggressor alone cannot be made, both persons should be arrested.
 - (a) Care for Children: In situations warranting a dual arrest, if there are children present in the home, officers may decide about who is best able to care for the children and issue that person a citation rather than making a custodial arrest. If neither person can care for the children, custodial arrests of both can be made, and arrangements made for the care of the children.
 9. A supervisor must be notified of incidents that involve dual custodial arrests of multiple offenders in domestic abuse incidents. A dual arrest may only occur with supervisor approval, the arresting officer shall articulate the basis for the dual arrest along with the efforts used to establish the predominant aggressor.
- (d) An officer shall not issue a citation in lieu of arrest and detention to an individual charged with any of the following offenses (Minn. Stat. § 629.72):
1. Stalking
 2. Domestic abuse
 3. Violation of an order for protection
 4. Violation of a domestic abuse no contact order
- (e) Officers shall arrest and take into custody, without a warrant, a person whom the peace officer has probable cause to believe has violated a court order issued pursuant to Minn. Stat. § 518B.01 or Minn. Stat. § 629.75. Such an arrest shall be made even if the violation of the order did not take place in the presence of the peace officer, if the officer can verify the existence of the order. If the person is not released on citation in lieu of continuing detention, the person shall be held in custody for these violations for at least 36 hours unless released by a court (Minn. Stat. § 518B.01; Minn. Stat. § 629.75).
- (f) An arrest for a violation of an order of protection may be made regardless of whether the excluded party was invited back to the residence (Minn. Stat. § 518B.01, Subd. 18).

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- (g) An officer shall arrest and take into custody a person whom the officer has probable cause to believe has violated a harassment restraining order, pursuant to Minn. Stat. § 609.748, if the officer can verify the existence of the order.
- (h) Officers are authorized to make an arrest without a warrant when there is probable cause to believe the person has violated the provisions of any other no contact or restraining order issued by a court, even if the offense did not rise to the level of a felony (Minn. Stat. § 629.34). While conducting a domestic abuse investigation officers shall attempt to verify whether there has been a court order issued.
- (i) Officers should consider whether other offenses have been committed that may not qualify as a domestic abuse including, but not limited to, burglary, felony assault, other threats of violence, kidnapping, false imprisonment, witness tampering, trespassing, criminal damage to property, disorderly conduct, or assault.

309.10.2 REPORTS AND RECORDS

MN Statute 629.341 Subd. 4 requires an officer investigating any alleged incident of domestic abuse to complete a written report. CAD notes do not constitute a report. Per department policy, an officer must complete an incident report and document the responses in the narrative.

- (a) Officers should include information related to the following in a report, as applicable (Minn. Stat. § 629.341):
 1. Names, addresses, and telephone numbers of all involved persons
 2. Condition of clothing
 3. Description of the scene, including any property damage
 4. Evidence of physical injury, including strangulation
 5. Presence of elderly victims or persons with disabilities
 6. Facts related to any person who may have been a primary aggressor
 7. Excited utterances of the victim and the suspect
 8. Demeanor of the victim and the suspect
 9. Medical records, including the victim's statements to paramedics, nurses, and doctors
 10. Detailed statements of interviews of witnesses, including children, who may have been present, noting any language barriers
 11. A detailed explanation of the reasons for the officer's decision not to arrest or seek an arrest warrant
 12. Evidence of any prior domestic abuse or related convictions, including dates
 13. Any existing orders for protection, harassment restraining order, or no contact orders
 14. Identifying information of a specific court order violated, including county of origin, the file number, and the provision allegedly violated

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- (b) Domestic abuse reports should be forwarded to the appropriate prosecutor for review and consideration of criminal charges, even when no arrest is made or warrant requested.
- (c) If a child was present at the scene of a domestic abuse incident or was the victim of domestic abuse, the officer should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect, and comply with the mandatory reporting requirements of Minn. Stat. § 260E.06 et seq.
 - 1. The officer shall also attempt to verify whether there has been an order for protection issued under Minn. Stat. § 260C.201 and take appropriate action.
- (d) Fees will not be charged for the release of reports related to domestic abuse, as directed in Minn. Stat. § 13.82.

309.10.3 SERVICE OF COURT ORDERS

Officers, when reasonably safe and in a position to do so, shall serve copies or short forms of court orders as directed in Minn. Stat. § 518B.01 and Minn. Stat. § 609.748.

Officers will then prepare a report documenting service along with the completed short-form affidavit of service.

309.10.4 COURT-ORDERED FIREARM SURRENDERS

Although not required, this department generally will accept firearms surrendered by a court order from an abusing party or defendant. A decision to refuse a surrendered firearm should be approved by a supervisor. Factors to consider;

- (a) The proper jurisdiction for any underlying criminal prosecutions
- (b) The County of residence for the petitioner and/or respondent

Firearms will normally be surrendered at the Inver Grove Heights Police Department; however, when encountering someone in the field who wishes to surrender a firearm, officers should make reasonable efforts to accommodate the request.

Surrendered firearms should be collected and submitted to the Evidence Room in accordance with the Evidence Room Policy.

- (a) A copy of the court order is required before accepting the transfer of firearms.
- (b) The court ordered the party/respondent must arrange for the transfer within three business days.
- (c) Surrendered firearms will be received by an officer, by appointment, during regular business hours, or at other times at the discretion of the Department.
- (d) The court ordered party/respondent surrendering weapons will be directed to not bring firearms into the department until they receive the following instructions on the proper procedure for the safe surrender of weapons.
 - 1. The firearms must be completely contained in gun cases made expressly for that purpose.

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2. The cases must be zipped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed.
 3. All firearms must be unloaded. This means having no shell or cartridge in the chamber of the firearm or any magazine attached to the firearms.
 4. Caps must be removed from a percussion muzzle loading firearm or have the flash pan cleaned of powder from a flint locked muzzle loading firearm.
- (e) The receiving officer shall complete the Surrendered Firearms Receipt form ensuring the following information is included as required by the Court:
1. Whether the firearms are to be temporarily or permanently transferred
 2. The name of the court-ordered party/respondent
 3. Date of the transfer to the department
 4. The serial number of all surrendered firearms
 5. Make of all surrendered firearms
 6. Model of all surrendered firearms
 7. Brief description and condition of the firearms.
- (f) Once completed, a copy of the Surrendered Firearms Receipt form is given to the court-ordered party/respondent to file with the Court.
- (g) The receiving officer shall prepare a report documenting the surrendering of the firearms along with the completed forms.
1. If the surrendering of the firearms is related to a Department incident, a supplemental report shall be completed.
 2. If the surrendering of the firearms is not related to a Department incident than an incident report shall be completed.
- (h) The receiving officer will verify the weapon is safe, secure, and package the firearms under Evidence Intake guidelines and protocols. No ammunition will be accepted.
- (i) Accepting the surrendered firearms gives the department the lawful authority to possess the firearms; it does not transfer ownership or title to the department.
- (j) All staff will use due care to preserve the quality and function of the transferred firearms.

309.10.5 FIREARM STORAGE INTAKE/RELEASE FEES

The Department shall set a nominal fee for the storage and processing of firearms surrendered and released from police custody.

- (a) The fee shall be established by resolution of the Inver Grove Heights City Council.

The Department will only release the firearms after the intake /release fee has been paid.

In the interest of community safety, the Chief of Police or designee shall have the authority to waive firearm surrender and release fees.

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309.10.6 IMMEDIATE POSSESSION OF FIREARMS - IMMINENT RISK INVOLVED

The court may order the department to take immediate possession of a court-ordered party/respondent firearms.

An officer or investigator will be assigned the case and will create a case or tracking number. Only a licensed officer may accept surrendered firearms from a court-ordered party/respondent.

Due to the risks of firearms being delivered to the department or seized from private residences, the assigned officer or investigator will give due consideration to the variety of safety concerns. The assigned officer or investigator should initiate contact with the court-ordered party/respondent, arranging for the safest means of firearms surrender.

The difficulties in knowing with certainty the full extent of the court-ordered party/respondent's firearm inventory are acknowledged. The assigned officer or investigator will attempt to insure the court-ordered party/respondent complies with the Order. If the court-ordered party/respondent refuses to comply with the order every effort, including a consent search or possibly seeking a search warrant, will be initiated to ensure the court order is carried out.

Within three business days of the court ordering the immediate transfer of the firearms, the court ordered party/respondent may request the transfer of their firearms from the department to a federally licensed firearms dealer or a third party, who may lawfully receive them.

- (a) An officer or investigator will facilitate the transfer.
- (b) Before transfer, the officer will require the federally licensed firearm dealer or third party who may lawfully receive them, to complete a Minnesota Uniform Firearm Application/Receipt Permit to Purchase/Transfer.
- (c) Once the application is completed, the department has two business days to file the completed application to purchase/transfer with the respective courts.

309.10.7 OUT OF JURISDICTION COMPLIANCE

Notwithstanding a court order to the contrary, the Department is responsible for the enforcement of firearm surrender orders when the court-ordered party/respondent resides in the Department's jurisdiction.

The assigned officer or investigator tasked with enforcement of a surrender order, when learning the firearms is in another jurisdiction, will share that information with the pertinent law enforcement agency to aid in the order's enforcement.

The assigned officer or investigator asked to assist another law enforcement agency with the enforcement of a firearm surrender order shall provide reasonable assistance to help aid the order's enforcement.

309.10.8 RETURN, ABANDONMENT OR FORFEITURE OF FIREARMS

Upon receipt of a court order, the department will return the surrendered firearms to the court-ordered party/respondent so long as the court-ordered party/respondent is not otherwise prohibited from possessing firearms under State or Federal law.

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The assigned officer or investigator will facilitate the release of the firearms pursuant to the court order, complying with State and Federal law and department protocol. The assigned officer or investigator shall complete the Surrendered Firearms Release Receipt form.

On requests to transfer to a third party, the assigned officer or investigator will conduct a record check to ensure the third party is eligible to receive the firearms.

The assigned officer or investigator will have the court-ordered party/respondent inspect the firearms before returning and have the court-ordered party/respondent acknowledge the firearms are in the same condition as when turned in, except for reasonable wear and tear including the deterioration of firearms that may occur during prolonged storage periods.

If a temporarily transferred firearm is abandoned, the department will notify the court-ordered party/respondent via certified U.S. mail before the disposal of the abandoned firearms pursuant to department protocol.

If the court order indicates that the transfer of the firearm is permanent, the firearms will not be returned to the court-ordered party/respondent and will be disposed of pursuant to forfeiture and/or department protocol.

Domestic Violence by Police Officer/High Profile Persons

310.1 PURPOSE

This policy recognizes no profession is immune from committing domestic violence against their intimate partners. The purpose of this policy is to establish procedures for handling acts of domestic violence committed by police officers or High-Profile Persons and for implementing prevention strategies. This policy will provide police executives, officers, and all department employees guidance in addressing incidents where one (or more) party to a reported domestic violence incident is an employee, whether sworn or civilian, of any rank in any police department or is a High-Profile Person (HPP) such as an elected or appointed government official with policy-making authority, sports or media figure, business executive, etc.

310.2 POLICY

This policy offers a comprehensive, pro-active approach to domestic violence by Inver Grove Heights Police Department employees and HPP with an emphasis on victim safety. It delineates a position of zero tolerance by the department. It is imperative to the integrity of the profession of policing, and the sense of trust communities have in their local law enforcement agencies that leaders, through the adoption of clear policies, make a definitive statement that domestic violence will not be tolerated.

Federal law prohibits police officers convicted of qualifying misdemeanor domestic violence crimes from possessing firearms. Officers found guilty of a qualifying domestic violence crime through criminal proceedings shall be terminated.

310.3 DEFINITIONS

Administrative Orders - An order from the Chief of Police directing the accused officer to refrain from specified conduct toward or contact with a particular person. When any order, such as: stay away, restraining, criminal, and emergency or temporary protection orders or injunctions are issued by the court involving the accused officer, the administrative order shall mirror those orders.

Domestic violence - Refers to an act or pattern of violence perpetrated by an individual upon his or her intimate partner not done in defense of self or others, including but not limited to the following:

- (a) Bodily injury or threat of imminent bodily injury.
- (b) Sexual battery.
- (c) Physical restraint.
- (d) Property crime directed at the victim.
- (e) Stalking.
- (f) Violation of a court order of protection or similar injunction.
- (g) Death threats or death.

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Domestic Violence by Police Officer/High Profile Persons

Intimate partner - Is any person who meets one or more of the following criteria:

- (a) Is or was legally married to the police officer/HPP.
- (b) Has a child in common with the police officer/HPP.
- (c) Has or had a dating relationship with the police officer/HPP.
- (d) Is specified as an intimate partner by state law.
- (e) Is cohabitating or has cohabitated romantically with the police officer/HPP.

Nolo Contendere - A plea where the accused neither admits nor denies their responsibility but will accept the prosecuting attorney's recommendations for punishment associated with the crime.

Protection order - Refers to an injunction or other order issued by a court, including criminal or civil orders of protection, regardless of form, content, length, layout, or name (such as stay away, restraining, criminal, and emergency or temporary protection orders or injunctions), issued to prevent the following:

- (a) Violent or threatening acts against another person.
- (b) Stalking or harassment of another person.
- (c) Contact or communication with another person.
- (d) Physical proximity to another person.

310.4 PROCEDURES

While prioritizing the safety of victims, this policy is designed to address prevention through hiring and training practices, provide direction to supervisors for intervention when warning signs of domestic violence are evident, institutionalize a structured response to reported incidents of domestic violence involving officers and offer direction for conducting the subsequent administrative and criminal investigations. Components of the policy include Prevention and Training, Early Warning and Intervention, Incident Response Protocols, Victim Safety, and Protection Post-Incident Administrative and Criminal Decisions.

310.4.1 PREVENTION AND TRAINING

The department will adhere to a zero-tolerance policy towards police officer domestic violence and will not tolerate violations of the policy. The department will provide ongoing training to every officer on domestic violence and the zero-tolerance policy throughout all phases of the police officer's career.

Prevention Through Collaboration

- (a) Through ongoing partnerships with local victim advocacy organizations, the department shall develop domestic violence curricula and train officers to enhance the officers'/agency's response to victims.
- (b) The department shall provide local domestic violence victim advocacy organizations copies of all domestic violence training curricula, protocols, and policies for review and possible revision.

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Domestic Violence by Police Officer/High Profile Persons

Training Topics

- (a) All officers shall receive comprehensive mandatory instruction covering the following topics:
 - 1. Understanding domestic violence.
- (b) Departmental domestic violence
 - 1. Response protocol.
 - 2. Warning signs of domestic violence by officers.
 - 3. Victim safety.
 - 4. Federal domestic violence laws.

Ongoing Training

- (a) The department will use a variety of training techniques including in-service, roll-call, FTO, ride-along, and training bulletins to regularly reinforce standards of effective response protocol.

Program Evaluation

- (a) To enhance the effectiveness of the training, the department may work with internal or external organizations to evaluate the training and its impact.

310.4.2 EARLY WARNING AND INTERVENTION

Pre-Hire Screening and Investigation

- (a) The department will conduct thorough background investigations of all potential new employees using address history, driver's record, and protection order databases.
- (b) All candidates will be asked if they have engaged in or been investigated for domestic violence and asked about any past arrests, suspended sentences, diversion programs, convictions, and protection orders related to elder abuse, child abuse, sexual assault, stalking, or domestic violence.
- (c) Those candidates with a history of perpetrating violence (including elder abuse, child abuse, sexual assault, stalking, or domestic violence) will be screened out at the hiring process.
- (d) Candidates shall be informed of the department's position of zero tolerance concerning domestic violence by officers.

Post Conditional Offer of Employment

- (a) The psychological screening of all viable candidates will focus on indicators of abusive tendencies in their background.
- (b) The department will strongly consider a no-hire decision in the case of a candidate with tendencies indicative of abusive behavior.

Department Responsibilities

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Domestic Violence by Police Officer/High Profile Persons

- (a) Based upon reasonable suspicion, the department may review the records of employees to determine whether convictions for qualifying misdemeanor crimes of domestic violence (MCDV) or valid protection orders exist.
- (b) If an employee is found to have an MCDV or is the subject of a qualifying protection order, department legal counsel and/or city/county attorney shall be consulted immediately regarding continued employment or duty assignment.
- (c) The department will, either in response to observed warning signs or at the request of an officer, intimate partner, or other family members, provide non-punitive avenues of assistance before an act of domestic violence occurs.
- (d) The department will inform officers of the procedure for seeking confidential referrals, either internally or externally, to confidential counseling services.
- (e) A disclosure on the part of any officer, intimate partner or family member to any member of the department that an officer has personally engaged in domestic violence will be treated as an admission or report of a crime and shall be investigated both administratively and criminally.

Supervisor Responsibilities

Supervisors shall be cognizant of and document any pattern of abusive behavior potentially indicative of domestic violence including but not limited to the following:

- (a) Aggressiveness
 1. Excessive and/or increased use of force on the job.
 2. Stalking and inappropriate surveillance activities.
 3. Unusually high incidences of physical altercations and verbal disputes.
 4. Citizen and fellow officer complaints of unwarranted aggression and verbal abuse.
 5. Inappropriate treatment of animals.
 6. On-duty or off-duty officer injuries.
- (b) Domestic violence-related issues
 1. Monitoring and controlling any family member or intimate partner through such means as excessive phone calling.
 2. Stalking any intimate partner or family member.
 3. Discrediting and/or disparaging an intimate partner.
- (c) Deteriorating work performance
 1. Tardiness.
 2. Excessive absences.
 3. Alcohol and drug abuse.

When the supervisor notes a pattern of problematic behavior (as detailed above), the supervisor shall:

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Domestic Violence by Police Officer/High Profile Persons

- (a) Address the behaviors through a review or other contact with the officer and document all contacts.
- (b) Forward written reports capturing the behaviors to the Chief of Police or designee in a timely manner to determine discipline as warranted.
- (c) Prepare and submit to the Chief of Police or designee a written request for a psychological exam/ counseling by a psychologist/psychiatrist who is knowledgeable about domestic violence.
- (d) When warranted, request the Chief of Police order an officer to seek assistance from a certified program for batterers, and if such a program is not available, a counselor knowledgeable about domestic violence.

Police Officer Responsibilities

- (a) Officers are encouraged to take personal responsibility in seeking confidential referrals and assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner.
- (b) Officers who engage in the following actions will be subject to severe discipline up to and including dismissal:
 - 1. Failure to report knowledge of abuse or violence involving a fellow officer.
 - 2. Failure to cooperate with the investigation of a police officer domestic violence case (except in the case where that officer is the victim).
 - 3. Interference with cases involving themselves or fellow officers.
 - 4. Intimidation/coercion of witnesses or victims (i.e., surveillance, harassment, stalking, threatening, or falsely reporting).
- (c) Officers who learn they are the subject of a criminal investigation, regardless of jurisdiction, are required to immediately make a report to their supervisors and provide notice of the court dates, times, appearances, and proceedings. Failure to do so may result in severe discipline up to and including dismissal.
- (d) Officers who learn they are the subject of any protective order proceeding, whether or not the order is issued and regardless of jurisdiction, shall immediately notify their supervisor and provide a copy of the order if issued. If subject to a qualifying protection order, the officer shall surrender all department owned firearms unless the policy allows for possession of the primary service weapon. Failure to do so may result in severe discipline up to and including dismissal.

310.4.3 INCIDENT RESPONSE PROTOCOLS

Department-wide response

- (a) The department shall accept, document, and preserve all calls or reports, including those made anonymously, regarding officer/HPP domestic violence as on-the-record information.
 - 1. All reports of possible criminal activity implicating police officers/HPP in domestic violence shall be documented in accordance with the policies governing the handling of reports of domestic violence involving civilians.

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2. The on-scene supervisor shall forward a copy of the report alleging domestic violence by the officer to the Chief of Police or designee.
3. All such incident reports shall be made available by the department to the victim without cost.

Patrol Response

- (a) Upon arrival on the scene of a domestic violence call or incident involving a police officer, the primary patrol unit shall immediately notify dispatch and request a supervisor of a higher rank than the involved officer report to the scene, regardless of the involved officer's jurisdiction.
- (b) The responding officers shall perform the following actions:
 1. Obtain needed medical assistance
 2. Address the immediate safety of all parties involved
 3. Secure the scene and preserve evidence
 4. Note all excited utterances, admissions, and/or incriminating statements
 5. Arrest if probable cause exists

On-Scene Supervisor Response

- (a) A supervisor of higher rank shall report to the scene of all police officer/HPP domestic violence incidents including a police officer, regardless of the involved officer's jurisdiction.
- (b) The on-scene supervisor shall assume command and ensure that the crime scene is secured and that all evidence is collected. Photographic and/or video documentation of the parties involved, and the scene shall be recorded where such resources are available.
- (c) The on-scene supervisor shall inquire as to the safety of all children present at the time of the incident and all children in the household. As appropriate and necessary, the children should be interviewed separately from other parties.
- (d) In cases where probable cause exists, the on-scene supervisor shall ensure an arrest of the accused officer/HPP is made.
- (e) If the accused officer/HPP has left the scene and there is probable cause for an arrest, the on-scene supervisor shall make reasonable efforts to locate and arrest the accused officer/HPP, by issuing a KOPS Alert within the 72 hours, exclusive of the day probable cause was established. If no arrest occurs within 72 hours, an arrest warrant should be sought if appropriate.
- (f) Whenever an officer/HPP is involved in a domestic violence call not resulting in an arrest, the on-scene supervisor shall explain in a written report.
- (g) If the victim has left the scene, the on-scene supervisor shall make every effort to follow through on the investigation and attempt to locate the victim.

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- (h) The arrest of both parties involved in a domestic violence incident is to be avoided. The on-scene supervisor shall ensure that a thorough investigation is conducted and an arrest of the predominant aggressor is made in accordance with state law.
- (i) Whenever an officer is arrested, the on-scene supervisor shall relieve the accused officer of all service weapons regardless of whether the officer is a member of the responding department.
- (j) The on-scene supervisor where allowable under federal, state, or local ordinances, will coordinate that all other firearms owned or at the disposal of the accused officer/HPP shall be seized for safety reasons.
- (k) The on-scene supervisor shall inquire whether the victim wants any firearms removed from the home for safekeeping by the department and make arrangements, as necessary.
- (l) The on-scene supervisor shall ensure the victim is informed of the following:
 - 1. The judicial process and victim rights.
 - 2. The department's policy on police officer domestic violence, procedures, and cross-jurisdictional responsibilities as they apply.
 - 3. The standard of probable cause for arrest.
 - 4. Procedures for obtaining protective orders.
 - 5. Victim compensation.
 - 6. The availability of an on-scene advocate.
 - 7. The availability of confidential transportation to a location that can provide improved victim safety.
 - 8. Community resources and local domestic violence victim service.
 - 9. The option to remove firearms for safekeeping.
- (m) The on-scene supervisor shall notify the Chief of Police or designee and the accused officer's immediate supervisor as soon as possible. If the officer is from another jurisdiction, at the direction of the Chief of Police, the supervisor shall ensure that the accused officer's Chief of Police or designee is notified. All notifications, and attempts to notify, shall be fully documented.

Additional Critical Considerations

- (a) When responding to a domestic violence complaint involving a police officer from another jurisdiction, all responding officers, investigators, and supervisors shall follow the same procedures that are to be followed in responding to a domestic violence complaint involving an officer from this department.
- (b) If the reported incident involves the Chief of Police of this department, the supervisor shall immediately notify the city administrator.
- (c) In responding to domestic violence incidents where the victim is a police officer/HPP, standard domestic violence response and investigation procedures should be followed.

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- (d) In responding to domestic violence incidents where the parties involved are both police officers, standard domestic violence response and investigation procedures should be followed. After probable cause and dominant aggressor are determined, an arrest should be made, and all service weapons of the accused officer seized.

Department Follow-Up

- (a) In a timely manner, the Chief of Police or designee shall ensure that all officers who responded to a police officer domestic violence call are debriefed. The debriefing shall include the following:
 - 1. A review of department confidentiality guidelines.
 - 2. A direct order prohibiting discussion of the incident outside of the official inquiry.
 - 3. A clear delineation of assignments.
- (b) Follow-up investigators shall proactively seek out information on existing protective orders and, if found, shall enforce them and any applicable state and federal firearms laws and determine whether the officer violated department policy by failing to report the protective order.
- (c) Arrest warrants charging police officers with domestic violence and protective orders issued at a later time shall be served by no fewer than two officers with at least one being of senior rank to the officer being served. In cases where firearms have not previously been seized, firearms shall be seized if allowed by the department, and decisions about service weapons will be made.
- (d) In the event, the protection order expires, or the victim asks that it be discontinued, the department shall still conduct a thorough administrative investigation.
- (e) Following the reported incident, the department shall designate a member of the command staff to perform the following duties:
 - 1. Conduct a danger assessment of the accused officer to determine the potential for further violence and inform the victim of the possibility of danger regardless of the outcome of the assessment.
 - 2. Act as a principal point of contact to keep the victim apprised of all developments.
 - 3. Ensure that safety planning and danger assessment are made available to the victim.
 - 4. Report the findings of the danger assessment to the Chief of Police who will make decisions concerning appropriate sanctions, administrative actions, and referrals for the accused officer.

310.4.4 VICTIM SAFETY AND PROTECTION

The department will work with local victim advocacy organizations to connect victims and their children with appropriate services.

The designated principal contact for the victim, shall inform the victim of confidentiality policies and their limitations, and ensure that confidentiality is maintained throughout the case.

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The designated principal contact shall assist the victim and children in safety planning and caution the victim to be alert to stalking activities.

All officers shall be aware of possible victim/witness intimidation or coercion and the increased danger when the victim leaves an abusive partner. If an officer suspects intimidation or coercion of the victim/witness is occurring, the officer shall prepare a written report to be delivered immediately to the investigator in charge of the case through the chain of command.

- (a) To determine whether the victim/witness is being intimidated or coerced, the investigator in charge shall seek out secondary sources of information.
- (b) Given the possibility that a victim will recant or choose not to participate in court proceedings, supplemental evidence shall be sought out and preserved.

310.4.5 POST-INCIDENT ADMINISTRATIVE AND CRIMINAL DECISIONS

The department will conduct separate administrative and criminal investigations of alleged incidents of domestic violence by officers of this department in a manner that maintains the integrity of both investigations and promotes zero tolerance. Regardless of the outcome of the criminal case, the department shall uphold all administrative decisions. If the facts of the case indicate that domestic violence has occurred or any department policies have been violated, administrative action shall be taken independent of any criminal proceedings as soon as practicable. The department will adhere to and observe all necessary protocols to ensure an accused officer's departmental and legal rights are upheld during the administrative and criminal investigations.

- (a) Administrative Investigations and Decisions: The responsibility to complete the administrative investigation of a police officer domestic violence incident shall rest with the Internal Affairs Division of the department. The Chief of Police may ask an outside law enforcement agency to conduct the administrative investigation.
 - 1. Regardless of whether an arrest was made on scene, the investigating official shall conduct an independent, comprehensive administrative investigation.
 - 2. Where non-punitive information/evidence exists, the department shall take immediate administrative action against the accused officer that may include but not limited to the removal of badge and service weapons, and reassignment.
 - 3. When an investigation of an incident uncovers officers, who had knowledge of violence on the part of another officer but failed to notify the department or engaged in actions intended to interfere with the investigation, the department shall investigate those officers and take disciplinary action. If criminal charges may be warranted, the department shall refer the matter to an outside law enforcement agency for investigation.
 - 4. The Chief of Police shall determine whether and when the accused officer should be issued an administrative order.
 - 5. If administrative policies and/or administrative orders are violated, or sufficient concern exists regarding a violation, the department shall initiate an independent administrative investigation, and take disciplinary action up to and including dismissal.

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6. In determining the proper course of administrative action, the department shall consider factors including the level of danger an officer poses as indicated by the outcome of the danger assessment of the officer, the officer's history of compliance with departmental rules, prior written or verbal threats, history of aggressive behaviors, and the existence of an alcohol or substance abuse problem.
 7. If the accused officer is assigned enforcement duties while the administrative and/ or criminal investigations are under way, those duties should not include response to domestic violence calls.
 8. If the department determines through an administrative investigation that the officer violated department policy, regardless of whether the officer pleads nolo contendere in response to criminal charges, the department may employ the full range of administrative sanctions. Any officer determined through an administrative investigation to have committed domestic violence shall be terminated from the department.
- (b) Criminal Investigations and Decisions: The responsibility to complete a criminal investigation of an incident of police officer domestic violence shall rest with the criminal investigations unit. The Chief of Police or designee may ask an outside law enforcement agency to conduct the criminal investigation.
1. The investigating officer shall conduct criminal investigations as would be the case for any other criminal violation.
 2. In accordance with the officer's and victim's privacy rights, the investigating official or agency shall conduct sufficient audio-recorded interviews of family members, friends, neighbors, colleagues, and others who may have information regarding criminal charges.
 3. Even though an initial report may already exist concerning a police officer, reports of any subsequent or additional criminal or non-criminal incidents, which may include fellow officers engaging in surveillance or intimidation of the victim, shall be documented in separate incident reports, assigned a case number, cross-referenced with the original case number and investigated thoroughly.
 4. The department will completely investigate the charges and where warranted seek prosecution even in cases where the victim recants.
 5. The department will establish a liaison to work with the prosecuting attorney for each case. This liaison shall present all the information to the prosecuting attorney for action and ask that decisions about the adjudication of the case be made in a timely manner.
 6. As with any other case for a criminal prosecution, the investigator shall request the filing of court papers/complaints.
 7. Any officer convicted through criminal proceedings of a domestic violence crime shall be terminated from the department.
- (c) Termination Procedures

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1. Upon the decision to terminate an officer, the Chief of Police shall do the following in accordance with department policy and state law:
 - (a) Notify the officer, in writing, of the effective date of termination.
 - (b) Inform the officer of available support services, to include counseling.
 - (c) Ensure that the victim is notified in a timely manner and offered available assistance, to include safety planning.
 - (d) Notify the state licensing body within 30 days and inform them of the reason for termination.
2. Federal law prohibits anyone convicted of a misdemeanor domestic violence crime from possessing firearms. The department shall ensure compliance with federal law.

Search and Seizure

311.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Inver Grove Heights Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the Inver Grove Heights 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.

311.3 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 reasonably 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) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching 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 tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.
 3. Be recorded on body worn camera and/or mobile video recorder.

311.3.1 SEIZURE OF PROPERTY

Any time a search is conducted by an officer and property is seized, a Property Receipt shall be completed and served upon the subject of the search. If the property is seized subject to forfeiture, the appropriate forfeiture forms shall also be served upon the subject.

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311.4 SEARCHES

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

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

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

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

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

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

311.5 DOCUMENTATION

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

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

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311.5.1 OFFICERS RESPONSIBILITIES

An Incident Report must be completed for all search warrant executions. An Arrest Report and an Evidence Report must be completed whenever appropriate. The officer in charge is responsible for the completion of all associated reports.

311.6 SEARCH WARRANTS

311.6.1 APPLICATION

Search warrants are obtained by application to the court.

- (a) Any officer may make application to the court for a search warrant.
- (b) Applications shall be prepared and presented to a judge for review and signing pursuant to all applicable laws and procedures.
- (c) Officers preparing a search warrant shall take all reasonable steps to confirm and corroborate probable cause contained in the search warrant application.

311.6.2 EXECUTION

The assigned Commander or designee shall be notified of the planned warrant execution.

- (a) Search warrants may only be executed during the daytime (0700-2000 hours) unless the warrant authorizes a night time search. Entry to serve the warrant must be made during daytime hours but there is no time limit on completing the search.
- (b) An operational plan shall be completed which will include details obtained through reconnaissance and intelligence evaluation to determine appropriate tactics. Photographs, intelligence information, and floor plans should be reviewed and included in the operational plan to best prepare for the execution of the search warrant and to assess safety needs.
- (c) In all cases, the Officer in charge of the investigation shall ensure that the Shift Sergeant is briefed on the operation and that appropriate patrol staff is assigned to safely execute the warrant. The same officer shall ensure that the 9-1-1 communications center is notified as to the location of the search warrant as well as a list of staff assigned to the detail. The officer in charge is responsible for briefing all assigned staff participating in the execution of the warrant.
- (d) It is the responsibility of the Officer in charge to assess and recommend the most effective method of target approach and entry. If SWAT Command or designee is involved in the operation, he/she will be responsible for these tactical activities. Consideration must be given to the selection of specific radio channels, restricting entry to and exit from the scene of the search to allow for the safety of officers, and the use of specialized weapons and tools.
- (e) Securing subjects by handcuffing at the scene of a search is permitted based on the assessment of officers conducting the search. Consideration shall be given to factors including the presence of violent subjects, uncooperative subjects, subjects under the influence of drugs or alcohol, or at a location where multiple subjects are found. Frisks for weapons are permitted if consistent with current case law and necessary to protect officers.

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311.6.3 SEARCH WARRANTS EXECUTED OUTSIDE THE CITY

Inver Grove Heights officers may apply for warrants outside Inver Grove Heights.

- (a) Application must be made to the court which has jurisdiction in the area where the place to be searched is located.
- (b) The warrant may be directed to any police officer with jurisdiction, which includes any on-duty IGH PD officer, within the State of Minnesota. Outside the state the warrant must be directed to an officer with jurisdiction.
- (c) When executing a search warrant outside the city, the agency with primary jurisdiction should be notified as soon as practicable. The agency with primary jurisdiction should be responsible for the entry with IGH PD officers conducting the search.
- (d) In situations involving limited manpower in the primary jurisdiction, IGH PD officers may assist in the entry. If practical, permission should be obtained from a Commander before participating in out of jurisdiction entry.

311.6.4 PERSONNEL

The Officer in charge must determine what personnel are necessary and notify those staff members.

- (a) If personnel are necessary from other investigative units or agencies, a request must be made through the involved unit or agency leaders.
- (b) If SWAT personnel are needed, SWAT Command or designee should be contacted.
- (c) The Officer in charge organizes the search, designating which officers will search what areas. Searching officers must know what items are designated on the search warrant to be seized.
- (d) It is advisable that one officer is assigned to photograph and/or videotape the execution of the search warrant and to identify locations of evidence during the search.
- (e) It is advisable that at least one officer be assigned to collect, package, and process all evidence seized during the warrant and complete the appropriate documentation related to this assignment.
- (f) All evidence shall be collected in accordance with the Property and Evidence policy.

Adult Abuse

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 Inver Grove Heights Police Department members as required by law (Minn. Stat. § 626.557).

312.1.1 DEFINITIONS

Definitions related to this policy include (Minn. Stat. § 626.5572):

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.

312.2 POLICY

The Inver Grove Heights 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 Inver Grove Heights Police Department shall notify the entity responsible for receiving such reports when they have reason to believe that a vulnerable adult is being or has been maltreated, or has sustained a physical injury which is not reasonably explained. Members shall also report suspected negligent care by a service or health care provider that resulted in injury or harm requiring the care of a physician (Minn. Stat. § 626.557).

For purposes of notification, a vulnerable adult is a person age 18 or older who has physical, mental or emotional disabilities that make it difficult for the person to care for or to protect him/herself from maltreatment. It also refers to adults who reside at a facility, or receive care at a facility or through home care (Minn. Stat. § 626.5572).

Maltreatment includes abuse, neglect and financial exploitation. Abuse can be physical, emotional or sexual. Financial exploitation may include any instance where vulnerable adults' money, assets or property are not used for their benefit or are stolen or kept from them (see Minn. Stat. § 626.5572 for full definitions).

312.3.1 NOTIFICATION PROCEDURE

Notification should be made as soon as possible, but in all cases within 24 hours (Minn. Stat. § 626.557; Minn. Stat. § 626.5572). To the extent possible, the following should be included in the notification:

- (a) The identity of the vulnerable adult and any caregiver
- (b) The nature and extent of the suspected maltreatment
- (c) Any evidence of previous maltreatment

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- (d) The name and addresses of the person initiating the report or other witnesses
- (e) The time, date, and location of the incident
- (f) Any other information that might be helpful in investigating the suspected maltreatment

If notification of maltreatment is first made to the Inver Grove Heights Police Department, the member receiving the notification shall complete and forward the intake form to the entity responsible for receiving such reports.

312.4 QUALIFIED INVESTIGATORS

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

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Minn. Stat. § 626.5571).

312.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. Investigations should be initiated as soon as possible, but in all cases within 24 hours (Minn. Stat. § 626.557).

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

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (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.

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- (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.

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

Assigned members shall initiate an investigation of vulnerable adult abuse as soon as possible, but in all cases within 24 hours when there is reason to believe a crime has been committed (Minn. Stat. § 626.557).

312.6 PROTECTIVE CUSTODY

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

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the 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 an appropriate protective services agency or medical facility.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an 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.

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

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 victim. 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.

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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 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 victim who has been exposed to the manufacturing, trafficking or use of narcotics.

312.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including the applicable adult protective services agency, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Unit supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

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- (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 victim is present or where there is evidence that an adult abuse victim lives should:

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

312.10 STATE MANDATES AND OTHER RELEVANT LAWS

Minnesota requires or permits the following:

312.10.1 RECORDS RESPONSIBILITIES

The Records is responsible for:

- (a) Providing a copy of the adult abuse report to the applicable entity in the county responsible for receiving such reports as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

312.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Minn. Stat. § 626.557).

312.11 TRAINING

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

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

Discriminatory Harassment

313.1 PURPOSE AND SCOPE

This policy is intended 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 Inver Grove Heights 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 employees 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 it is designed to protect.

The non-discrimination 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.

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 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 (EEOC) and the Minnesota Department of Human Rights.
- (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 City 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 personnel. All members 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 or manager. Complaints may also be filed with the Chief of Police, the Human Resources Manager, or the City Administrator.

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 and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with 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 manager, the Chief of Police, the Human Resources Manager, or the City Administrator 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 the Chief of Police or the Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

313.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers 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 or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

313.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members 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

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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 or manager who is a rank higher than the alleged transgressor.

313.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, 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 Human Resources Manager or the City Administrator.

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:

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

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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. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

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314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Inver Grove Heights Police Department members are required to notify the county social services agency of suspected child abuse.

314.1.1 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 (also known as maltreatment of minors) - 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 (Minn. Stat. § 260E.03; Minn. Stat. § 260E.06).

314.2 POLICY

The Inver Grove Heights Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the county social services agency is notified as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Inver Grove Heights Police Department shall notify the county social services agency when they have reason to believe any of the following may have occurred or when someone reports any of the following (Minn. Stat. § 260E.06):

- (a) A child is being neglected or has been neglected within the preceding three years.
- (b) A child is being physically abused or has been physically abused within the preceding three years by a person responsible for the child's care.
- (c) A child is being sexually abused, threatened with sexual abuse, or has been sexually abused within the preceding three years by a person responsible for the child's care, by a person who has a significant relationship to the child, or by a person in a position of authority.
- (d) A woman is pregnant and has used a controlled substance for a non-medical purpose during the pregnancy, including but not limited to tetrahydrocannabinol (marijuana), or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive (Minn. Stat. § 260E.03, subd. 15; Minn. Stat. § 260E.31).

Notification is mandatory for any acts of neglect, physical abuse, and sexual abuse that constitute a crime, whether or not the suspect had any relationship to or responsibility for the child (Minn. Stat. § 260E.12).

For purposes of notification, physical abuse includes injuries, mental injuries, or injuries that cannot be reasonably explained (e.g., punching, kicking, burning). Sexual abuse includes criminal

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sexual conduct and prostitution offenses. Neglect includes failure to supply a child with necessary clothing, shelter, or medical care. See Minn. Stat. § 260E.03 for full definitions of physical abuse, sexual abuse, and neglect.

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Minn. Stat. § 260E.09):

- (a) The member tasked with the investigation shall call the county social services agency and report the alleged abuse as soon as possible but always within 24 hours. The time of the call and the name of the person should be documented.
- (b) Notification, when possible, should include:
 - 1. The child's current location and whether the child is in immediate danger.
 - 2. A description of when and where the incident occurred and what happened to the child.
 - 3. A description of the injuries or present condition of the child.
 - 4. The names and addresses of the child, parents, or caregivers.
 - 5. Whether there were any witnesses to the incident and their names.
 - 6. Any additional information about the child, family, or caregivers that may be helpful.
 - 7. Whether the incident occurred in a licensed facility or a school and what actions the facility employees may have taken.
 - 8. Whether there are immediate family, relative, or community resources that would offer protection or support to the child.
- (c) Forms that may be required by the county social services agency or other written notification shall be completed and faxed or delivered to the county social services agency as soon as possible but always within 72 hours, exclusive of weekends and holidays.
- (d) Approved investigation reports should be forwarded to the county social services agency as soon as practical.
- (e) When the child abuse occurred at a facility or by a person from a facility that requires a state license or a profession that requires a state license (e.g., foster homes, group homes, day care, educator), notification shall also be made to the agency responsible for licensing the facility or person (Minn. Stat. § 260E.11).

314.4 QUALIFIED INVESTIGATORS

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

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.

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- (d) Coordinate with other enforcement agencies, social service agencies, and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians, and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

314.5 INVESTIGATIONS AND REPORTING

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

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

314.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the county social services agency. Generally, removal of a child from his/her family,

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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 social services 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.

Children may only be removed from a parent or guardian in the following situations (Minn. Stat. § 260C.175):

- (a) When a court has issued an order for removal.
- (b) When a child is found in surroundings or conditions that pose an imminent threat to the child's health or welfare or that a peace officer reasonably believes pose an imminent threat to the child's health or welfare.
- (c) If an Indian child is a resident of a reservation or is domiciled on a reservation but temporarily located off the reservation, taking the child into custody under this clause shall be consistent with the Indian Child Welfare Act (25 USC § 1922).

314.6.1 NOTICE TO PARENT OR CUSTODIAN AND CHILD

Whenever an officer takes a child into protective custody, the officer shall notify the parent or custodian and the child (age 10 years or older) that they may request that the child be placed with a relative instead of in a shelter care facility. The officer also shall give the parent or custodian a list, published by the Minnesota Department of Human Services, of names, addresses, and telephone numbers of social services agencies that offer child welfare services. When placement with a relative is requested, the officer will coordinate with the responsible social services agency to ensure the child's safety and well-being in compliance with Minn. Stat. § 260C.181 (Minn. Stat. § 260C.175).

If the parent or custodian was not present when the child was removed from the residence, the list shall be left with an adult who is on the premises or left in a conspicuous place on the premises if no adult is present. If the officer has reason to believe the parent or custodian is not able to read and understand English, the officer must provide a list that is written in the language of the parent or custodian (Minn. Stat. § 260C.175; Minn. Stat. § 260C.181).

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314.6.2 SAFE PLACE FOR NEWBORNS

A person may leave an unharmed newborn less than seven days old with the staff of a hospital, urgent care facility or ambulance service without being subject to prosecution (Minn. Stat. § 609.3785). The responsible social service agency is charged with addressing these matters but may contact law enforcement if child abuse is suspected (Minn. Stat. § 145.902; Minn. Stat. § 609.3785).

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child 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. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

314.7.2 DETAINING ABUSE VICTIMS FOR 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.
- (b) A court order or warrant has been issued.

314.7.3 NOTIFICATION TO PARENTS

Generally, officers should cooperate with parents and guardians and seek consent prior to conducting interviews of children. However, when reasonably necessary, state law grants officers the authority to interview a child who is the alleged victim of abuse or neglect, and any other children who currently reside or have resided with the alleged victim, without parental consent (Minn. Stat. § 260E.22, Subd. 1).

The interview may take place at school or at any facility or other place where the alleged victim or other children might be found, or the child may be transported to, and the interview conducted at, a place that is appropriate for the interview and has been designated by the local welfare agency or law enforcement agency. When it is possible and substantial child endangerment or sexual

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abuse is alleged, the interview may take place outside the presence of the alleged offender and prior to any interviews of the alleged offender (Minn. Stat. § 260E.22).

The officer shall notify the parent, legal custodian, or guardian that the interview occurred as soon as reasonably practicable after the interview, unless the juvenile court has determined that reasonable cause exists to withhold the information (Minn. Stat. § 260E.22).

314.7.4 INTERVIEWS AT SCHOOL

If officers assigned to investigate a report of maltreatment determine that an interview should take place on school property, written notification of the intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property (Minn. Stat. § 260E.22, Subd. 7).

The investigating officer shall determine who may attend the interview, although school officials may set reasonable conditions as to the time, place, and manner of the interview (Minn. Stat. § 260E.22, Subd. 7).

314.7.5 DOCUMENTING AND RECORDING INTERVIEWS

Any statement made by an alleged child abuse victim during the course of a criminal investigation shall be documented. The documentation of the interview must contain, at a minimum (Minn. Stat. § 260E.23):

- (a) The date, time, place, and duration of the interview.
- (b) The identity of the persons present at the interview.
- (c) A summary of the information obtained during the interview if it was not audio recorded.

Members should follow the written guidelines of the county attorney's office regarding recording interviews of a child abuse victim.

314.8 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.

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314.9 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.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Investigation Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including the county social services agency, 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 exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Unit 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 there.
- (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.

314.9.2 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 Investigation Unit supervisor so an interagency response can begin.

314.9.3 SCHOOL NOTIFICATION

If a juvenile is taken into protective custody after being found in an area where methamphetamine was being manufactured or attempted to be manufactured, or where any chemical substances, paraphernalia or waste products related to methamphetamine are stored, the officer who took the juvenile into custody shall notify the chief administrative officer of the juvenile's school (Minn. Stat. § 260C.171, Subd. 6).

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Minnesota requires or permits the following:

314.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Minn. Stat. § 260E.35).

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314.10.2 MULTIDISCIPLINARY INVESTIGATIVE TEAMS

Child mortality review panels, local review teams, and the commissioner of children, youth, and families shall have access to not public data regarding the death or near death of a child. This department shall cooperate fully with any such team and investigation (Minn. Stat. § 260E.39, Subd. 5).

314.10.3 COORDINATION WITH SOCIAL SERVICES

In every case of child abuse that would require notification to a local county social services agency, the investigating officer shall coordinate the planning and execution of the investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews. The investigating officer shall prepare a report separate from the social services agency (Minn. Stat. § 260E.12; Minn. Stat. § 260E.14, Subd. 5).

Members may disclose the status of an individual as a predatory offender to a child protection worker who is conducting an investigation or a family assessment under Chapter 260E (Minn. Stat. § 243.166; Minn. Stat. § 260E.03).

314.10.4 NOTIFICATION PROCESS

The Patrol Supervisor is responsible for ensuring the mandatory notifications to the county social service agency are carried out. This should be achieved, in part, by establishing and reviewing related procedures and through ongoing training (Minn. Stat. § 260E.01 et seq.).

314.10.5 COURT-ORDERED FIREARM SURRENDERS

Although not required, this department generally will accept firearms surrendered by a court order from an abusing party or defendant. A decision to refuse a surrendered firearm should be approved by a supervisor.

Firearms will normally be surrendered at the Inver Grove Heights Police Department; however, when encountering someone in the field who wishes to surrender a firearm, officers should make reasonable efforts to accommodate the request.

Surrendered firearms should be collected and submitted to the Evidence Room in accordance with the Evidence Room Policy.

314.11 TRAINING

The Training Unit 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) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.

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- (f) Availability of victim advocate or guardian ad litem support.

Missing Persons

315.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Endangered - A person the Department has confirmed is missing and there is sufficient evidence to indicate that the person is at risk of physical injury or death. Examples include (Minn. Stat. § 299C.52):

- (a) The person is missing because of a confirmed abduction or under circumstances that indicate the person's disappearance was not voluntary.
- (b) The person is missing under known dangerous circumstances.
- (c) The person is missing for more than 30 days.
- (d) The person is under the age of 21 and at least one other factor is applicable.
- (e) There is evidence that the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication.
- (f) The person does not have a pattern of running away or disappearing.
- (g) The person is mentally impaired.
- (h) The person has been diagnosed with dementia, a traumatic brain injury, Alzheimer's disease, or other cognitive impairments.
- (i) The person has been diagnosed with autism.
- (j) There is evidence that a non-custodial parent may have abducted the person.
- (k) The person has been the subject of past threats or acts of violence.
- (l) There is evidence that the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search-and-rescue efforts are critical.
- (m) Any other factor the Department deems to indicate the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes any person under the age of 18 or who is certified or known to be mentally incompetent (Minn. Stat. § 299C.52).

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

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Persons System (NamUs), the Minnesota Justice Information Services (MNJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, and the Minnesota Crime Alert Network.

315.2 POLICY

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

315.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigation Unit supervisor shall ensure the following forms and kits are developed and available:

- 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
- Medical records release form
- Biological sample collection kits

315.4 ACCEPTANCE OF REPORTS

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

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction. Additionally, a report shall not be refused based upon the following (Minn. Stat. § 299C.53, Subd.1(a)):

1. The missing person is an adult.
2. The circumstances do not indicate foul play.
3. The person has been missing for a short period.
4. The person has been missing for a long period.
5. There is no indication that the missing person was in the jurisdiction served by this department at the time of the disappearance.
6. The circumstances suggest that the disappearance may be voluntary.
7. The reporting person does not have personal knowledge of the facts.
8. The reporting person cannot provide all the information requested by this department.

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9. The reporting person lacks a familial or other relationship with the missing person.
10. For any other reason, except in cases where this department has direct knowledge that the person is, in fact, not missing and the whereabouts and welfare of the person are known at the time the report is filed.

State statute requires the local law enforcement agency having jurisdiction over the location where a person has been missing or was last seen has the responsibility to take a missing person report from an interested party. If this location cannot be clearly and easily established, the local law enforcement agency having jurisdiction over the last verified location where the missing person last resided has the responsibility to take the report. In the event, any circumstances delay a determination of which law enforcement agency has the responsibility to take a missing person report from an interested party, the Bureau of Criminal Apprehension shall offer prompt guidance to the agencies involved (MN Statute 299C.565).

Regardless of the statutory determinations of MN Statute 299C.565, in any instance where there is a disagreement over reporting responsibility that is not immediately resolved, it is the policy of this department to promptly commence taking and investigating a missing person report while concurrently pursuing guidance from the Bureau of Criminal Apprehension. Any investigation completed, and information obtained in a case that is ultimately the responsibility of another jurisdiction shall be recorded in an incident report, including information regarding the determination of jurisdiction, and forwarded to the appropriate agency.

Criteria for Entering Missing and Endangered Persons:

1. **Endangered Missing Persons:** Endangered missing persons, regardless of age, are to be entered into the system within two (2) hours upon receiving the minimum data required for entry into NCIC. The two (2) hour clock shall begin at the time the call is received from the complainant. The call time is documented when the ICR is created.
2. **Juveniles (Up to 17 years of age):** Juveniles are to be entered into the system within two (2) hours upon receiving the minimum data required for entry into NCIC. The two (2) hour clock shall begin at the time the call is received from the complainant. The call time is documented when the ICR is created.
3. **Adults (18-20 years of age):** Any adult under 21 years of age are to be entered into the system within two (2) hours upon receiving the minimum data required for entry into NCIC. The two (2) hour clock shall begin at the time the call is received from the complainant. The call time is documented when the ICR is created.
4. **Adults (21 years of age and older):** Adults age 21 years of age and older are required to have signed documentation* supporting the stated conditions under which they are being declared missing before entry into NCIC unless they are victims of a catastrophe. To ensure maximum system effectiveness, Missing Person records must be entered immediately when conditions for entry are met, not to exceed three (3) days, upon receipt from the complainant. The call time is documented when the ICR is created.

*NOTE: The documentation should be from a source such as a parent, legal guardian, next of kin, physician, or another authority source including a neighbor or a friend in unusual

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circumstances. However, when such documentation is not reasonably attainable, a signed report by the investigating officer will suffice.

315.5 INITIAL INVESTIGATION

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

- (a) Respond to a dispatched call as soon as practicable. Obtain a detailed description of the missing person, as well as a description of any related vehicle and/or abductor.
- (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 endangered (Minn. Stat. § 299C.53, Subd. 1(b)). Interviews should be conducted separately, if practicable.
- (c) Consult with the Bureau of Criminal Apprehension (BCA) if the person is determined to be an endangered missing person (Minn. Stat. § 299C.53, Subd. 1(b)).
- (d) Canvass the last known area where the missing person was seen, if known. A search of the location where the incident took place, if known, should also be conducted and a search warrant obtained if necessary.
- (e) Determine when, where and by whom the missing person was last seen. Interview the person who last had contact with the missing person.
- (f) Notify a supervisor immediately if there is evidence that a missing person is either endangered or may qualify for a public alert, or both (see the Public Alerts Policy).
- (g) Broadcast an "Attempt to Locate" (ATL) or similar alert if the person is under 18 years of age or there is evidence that the missing person is endangered. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be endangered.
- (h) Relay known details to all on-duty personnel as well as other local or surrounding law enforcement agencies using local and state databases.
- (i) Ensure that entries are made into the appropriate missing person networks:
 1. Immediately, when the missing person is endangered (Minn. Stat. § 299C.53, Subd. 1(b)).
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- (j) Complete the appropriate report forms accurately and completely and initiate a search as applicable according to the facts.
- (k) Collect and/or review:
 1. A photograph and fingerprint card of the missing person, if available (Minn. Stat. § 299C.54, Subd. 2).
 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.

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4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
 - (l) When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.
 - (m) 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 endangered missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
 - (n) Implement multi-jurisdictional coordination/mutual aid plan as appropriate such as when:
 - (a) The primary agency has limited resources.
 - (b) The investigation crosses jurisdictional lines.
 - (c) Jurisdictions have pre-established task forces or investigative teams.
 - (o) Additional support, investigative and supervisory assistance should be requested as reasonably necessary. Any support assistance should be properly briefed and updated on the investigation status.
 - (p) The handling investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and the return of the missing or endangered person (MN Statute 299C.53 Subd. 3). If necessary, use the International Justice and Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional, and federal law enforcement agencies.

315.5.1 CRIME SCENE INVESTIGATION AND MANAGEMENT

If a crime scene is identified, it should be secured and a command post or operation base located at a reasonable distance from the crime scene. Staff and assign the responsibilities for command post supervisor, media specialist, search coordinator, investigative coordinator, communication officer and support unit coordinator. Provide two liaison officers (one at the command post and one at the crime scene). The role of the liaison at the home will include facilitating support and advocacy for the family.

The investigation of the scene and the crime should consider various elements, including:

- (a) Establishing the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for department use and follow-up on all leads.
- (b) Compiling a list of known sex offenders in the region.
- (c) In cases of infant abduction, investigating claims of home births made in the area.

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- (d) In cases involving children, obtaining child protective agency records for reports of child abuse.
- (e) Reviewing records for previous incidents related to the missing person and prior law enforcement activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
- (f) Obtaining the missing person's medical and dental records, fingerprints and a biological sample when practicable or within 30 days.
- (g) Creating a missing person profile with detailed information obtained from records and interviews with family and friends, describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc.
- (h) Interviewing delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.
- (i) Determining if outside help is needed and the merits of utilizing local, state and federal resources related to specialized investigative needs, including:
 - 1. Investigative resources (e.g., search and rescue).
 - 2. Interpretive resources.
 - 3. Telephone services, such as traps, traces and triangulation.
 - 4. Media assistance from local and national sources.
- (j) Using secure electronic communication information, such as the missing person's cellular telephone number, e-mail address and information from social networking sites.
- (k) Appointing an officer to communicate with the family/reporting party or their designee. The officer will be the primary point of contact for the family/reporting party or their designee, and should provide contact information and the family information packet (if available) to the family/reporting party or their designee.
- (l) Providing general information to the family/reporting party or their designee about the handling of the missing person case or about any intended efforts, only to the extent that disclosure would not adversely affect the department's ability to locate or protect the missing person or to apprehend or criminally prosecute any person in connection to the case.

315.6 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.

315.6.1 REPORT HANDLING

Missing person reports require special handling and timely notifications. At any time, a missing report is made the officer shall complete a dental and medical release form that will be provided to the reporting party. If the form is properly endorsed, the completed form shall be attached to the missing person report.

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Information that is not immediately available is obtained later or updated shall be documented in a supplemental report to the original, as required. Entry into MJIS and NCIC databases shall be conducted as soon as reasonably possible by the handling investigator.

315.6.2 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.
- (b) Notifying command-level personnel.
- (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 persons networks.
- (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.

Once it is determined that the person is missing and endangered and the person was not found during the initial investigation, the on-duty supervisor must:

- (a) Notify the BCA (MN Statute 299C.53)
 - 1. Instruct the communications center to enter the person in NCIC as missing; within two (2) hours of receiving the call from dispatch (U.S. Code, Title 42, Section 5781).
 - 2. Instruct the communications center to notify all appropriate law enforcement agencies in the state and, if deemed appropriate, law enforcement agencies in adjacent states and jurisdictions of any information that may aid in the prompt location and safe return of a missing and endangered person.
 - 3. An AMBER ALERT may be activated if the following criteria are met:
 - (a) A child 17 years of age or younger is abducted
 - (b) There is a reason to believe the victim is in immediate danger of physical injury or physical or sexual abuse
 - (c) There is information available to disseminate to the general public which could assist with the safe recovery of the victim and/or the apprehension of the suspect.
 - 4. The BCA will need descriptive information about the child and the abductor. The BCA activates the MN Crime Alert Network (MCAN) and works in conjunction with the Duty Officer from the Division of Emergency Management to activate the

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alert over the State Emergency Alert System (EAS). The duty officer activates the EAS which immediately delivers the information to all participating radio and television stations. Stations are requested to broadcast the information every fifteen minutes for the first two hours, then every half hour for the next three hours.

5. The Department shall identify and have on at the Police Department an assigned Public information officer.
6. The BCA must be immediately notified of the recovery of the child in order to cancel the AMBER ALERT.

315.6.3 RECORDS RESPONSIBILITIES

- (a) The responsibilities of the Records receiving member shall include, but are not limited to:
 1. 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.
 2. Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
 3. Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
 4. Forwarding a copy of the report to the Investigation Unit.
 5. Coordinating with the NCIC Terminal Contractor for Minnesota to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).
- (b) Entering Records into NCIC Missing Person File:
 1. Entry:
 - (a) Run a current DVS and CCH/III inquiry to obtain as many descriptors as possible regarding the subject. This check should include a check of whether medical/dental information is available regarding the subject. Any descriptors used must be documented in the officer's report or saved within the case file. Attempts to obtain medical/dental information must also be documented in the case file.
 - (b) Enter a record into NCIC on the subject. This record should include all descriptors. Additional identifiers such as scars, marks, and tattoos, aliases, additional dates of birth, etc..., should be added to the record through the use of the Enter Missing Person Supplemental Screen.
 2. After Entry:
 - (a) After the record is entered, query the NCIC entry to obtain a hard copy for second party verification purposes.
 - (b) The Inver Grove Heights Police Department is required to verify and update NCIC 2000 missing person record entries with any additional

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information, including Blood Type (BLT); Dental Characteristics (DCH); Fingerprint Classification (FPC); Jewelry Type (JWT); and Scars, Marks, Tattoos, and Other Characteristics (SMT) within sixty (60) days of entry.

- (c) If a record has a date of entry older than thirty (30) days and any of the above fields are blank, a \$.K. Missing Information Notification identifying the blank fields will be transmitted. The \$.K. Missing Person Notification will also include the record.
3. A notation shall be made in the case file indicating when this attempt was made, and what the outcome was, i.e., the child has returned, dental records obtained, etc.... This sixty (60) day update is mandatory FBI requirement on all missing person records under the age of 21 and Inver Grove Heights Police Department personnel shall document this attempt in the case file to show that this requirement has been met.

315.6.4 MISSING PERSON RELATED FORMS AND KITS

The Investigation Division Commander shall ensure the following forms and kits are developed and available:

- (a) Missing person report form.
- (b) Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation.
- (c) Missing person school notification form.
- (d) Medical records release form.
- (e) Biological sample collection kits.

315.7 INVESTIGATION UNIT FOLLOW-UP

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

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 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) Shall review the case file to determine whether any additional information received on the missing person indicates that the person is endangered, and shall update applicable state or federal databases accordingly (Minn. Stat. § 299C.535(b); Minn. Stat. § 299C.535(c)).

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- (d) Shall attempt to obtain the following, if not previously obtained, if the person remains missing after 30 days (Minn. Stat. § 299C.535(a)):
 - 1. Biological samples from family members and, if possible, from the missing person
 - 2. Dental information and X-rays
 - 3. Additional photographs and video that may aid the investigation or identification
 - 4. Fingerprints
 - 5. Any other specific identifying information
- (e) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (f) Shall verify and update the Minnesota Justice Information Services (MNJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, 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).
- (g) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (h) Should consider taking certain actions if a person is missing after a prolonged period, generally exceeding 45 days. Those actions include:
 - 1. Developing a profile of the possible abductor.
 - 2. Using a truth verification device for parents, spouse, and other key individuals.
 - 3. Reviewing all reports and transcripts of interviews, revisiting the crime scene, reviewing all photographs and videotapes, reinterviewing key individuals and reexamining all physical evidence collected.
 - 4. Reviewing all potential witness/suspect information obtained in the initial investigation and considering background checks on anyone of interest identified in the investigation.
 - 5. Periodically checking pertinent sources of information about the missing person for any activity, such as telephone, bank, Internet or credit card activity.
 - 6. Developing a timeline and other visual exhibits.
 - 7. Critiquing the results of the ongoing investigation with appropriate investigative resources.
 - 8. Arranging for periodic media coverage.
 - 9. Considering the use of rewards and crime-stoppers programs.
 - 10. Maintaining contact with the family and/or the reporting party or designee, as appropriate.
- (i) 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

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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).

- (j) Should make appropriate inquiry with the Medical Examiner.
- (k) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (l) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously, forward the photograph to BCA (Minn. Stat. § 299C.54), and enter the photograph into applicable missing person networks (34 USC § 41308).
- (m) In the case of an endangered 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).

315.8 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 reporting party and other involved agencies and refer the case for additional investigation if warranted.

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

- (a) Notification is made to BCA.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks (Minn. Stat. § 299C.53, Subd. 2).
- (d) When a child is endangered, the fact that the child has been found shall be reported within 24 hours to BCA.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

315.8.1 PERSONS FOUND ALIVE

Additional responsibilities related to missing persons who are found alive include:

- (a) Verifying that the located person is the reported missing person.
- (b) If appropriate, arranging for a comprehensive physical examination of the victim.
- (c) Conducting a careful interview of the person, documenting the results of the interview and involving all appropriate agencies.
- (d) Notifying the family/reporting party that the missing person has been located. In adult cases, if the located adult permits the disclosure of his/her whereabouts and contact information, the family/reporting party may be given this information.
- (e) Depending on the circumstances of the disappearance, considering the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party.

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- (f) Performing a constructive post-case critique. Reassessing the procedures used and updating the Department policy and procedures as appropriate.

315.8.2 UNIDENTIFIED PERSONS

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

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

315.8.3 DECEASED PERSONS

If a deceased person has been identified as a missing person, the Investigation Unit shall attempt to locate family members and inform them of the death and the location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained (Minn. Stat. § 390.25, Subd. 2).

Additional investigation responsibilities include the following:

- (a) Secure the crime scene if this department has jurisdiction.
- (b) Contact the coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
- (c) Collect and preserve any evidence at the scene.
- (d) Depending on the circumstances, consider the need for intervention, counseling or other services for the family/reporting party.
- (e) Cancel alerts and remove the case from NCIC and other information systems; remove posters and other publications from circulation.
- (f) Perform a constructive post-case critique. Reassess the procedures used and update the department policy and procedures as appropriate.

315.9 CASE CLOSURE

The Investigation Unit supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Inver Grove Heights 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.

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

315.10 TRAINING

Subject to available resources, the Training Manager 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 Mobile Audio Video (MAV)
 - 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 and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (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

316.1 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.

316.2 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.

316.3 RESPONSIBILITIES

316.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Inver Grove Heights Police Department should notify their supervisor, Shift Sergeant or Investigation Unit Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

316.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander 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 the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

316.4 AMBER ALERTS

America's Missing: Broadcast Emergency Response (AMBER) Alert™ is the recruitment of public assistance to locate an abducted child via a widespread media alert. Utilizing the assistance of local radio, television and press affiliates, the public will be notified of the circumstances of a child's abduction and how it can assist law enforcement in the child's recovery. The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement through the Minnesota Crime Alert Network (Minn. Stat. § 299A.61 Subd. 1).

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316.4.1 CRITERIA

Any non-familial case in which an individual is abducted and the public can assist will trigger the activation of either the AMBER Alert and/or the Minnesota Crime Alert Network (MCAN) to inform the public and request its assistance in locating the individual.

The criteria for issuance of an Amber Alert are as follows:

- (a) A child 17 years of age or younger was abducted and there is reason to believe the victim is in imminent danger of serious bodily injury or death.
- (b) There is information available to disseminate to the general public that could assist with the safe recovery of the victim and/or the apprehension of the suspect.

An AMBER Alert should not be requested if there is no information to distribute.

316.4.2 PROCEDURE

The supervisor shall review the AMBER Alert checklist provided by the Bureau of Criminal Apprehension (BCA) to determine whether the abduction meets the AMBER Alert criteria.

As soon as possible, Records personnel shall enter the child's name and other critical data into the National Crime Information Center (NCIC), with appropriate flags.

If the AMBER Alert criteria is met, the supervisor, Shift Sergeant or Investigation Unit supervisor will notify the Operations Center at the BCA. The BCA will determine whether an AMBER Alert will be issued and, if so, will activate the Minnesota Emergency Alert System (EAS) through the Minnesota Department of Public Safety (DPS) Division of Homeland Security and Emergency Management (HSEM).

BCA will manage press notifications through the EAS.

The Department shall have a designated public information officer at the Police Department upon initiating an AMBER ALERT.

As additional information becomes available, the BCA shall be apprised and they will disseminate the information, as appropriate.

When the child is found, or the alert should be cancelled for other reasons, the Investigation Unit supervisor shall immediately notify BCA with the pertinent information.

316.5 MINNESOTA CRIME ALERT NETWORK (MCAN)

MCAN is a statewide communications network that enables law enforcement agencies to quickly alert the public (Minn. Stat. § 299A.61). In cases where the AMBER Alert criteria are not met, the supervisor shall issue a missing person alert through MCAN to notify the public and request information on the case (Minn. Stat. § 299C.53). Law enforcement agencies, businesses, schools, and community members participate in the network.

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316.5.1 CRITERIA

MCAN is available for disseminating information regarding the commission of crimes, including information on missing and endangered children or vulnerable adults, or attempts to reduce theft and other crime.

316.5.2 PROCEDURE

If a supervisor determines that an MCAN alert should be requested, the supervisor should contact the BCA Operations Center and provide the requested information (Minn. Stat. § 299C.53).

The Public Information Officer should prepare a press release that includes all available information that might strengthen the assistance by the public or other law enforcement agencies. It should be updated with additional information as it becomes available and useful. All media releases should be coordinated with the BCA. In the event of a confirmed child abduction, whether or not an AMBER Alert or MCAN alert is activated, procedures designed to inform the media should be followed. Initial information to release may include but is not limited to:

- (a) The nature of the crime that has occurred.
- (b) The victim's identity, age, and description, if relevant.
- (c) Photograph if available.
- (d) The suspect's identity, age, and description, if known.
- (e) Pertinent vehicle description.
- (f) Detail regarding location of incident, direction of travel, and potential destinations, if known.
- (g) Whether there is reason to believe the suspect has a relationship to the victim.
- (h) Name and phone number of the Public Information Officer or other authorized individual to handle media liaison.
- (i) A telephone number for the public to call with leads or information.

As additional information pertinent to the case becomes available, it shall be forwarded to the BCA.

316.6 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a local, state or federal law enforcement officer.

316.6.1 CRITERIA

The following criteria should be utilized to determine if a request to activate a Blue Alert will be made:

- (a) A law enforcement officer has been killed, seriously injured or is missing while in the line of duty under circumstances evidencing concern for the officer's safety.
- (b) The investigating law enforcement agency has determined that:

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1. The suspect poses a serious risk to the public or other law enforcement personnel.
 2. Dissemination of available information to the public may help avert further harm or assist in the apprehension of the suspect.
- (c) A description of the offender, the offender's vehicle (including license plate or partial license plate) is available for broadcast.

316.6.2 PROCEDURE

The on-duty supervisor should ensure that contact is made with the Minnesota Bureau of Criminal Apprehension (BCA) to request activation of a Blue Alert. The on-duty supervisor should also ensure that any changes to information (e.g., vehicle information, broadcast area) are communicated to BCA in a timely manner.

When the suspect is found, or the alert should be canceled for other reasons, an on-duty supervisor shall immediately notify BCA with the pertinent information.

Victim and Witness Assistance

317.1 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.

317.2 POLICY

The Inver Grove Heights Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Inver Grove Heights 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.

317.3 CRIME VICTIM LIAISON

The Department Administrative Services Commander will serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Inver Grove Heights 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.

317.3.1 SPECIFIC VICTIM LIAISON DUTIES

The crime victim liaison shall assist the Minnesota Crime Victims Reimbursement Board in performing its duties and ensure that the Records forwards copies of requested reports to the board or other authorized organizations within 10 days of receipt, in compliance with the Records Maintenance and Release Policy. These reports include those maintained as confidential or not open to inspection under Minn. Stat. § 260B.171 or Minn. Stat. § 260C.171 (Minn. Stat. § 611A.66).

The crime victim liaison will also (Minn. Stat. § 611A.27):

- (a) Serve for a sexual assault victim or a sexual assault victim's written designee as the liaison between the Inver Grove Heights Police Department and a forensic laboratory.
- (b) Facilitate requests for information made by a sexual assault victim or written designee.
- (c) Provide an appropriate response to a victim's request for investigative data within 30 days.
- (d) Develop a procedure allowing a sexual assault victim to request that the sexual assault examination kit be submitted to a forensic laboratory if the victim had not previously authorized such submission.

The crime victim liaison or the authorized designee, in consultation with the Investigation Division Commander, should establish procedures for receiving requests for assistance in applying for U visa or T visa status, and make those procedures available to victims. The procedures should provide for responses to these requests to be made in compliance with applicable law and as set forth in the Immigration Violations Policy and applicable law (Minn. Stat. § 611A.95).

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317.4 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.

317.5 VICTIM INFORMATION

The Administrative Services Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims, including domestic abuse and sexual assault victims.
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained.
- (e) Information regarding available compensation for qualifying victims of crime.
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U visa and T visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number, and any applicable case or incident number.
- (j) Notices and information regarding the rights of crime victims, domestic abuse victims, and offender release as detailed in the following:
 1. Safe at Home address confidentiality program (Minn. Stat. § 5B.03)
 2. Offender release notification (Minn. Stat. § 244.052; Minn. Stat. § 244.053; Minn. Stat. § 611A.06; Minn. Stat. § 629.73)
 3. Tenancy issues (Minn. Stat. § 504B.205; Minn. Stat. § 504B.206)
 4. Victim and specific domestic abuse victim information/Minnesota CHOICE (Minn. Stat. § 611A.02 et seq.; Minn. Stat. § 629.341; Minn. Stat. § 629.72)
- (k) A notice that a decision to arrest is the officer's and the decision to prosecute lies with the prosecutor, even when a victim requests no arrest or prosecution.

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- (l) Contact information for the Office of Justice Programs and the Emergency Fund and Crime Victims Reimbursement (Minn. Stat. § 611A.66).

317.6 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.

Hate or Prejudice Crimes

318.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.1.1 FEDERAL JURISDICTION

The federal government also has the power to investigate and prosecute bias-motivated violence by providing the U.S. Department of Justice with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

318.2 DEFINITIONS

Hate or Prejudice Crime - Conduct that would constitute a crime and was committed because of the victim's or another's actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability (see generally Minn. Stat. § 611A.79, Subd. 1).

318.3 PREVENTING AND PREPARING FOR LIKELY HATE OR PREJUDICE CRIMES

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 or prejudice crimes by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups relating to hate crime laws.

318.4 PROCEDURE FOR INVESTIGATING HATE OR PREJUDICE CRIMES

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

- (a) Officers will be promptly assigned to 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.

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- (c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a hate or prejudice crime was involved.
- (d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate or prejudice crime.
- (e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned officers will include all available evidence indicating the likelihood of a hate or prejudice crime in the relevant reports. All related reports will be clearly marked as “Hate or Prejudice Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.
- (g) The assigned officers will provide the victims of any suspected hate or prejudice crime with the brochure on hate and prejudice crimes authorized by the Department. Such brochures will also be available to members of the public upon request. The assigned officers should also make reasonable efforts to assist the victims by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.
- (h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and provide information to the victim regarding legal aid, e.g., a possible Temporary Restraining Order through the courts, prosecuting attorney or City Attorney.

318.5 INVESTIGATION UNIT RESPONSIBILITIES

If a case is assigned to the Investigation Unit, the assigned investigator will be responsible for following up on the reported hate or prejudice crime as follows:

- (a) Coordinating further investigation with the prosecuting attorney and other appropriate law enforcement agencies, as appropriate.
- (b) Maintaining contact with the victims and other involved individuals as needed.
- (c) Maintaining statistical data and tracking of suspected hate or prejudice crimes as indicated or required by state law.

318.5.1 STATE HATE CRIME REPORTING

This department shall report hate or prejudice crime offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Department of Public Safety. This shall be conducted by the Records Manager or assigned to the Investigation Unit (Minn. Stat. § 626.5531, Subd. 2).

Reports are required to include (Minn. Stat. 626.5531, Subd. 1):

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- (a) The date of the offense.
- (b) The location of the offense.
- (c) Whether the target of the incident was a person, private property or public property.
- (d) The crime committed.
- (e) The type of bias and information about the offender and the victim that is relevant to that bias.
- (f) Any organized group involved in the incident.
- (g) The disposition of the case.
- (h) Whether the determination that the offense was motivated by bias was based on the officer's reasonable belief or on the victim's allegation.
- (i) Any additional information the superintendent deems necessary for the acquisition of accurate and relevant data.

318.5.2 FEDERAL HATE CRIME REPORTING

The Records Manager should include hate crime data reporting within the National Incident-Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records procedures and in compliance with (28 USC § 534(a)).

318.6 TRAINING

All members of this department will receive training on hate and prejudice crime recognition and investigation and will attend periodic training that incorporates a hate and prejudice crime training component (Minn. Stat. § 626.8451, Subd. 1 and Subd. 4).

Property and Evidence

319.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property. Property belonging to persons in custody should be handled pursuant to policies guiding Juvenile Temporary Custody, Temporary Holding Facility, Jail Operations, and the operations procedures for each facility or operation.

319.1.1 EVIDENCE ROOM SECURITY

The Evidence Room shall maintain secure storage and control of all property necessitating custody by the Department. The property and evidence technician reports to the Investigation Division supervisor and is responsible for the security of the Evidence Room. Evidence Room keys are maintained only by the property and evidence technician and the Investigation Division supervisor. An additional key is in a sealed and initialed envelope maintained in the safe in the Chief of Police's office. The property and evidence technician and the Investigation Division supervisor shall not loan Evidence Room keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Evidence Room other than the property and evidence technician must be accompanied by the property and evidence technician or the Investigation Division supervisor and must sign in and out on the logbook giving the date and time of entry and exit, and the purpose, including a specific case or property number. The entry shall be initialed by the accompanying individual.

319.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm.
- Personal property of an arrestee not taken as evidence.
- Property taken for safekeeping under authority of a law.

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

319.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in their possession until it is properly tagged and placed in the designated property locker or storage room, along with the property XXX form label XXX. Care shall be taken to maintain the chain of custody for all evidence.

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Any property seized by an officer with or without a warrant shall be safely kept for as long as necessary for the purpose of being produced as evidence (Minn. Stat. § 626.04 (a)). Seized property held as evidence shall be returned to its rightful owner unless subject to lawful detention or ordered destroyed or otherwise disposed of by the court (Minn. Stat. § 626.04 (b) and Minn. Stat. § 629.361).

An officer arresting a person for committing or aiding in committing a robbery, carjacking, or theft offense shall use reasonable diligence to secure the property that was alleged to have been stolen and shall be answerable for it while it remains in the officer's custody (Minn. Stat. § 629.361).

Where ownership can be established as to found property that has no apparent evidentiary value, such property may be released to the owner without the need for booking. The property documentation must be completed to document the release of property not booked. The owner shall sign the documentation acknowledging receipt of the items.

319.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

- (a) Complete the property XXX form label XXX describing each item of property separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) The employee shall mark each item of evidence with initials and date.
- (c) Items too small to mark, or that will be damaged or degraded or devalued by marking, should be individually packaged, labeled and the package marked with initials and date.
- (d) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (e) Place the case number in the upper right hand corner or in the appropriate field of the evidence/property tag.
- (f) The original property documentation shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if it is stored somewhere other than a property locker.
- (g) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in any department supply room or other location that can be secured from unauthorized entry. The location shall be secured to prevent entry and a completed property XXX form label XXX placed into a numbered property locker indicating the location of the property.

319.3.2 CONTROLLED SUBSTANCES

All controlled substances shall be booked separately using a separate property record. Drug paraphernalia shall also be booked separately.

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The officer seizing the narcotics and dangerous drugs shall place them in the designated temporary property locker.

319.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify the immediate supervisor or the Shift Sergeant. The Bomb Squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property and evidence technician is responsible for transporting to the fire department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

319.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air-dried prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the property and evidence technician or placed in the designated container for return to the Minnesota Department of Driver and Vehicle Services. No formal property booking process is required.
- (c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician, or placed in the bicycle storage area until a property and evidence technician can log the property.
- (d) All cash shall be counted in the presence of another officer and the envelope initialed by both officers. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count, and will initial and date the property documentation and specify any additional security procedures to be used.
- (e) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property XXX form label XXX.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

319.3.5 COURT-ORDERED FIREARM SURRENDERS

- (a) Although not required, this department generally will accept firearms surrendered by an abusing party or defendant pursuant to a court order. A decision to refuse a surrendered firearm should be approved by a supervisor (Minn. Stat. § 260C.201,

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Subd. 3; Minn. Stat. § 518B.01, Subd. 6; Minn. Stat. § 609.2242, Subd. 3; Minn. Stat. § 609.749, Subd. 8; Minn. Stat. § 624.7175).

- (b) Members accepting surrendered firearms should complete a standardized Firearms Proof of Transfer form, if available. If the surrender relates to an extreme risk protection order, the individual should be provided with a copy of the Proof of Transfer form (Minn. Stat. § 624.7175). If a standard form is not available, an evidence/property form should be used and include the following information:
 - 1. Whether the firearm is being transferred temporarily or permanently
 - 2. The abusing party or defendant's name
 - 3. The date and time of the transfer
 - 4. Complete description of all firearms surrendered (e.g., make, model, serial number, color, identifying marks)
- (c) In certain circumstances, a court may issue an order for the immediate transfer of firearms of an abusing party or defendant.
 - 1. The Department may serve the court order either by assignment or when an officer comes into contact with an abusing party or defendant for which a court order has been issued but has not been served, or for which they are in violation. In such cases, if there are firearms that may be lawfully seized, they should be seized and submitted to the Evidence Room pursuant to standard protocol.
 - 2. If the abusing party or defendant is not cooperative, seek guidance from legal counsel to ensure that firearms are seized lawfully.
 - 3. Permits possessed by the abusing party or defendant should be returned to the Sheriff where the person resides.
- (d) The Evidence Room shall develop and maintain a process to store, transfer, or release firearms ordered surrendered by a court. The procedures shall:
 - 1. Provide for adequate storage and protection so as to preserve the condition of the firearms.
 - 2. Require a valid court order or written notice from the abusing party or defendant to be presented before any transfer of the firearms.
 - 3. Ensure that recipients of transferred firearms are not legally prohibited from possession of firearms under state or federal law.
 - 4. Ensure that proper affidavits or proof of transfer are obtained from any designated firearms dealer or third party.
 - 5. Ensure that prior to disposition of unclaimed firearms, abusing parties or defendants are notified via certified mail.

319.3.6 RECOVERED OR CONFISCATED FIREARMS

The Evidence Room shall establish a process to transmit all required information to the United States Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center's eTrace

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system for any firearm recovered or confiscated as soon as practicable, in accordance with Minn. Stat. § 626.5536.

319.4 PACKAGING OF PROPERTY

Packaging will conform to the Property Packaging Procedures. Certain items require special consideration and shall be booked separately as follows:

- (a) Controlled substances
- (b) Firearms (ensure they are unloaded and booked separately from ammunition)
- (c) Property with more than one known owner
- (d) Drug paraphernalia
- (e) Fireworks
- (f) Contraband

319.4.1 PACKAGING CONTAINER

Employees shall package all property, except controlled substances in a suitable container available for its size. Knife boxes should be used to package knives, handgun boxes should be used for handguns and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

319.4.2 PACKAGING CONTROLLED SUBSTANCES

The officer seizing controlled substances shall retain such property in his/her possession until it is properly weighed, packaged, tagged and placed in the designated drug locker, accompanied by two copies of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. If conducted, the results of this test shall be included in the officer's report.

Controlled substances shall be packaged in an envelope of appropriate size, available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Controlled substances shall not be packaged with other property.

The booking officer shall weigh the suspected narcotics or dangerous drugs in the container in which it was seized. A full description of the item, along with packaging and total weight of the item as seized, will be placed in the case report and on the property XXX form label XXX. After packaging and sealing as required, the entire package will be weighed and the Gross Package Weight (GPW) will be written on the outside of the package, initialed and dated by the packaging officer.

The GPW will be verified every time the package is checked in or out of the Evidence Room and any discrepancies noted on the outside of the package. Any change in weight should be immediately reported to the Investigation supervisor.

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A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

319.4.3 RIGHT OF REFUSAL

The property and evidence technician has the right to refuse any piece of property that is not properly documented or packaged. Should the property and evidence technician refuse an item, he/she shall maintain secure custody of the item in a temporary property locker and inform the supervisor of the submitting officer.

319.5 RECORDING OF PROPERTY

- (a) Officers shall create an electronic property management record for each piece of property logged. The logging officer will then create and affix a barcode label to each piece of property logged.
- (b) If the computer system is not functioning the logging officer will use a handwritten property record to log each piece of property. A copy of the handwritten record shall be placed in the locker with the property and the original turned in with the report.
- (c) The electronic property management record will be the permanent record of the property in the Evidence Room.
 - 1. The submitting officer will record: gross package weight if it is a controlled substance to be used as evidence, the date and time the property was received, and where the property will be stored on the electronic property management record.
- (d) The electronic property record shall be maintained and a unique property number created for each piece of property received. The electronic record shall record by property number, the date received, case number, tag number, item description, item location and date disposed. A unique property number shall be obtained for each item or group of items from the property management software. This number shall be recorded on the property label and in the property management software.
- (e) Any changes in the location of property held by the Inver Grove Heights Police Department shall be noted in the property management software.

319.6 PROPERTY CONTROL

Each time the property and evidence technician receives property or releases property to another person, they shall enter this information in the electronic property management software. Officers desiring property for court shall contact the property and evidence technician at least two workdays prior to the court day.

319.6.1 RESPONSIBILITIES OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry in the electronic property management software shall be completed to maintain the chain of possession. No property or evidence that has been logged into the property room is to be released without first receiving written authorization from property and evidence technician.

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Request for analysis for items other than controlled substances shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out any time after booking of the property or evidence.

319.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of the property room.

The property and evidence technician releasing the evidence must complete the required information in the electronic property management software. The lab forms will be transported with the property to the examining laboratory.

Upon delivering the item involved, the officer will provide the lab transfer form/receipt copy to the Records for filing with the case.

319.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry in the electronic property management software. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the electronic property management software stating the date, time and to whom it was released.

The property and evidence technician shall obtain the signature of the person to whom property was released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the electronic property management software indicating date, time and the person who returned the property.

319.6.4 AUTHORITY TO RELEASE PROPERTY

The property and evidence technician shall not release any property without proper follow-up and research on the case involving the property. Any property in which the status of the case is in question will not be disposed of until the officer or investigator gives written authorization.

Property held as evidence for a pending criminal investigation or proceeding shall be retained for a period of time no less than that required pursuant to Minn. Stat. § 628.26.

For property in custody of the Department for investigatory or prosecutorial purposes and owned by a victim or witness, a property and evidence technician shall, upon the request of the owner:

- (a) Provide a list describing the property unless such release would seriously impede an investigation.
- (b) Return the property expeditiously unless the property is required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner of the property in accordance with the requirements of Minn. Stat. § 609.523.

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319.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made if authorized by remarks in the electronic management software, the report, or a disposal authorization form. Remarks made in the electronic property management software or the report will state specifically what can be released and the disposal authorization form will list the items in question for the officer or investigator to see. Release of all property shall be properly documented.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction, which may be conducted as an Internet-based auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed. Unless the auction is Internet based, property with an estimated value of \$500 or more will be advertised in the local print media before it is destroyed or auctioned. The final disposition of all such property shall be fully documented in related reports.

A property and evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. The owner shall also pay any costs incurred by the agency, including costs for advertising or storage. A signature of the person receiving the property shall be recorded on the original property documentation. After release of all property entered in the electronic property management software, the record can be archived if that option is available. If some items of property have not been released, the property record will remain with the electronic property management software as current.

When any item of evidence or property is released to its owner, a property receipt listing the exact item(s) returned, the owner's printed name, date, time, case number and owner's address and a signature will be completed and placed in the case file.

Upon release or other form of disposal, the proper entry shall be recorded in all property documentation and logs.

319.6.6 STOLEN OR EMBEZZLED PROPERTY

Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this department may be restored to the owner (Minn. Stat. § 609.523 Subd. 3). Such property may be released from law enforcement custody when the following are satisfied:

- (a) Photographs of the property are filed and retained by the Evidence Room.
- (b) Satisfactory proof of ownership of the property is shown by the owner.
- (c) A declaration of ownership is signed under penalty of perjury.

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- (d) A receipt for the property is obtained from the owner upon delivery.

319.6.7 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Department may be asked to file an interpleader in court to resolve the disputed claim.

319.6.8 RELEASE AND DISPOSAL OF FIREARMS

A firearm may not be released until it has been verified through an ATF weapons check and that the person receiving the weapon is not prohibited from receiving or possessing the weapon by 18 USC § 922.

The Department shall make best efforts for a period of 90 days after the seizure of an abandoned or stolen firearm to protect the firearm from harm and return it to the lawful owner (Minn. Stat. § 609.5315 Subd. 7). At the expiration of such period, the firearm or other deadly weapon may be processed for disposal consistent with this policy.

319.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property and evidence technician shall request a disposition or status on all property that has been held in excess of 120 days and for which no disposition has been received from a supervisor or investigator.

319.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances.
- Animals, birds and equipment related to their care and containment that have been ordered forfeited by the court.
- Counterfeiting equipment.
- Gaming devices.
- Obscene matter ordered to be destroyed by the court.
- Altered vehicles or component parts.
- Controlled substances.
- Unclaimed, stolen or embezzled property.

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- Destructive devices.
- Perishable items.

Money found in gambling devices by any peace officer, other than a municipal police officer, shall be paid into the county treasury. Money found in gambling devices by a municipal police officer shall be paid into the treasury of the municipality (Minn. Stat. § 626.04 (b)).

319.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the money is presumed abandoned property and is reportable as specified in this policy (Minn. Stat. § 345.38 and Minn. Stat. § 345.75).

319.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Evidence Room Supervisor shall ensure that no biological evidence held by the 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 Investigation Division Supervisor

Biological evidence shall be retained for a minimum period established by law, the Evidence Room Supervisor or the expiration of any sentence imposed related to the evidence (Minn. Stat. § 590.10), 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 the 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 Investigation Division Supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Bulk evidence may be destroyed prior to these minimum retention periods only pursuant to a court order or if the Evidence Room Supervisor determines that such destruction is consistent with Minn. Stat. § 590.10 and the above notices have been made.

319.8 REPORT OF ABANDONED PROPERTY (MONEY)

The Investigation Unit supervisor shall complete an annual report of presumed abandoned property as described in law to the Commissioner of Commerce. The report is to cover the 12-month period ending June 30 each year and is to be filed before November 1 each year (Minn. Stat. § 345.41).

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Property and Evidence

319.9 INSPECTIONS OF THE EVIDENCE ROOM

On a monthly basis, the Investigation Unit supervisor shall inspect the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

- (a) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- (b) An annual audit of evidence held by the Department shall be conducted by a Division Commander who is not routinely or directly connected with evidence control, as assigned by the Chief of Police.
- (c) Whenever a change is made in personnel who have access to the Evidence Room, an inventory of all evidence/property shall be made by an individual(s) not associated with the Evidence Room or function to ensure that records are correct and all evidence property is accounted for.

Standards of Conduct

320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Inver Grove Heights 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.

320.1.1 STANDARDS OF CONDUCT FOR PEACE OFFICERS

The Inver Grove Heights Police Department adopts the Professional Conduct of Peace Officers model policy established and published by the Minnesota Board of Peace Officer Standards and Training Board (POST) (Minn. Stat. § 626.8457). This model policy applies to all peace officers of this department.

The provisions of this policy are in addition to collective bargaining agreements or any other applicable law.

The Department shall report to POST any data regarding the investigation and disposition of cases involving alleged misconduct of officers (Minn. Stat. § 626.8457, Subd. 3).

The Department shall maintain a policy identical or substantially similar to the Minnesota POST Board's Professional Conduct of Peace Officers (Standards of Conduct) Model Policy, approved July 24 2025, and shall update this policy as POST amends the model.

320.2 POLICY

The Inver Grove Heights Police Department takes all complaints seriously regarding the service provided by the members of our Department, so the continued employment or appointment of every member of the Department shall be based on conduct that reasonably conforms to the guidelines set forth herein.

The Department is committed to building legitimacy and trust through community engagement and partnerships, recognizing that effective policing depends on collaboration with those we serve.

The Department is further committed to transparency and accountability. To the extent permitted by the Minnesota Government Data Practices Act and other applicable laws, the Department will make information regarding sustained findings of misconduct available to the public in order to promote community trust.

A member's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the member's ability to perform official duties, that it may be indicative of unfitness for his/her position, or that brings discredit or harm to the professional image or reputation of the Department, its members, the City or the law enforcement profession.

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Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

Nothing in this section limits members' rights under applicable law or collective-bargaining agreements, including Garrity and Weingarten protections.

320.3.1 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 revoke 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 revoke 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 revoking the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

320.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Failure to promptly and specifically inform a member of his/her conduct if the conduct is a cause of action for discipline.

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- (d) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (e) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

320.4 GENERAL STANDARDS

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

320.5 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.

320.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City 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.

320.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Inver Grove Heights Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

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- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.
- (h) Retaliating, or threatening retaliation, against any person who in good faith reports misconduct, cooperates in an investigation, or raises a concern regarding compliance with law or policy.

320.5.3 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.

Members are expected to perform their duties in a manner that is free from bias, whether explicit or implicit. Members shall recognize the impact of implicit bias on decision-making and take steps to mitigate its influence to ensure equitable and impartial treatment of all individuals.

320.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this 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 and authorized by this department.
- (f) Make referrals to specific attorneys, bail bondsmen, towing services, or other businesses, or in other ways show a preference for any business while performing on-duty services.
- (g) Supporting or participating in the activities of a hate or extremist group (Minn. Stat. § 626.8436). Violation of this section may constitute grounds for POST Board licensure action under Minn. Stat. § 626.8436, in addition to any Department disciplinary action.

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320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.
- (e) Failure to report to work when receiving notification from a supervisor or a member acting under the direction of a supervisor.

320.5.6 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.
- (f) Allow any person to enter a police facility to sell goods or services, to offer them for sale, or to canvas or solicit for any purpose without authorization from Command Staff.
- (g) Misuse of electronic communications or social media platforms in a manner that discloses confidential or protected information, demeans or disparages the Department, its members, or the City, or otherwise undermines public trust in law enforcement. Members shall not represent themselves as speaking on behalf of the Department unless expressly authorized by the Chief of Police or designee.

Nothing in this section restricts constitutionally protected speech; however, speech is not protected when it discloses non-public data, impairs operational efficiency, or reasonably undermines public trust in the Department.

320.5.7 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

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assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to have an employee profile on file with the Department. The employee profile will include but not limited to relevant personal information: residential address, contact phone number, email address (non-work email address), height, weight, eye color, hair color.
- (f) Failure to notify the Department within five working days of any change in residence address or contact numbers.

320.5.8 DUTY OF CANDOR AND PERFORMANCE

Members shall act with honesty and integrity in all official matters. They shall provide complete, accurate, and truthful information in reports, statements, and testimony and during any administrative or criminal investigation. Dishonesty, omission of material facts, or misrepresentation constitutes misconduct and may result in discipline up to and including termination.

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination, report, form, or during the course of any work-related investigation.
- (b) Falsifying, misrepresenting, omitting, or destroying work-related records or entries, including department or public records, with the intent to deceive or without authorization.
- (c) Providing false, misleading, or incomplete information to a supervisor, investigator, or other person in a position of authority in connection with any official matter or department 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.
 - (a) Members have a duty of candor in all official matters, including but not limited to written reports, verbal statements, court testimony, administrative inquiries, and internal investigations. Members shall provide complete and truthful information at all times, regardless of whether the information reflects favorably or unfavorably upon the member or the Department.
- (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:

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1. While on department premises.
 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 3. 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:
1. Unauthorized attendance while on-duty at official legislative or political sessions.
 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

320.5.9 BRADY/GIGLIO DISCLOSURE OBLIGATIONS

Members shall promptly notify the Chief of Police in writing upon receiving any notice of potential Brady/Giglio impairment or credibility concern. Members shall cooperate fully with the Department and prosecuting authorities in fulfilling any disclosure requirements associated with criminal or administrative proceedings.

320.5.10 CONDUCT

- (a) Except while engaged in undercover operations, all employees shall identify themselves by name and/or badge number when on-duty upon request. Along with the reason for the traffic stop or detention, if applicable.
- (b) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities may result in criminal prosecution or discipline under this policy.
- (c) Failure of any member to promptly and fully report contact with any other law enforcement agency when the member has been identified as a suspect, been arrested, or issued a citation.
- (d) Use of unreasonable or unwarranted force against a person encountered or under arrest, or failure to comply with the Department's Use of Force policy and applicable laws.
 1. A member who intercedes or observes such conduct shall notify a supervisor as soon as practicable and no later than the end of the shift, or within 24 hours if off-duty, consistent with the Use of Force policy.
 - (a) Failure to intervene to stop unreasonable force or serious misconduct by another member when safe and feasible, or failure to promptly report such incidents to a supervisor.

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- (e) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (f) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (g) Engaging in horseplay that reasonably could result in injury or property damage.
- (h) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (i) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (j) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (k) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (l) 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.
- (m) While on-duty (unless required for the performance of official duties), be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This does not prohibit members from conducting walk-throughs of such establishments as part of their regularly assigned duties.
- (n) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.
- (o) 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.
- (p) 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.
- (q) Failure of any member to carry out their duties consistent with the principles of procedural justice: treating all individuals with dignity and respect, providing them with voice during interactions, ensuring decision-making is neutral and unbiased, and demonstrating transparency in actions.

320.5.11 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 good physical condition sufficient to adequately and safely perform law enforcement duties.

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- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.
- (i) Failure to maintain psychological fitness sufficient to adequately and safely perform law enforcement duties. Members whose condition may impair their ability to perform essential functions shall promptly notify a supervisor. The Department may require a fitness-for-duty evaluation, in accordance with law, when there is a reasonable belief that a member's condition may affect safety, performance, or judgment.
 - 1. The Department is committed to supporting member wellness and encourages voluntary use of peer support, counseling, and other resources. Members who proactively seek assistance will not be subject to discipline solely for requesting help.
- (j) Members shall not provide or participate in warrior-style training as defined in Minn. Stat. § 626.8434.

320.5.12 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated due to the member's use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Reporting for work or being at work 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.
- (c) 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.
- (d) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

320.6 RELIEF FROM DUTY AND RETURN TO DUTY

Members who are temporarily relieved from duty shall comply with the Fitness for Duty Policy before resuming work.

Failure to follow the requirements of these policies, including directives from the Chief of Police or designee regarding return-to-duty procedures, may result in disciplinary action in accordance with this policy and the Fitness for Duty Policy.

Information Technology Use

321.1 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.

321.1.1 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 Inver Grove Heights 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.

Cybersecurity incident - An action taken through the use of an information system or network that results in an actual or potentially adverse effect on an information system, network, or the information within (Minn. Stat. § 16E.36, Subd. 1).

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, 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 and firmware. 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.

321.2 POLICY

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

321.3 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the 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.

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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 a supervisor or during the course of regular duties that require such information.

321.4 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor. Passwords for accounts that access CJI are governed by the CJIS Access, Maintenance, and Security Policy.

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.

321.5 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Sergeants.

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.

321.5.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the 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

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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 part of the automated maintenance or update process of department- or City-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.

321.5.2 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 a supervisor.

321.5.3 INTERNET USE

Internet access provided by or through the Department shall be strictly 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.

Downloaded information from the internet shall be limited to messages, mail, and data files.

321.5.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

321.6 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

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email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes 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.

321.7 CYBERSECURITY INCIDENTS

The Chief of Police or the authorized designee shall report any cybersecurity incident that impacts the Department to the Minnesota Bureau of Criminal Apprehension within 72 hours after an incident has been identified (Minn. Stat. § 16E.36, Subd. 2).

Report Preparation

322.1 PURPOSE AND SCOPE

Report preparation is a major part of each employee's job. The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized and on-the-job training.

322.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficient for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty, unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

If any report is in need of correction, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who generate reports on computers are subject to all requirements of this policy. Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to make the report legible.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

322.1.2 STANDARDS FOR SUBMITTING A REPORT

Responsibilities for submitting a report include:

- (a) The incident is properly classified.
- (b) The disposition matches the status of the report/investigation.
- (c) Final report should be free of spelling, grammatical errors, obvious errors, or omissions.
 1. Supervisors may make recommendations as to the information that should be included or that is viewed as critical or necessary for the completeness of the report.
- (d) Reports contain the elements of a crime(s) and highlight evidence and the law to convey a picture of what has transpired.
- (e) Reports document the victim(s) provided a statement and it was recorded if applicable.
- (f) Reports involving an arrest, document the suspect(s) were given their Miranda Warning and questioned, and it was recorded if applicable.

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- (g) Statements at the end of the narrative stating:
 - 1. All evidence the submitting officer generated (statements, photos, BWC, MVR) is properly labeled and has been verified on storage location.
 - 2. All physical property and/or evidence recovered was placed in the evidence lockers and entered into the evidence tracking software.
 - (a) If physical property and/or evidence is related to a controlled substance crime, the investigations supervisor has been notified.
- (h) The officer has taken their investigation to its logical conclusion.

Officers must include in their reports adequate reference to all material evidence and facts which are reasonably believed to be exculpatory to any individual in the case. If an officer learns of potentially exculpatory information any time after submission of the case, the officer must notify the prosecutor as soon as practical.

Evidence or facts are considered material if there is a reasonable probability that they may impact the result of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. An officer who is uncertain whether evidence or facts are material should address the issue with a supervisor.

322.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate Department-approved form unless otherwise approved by a supervisor.

322.2.1 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) All incidents involving violations of crimes or ordinances motivated by bias (Minn. Stat. § 626.5531)
- (d) Non-felony incidents involving threats or stalking behavior
- (e) Situations covered by separate policy. These include:
 - 1. Use of Force Policy
 - 2. Domestic Abuse Policy
 - 3. Child Abuse Policy
 - 4. Adult Abuse Policy
 - 5. Hate or Prejudice Crimes Policy

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- (f) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

322.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

- (a) Any time an officer points a firearm at any person
- (b) Any use of force against any person by a member of this department (see the Use of Force Policy)
- (c) Any firearm discharge (see the Firearms Policy)
- (d) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy)
- (e) Any found property or found evidence
- (f) Any traffic collisions above the minimum reporting level (see the Traffic Collisions Policy)
- (g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy
- (h) All protective custody detentions
- (i) Suspicious incidents that may place the public or others at risk
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor
- (k) Any watercraft collision or accident, drowning death and/or general water accident should be reported on the appropriate Department of Natural Resource Form (Minn. Stat. § 86B.105(a))

322.2.3 DEATH REPORTS

Reports shall be completed by the handling employee. All deaths shall be handled in compliance with the Death Investigations Policy.

322.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

322.2.5 MISCELLANEOUS INJURIES

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

- (a) The injury is a result of a drug overdose.

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- (b) Attempted suicide.
- (c) The injury is major or serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

322.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

322.3.1 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

322.4 SUPERVISOR RESPONSIBILITIES

The supervisory review of reports is critical to maintaining complete and accurate records. Supervisors are responsible for reviewing reports for content and accuracy, tracking the investigations, and reports completed by officers. Incomplete reports, inaccurate reports, or if a correction is necessary, the reviewing supervisor will return the report to the originating employee for correction as soon as practicable. Acceptable reports are approved by a reviewing supervisor and forwarded to the appropriate unit: Patrol, Investigations, and/or Support Services.

322.4.1 REPORT REVIEWING STANDARD

Once a report has been submitted for review, supervisors are tasked with reviewing and routing responsibilities for that report. The following reviewing standards are to be used as a guide by all supervisors who review and route reports to ensure:

- (a) The incident is properly classified.
- (b) The disposition matches the status of the report/investigation.
- (c) Reports should be free of spelling and grammatical errors.
 1. A reviewing supervisor may not change the factual content of a report; however, for any in-custody report, a supervisor has the authority to make minor corrections such as grammar, spelling, dates, times, or names.
 2. If a report is not acceptable due to obvious errors or omissions or does not meet the established standards, it is to be returned to the submitting employee for the necessary corrections.
 3. A supervisor may make recommendations as to the information that should be included or that is viewed as critical or necessary for the completeness of the report.

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- (d) Reports contain the elements of a crime(s) and highlight evidence and the law to convey a picture of what has transpired.
- (e) Reports document the victim(s) provided a statement and it was recorded if applicable.
- (f) Reports involving an arrest, document the suspect(s) were given their Miranda Warning and questioned, and it was recorded if applicable.
- (g) Statements at the end of the narrative stating:
 - 1. All evidence the submitting officer generated (statements, photos, BWC, MVR) is properly labeled and has been verified on storage location
 - 2. All physical property and/or evidence recovered was placed in the evidence lockers and entered into the evidence tracking software.
 - (a) If physical property and/or evidence is related to a controlled substance crime, the investigations supervisor has been notified.
- (h) The submitting officer has taken their investigation to its logical conclusion.
- (i) If follow-up is needed, the report should identify and support the action of the submitting officer who has taken it as far as they can and further follow up is needed.

322.5 REPORT CHANGES OR ALTERATIONS

Reports that have been submitted and then approved by a supervisor for case management and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted for case management and distribution may be corrected or modified by the authoring employee prior to the approval by the reviewing supervisor.

322.6 FIREARM INJURY REPORTING FROM HEALTH PROFESSIONALS

Members receiving a report from a health professional of a bullet or gunshot wound, powder burns or any other injury arising from, or caused by, the discharge of any gun, pistol or any other firearm shall thoroughly investigate the facts surrounding the incident (Minn. Stat. § 626.52, Subd. 2; Minn. Stat. § 626.553, Subd. 1).

The Records shall ensure that the report received from the health professional is forwarded to the commissioner of the Department of Health (Minn. Stat. § 626.53, Subd. 2). If the injury resulted from a hunting incident, the Records shall ensure that the findings of the investigation are forwarded to the commissioner of the Department of Natural Resources using the form provided by the commissioner (Minn. Stat. § 626.553, Subd. 1).

Media Relations

323.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

323.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Shift Sergeants and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

323.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated Department media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

323.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Public Information Officer or other designated spokesperson.
- (c) No member of this department shall be required to submit to media visits or interviews without the consent of the involved employee.

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- (d) Media interviews with individuals who are in custody shall not be permitted unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Chief of Police and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through the Chief of Police or other designated spokesperson.

323.3.1 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. 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 should be contacted (14 CFR 91.137).

323.3.2 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

323.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Shift Sergeant. This log will consist of data classified as public and should generally contain the following information (Minn. Stat. § 13.82):

- (a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger

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the safety of any individual or jeopardize the successful completion of any ongoing investigation.

- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the Shift Sergeant. Such requests will generally be processed in accordance with the provisions of the Minnesota Government Data Practices Act (Minn. Stat. § 13.03).

323.4.1 STATE RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release Policy and the Personnel Records Policy). When in doubt, authorized and available legal counsel should be obtained.

Court Appearance and Subpoenas

324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Inver Grove Heights Police Department to ensure work absences related to court appearances are managed appropriately and that the Department remains informed of all relevant legal proceedings.

324.2 POLICY

Inver Grove Heights Police Department members are required to comply with all valid subpoenas and court-ordered appearances and shall follow established departmental procedures for notification, scheduling, and documentation.

324.3 SUBPOENAS

Only department members are authorized to receive a subpoena on behalf of this department or any of its members may do so (Minn. R. Civ. P.45.02; Minn. R. Crim. P. 22.03).

Court notices from prosecutors or other government attorneys may be served on Records staff or directly on the department member named in the notice. Members shall check for the delivery of such documents during each shift worked. All notices must be forwarded promptly to Records staff to ensure there are no conflicts with other scheduled court notices or department member availability.

Officers may occasionally receive multiple notices for the same date. In such cases, Records staff will coordinate with the respective attorney offices to resolve and establish a schedule for the member to follow.

Subpoenas in civil actions where neither the member nor the Department is a party shall not be accepted unless the appropriate witness fees have been properly tendered in accordance with applicable law (Minn. Stat. § 357.23; Minn. R. Civ. P. 45.03).

324.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member subpoenaed to testify, agreeing to testify, or providing information for any party other than the City Attorney or the prosecutor shall notify their immediate supervisor without delay if the matter involves:

- (a) Any civil case where the City 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.

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- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Inver Grove Heights Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Inver Grove Heights 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.

324.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, in accordance with any collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

The Department shall track and seek reimbursement for compensation when permitted under law.

324.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

324.3.4 OFFICER AVAILABILITY

Before notifying an officer of a court notice, Records staff shall review the officer's schedule to verify availability.

- (a) If the officer has scheduled benefit time off or training outside the Twin Cities seven-county metro area, Records staff will notify the respective attorney's office of the conflict. The attorney's office will be advised that the officer may not be available.
 - 1. Certain training may not exempt an officer from court appearance. If this occurs, the officer will be notified that attendance in court is still required.
- (b) Attorney offices may occasionally contact Records staff by email to request officer "availability dates" prior to issuing an official notice. Records staff will:
 - 1. Review the officer's schedule to identify any conflicts.
 - 2. Notify the attorney's office of any conflicts found.
 - 3. Forward the availability request email to the officer as a reminder until an official court notice is received.
- (c) If no scheduling conflicts are identified, the attorney's office will set the court date in coordination with the court calendar. Officers should be aware that:
 - 1. Official court notices may not be issued immediately after scheduling.

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2. Once a date is set on the court calendar, it may be difficult or impossible to change.

324.3.5 OFFICER NOTIFICATION

The department will notify Officers of court appearances via subpoena notification software and/or email.

If officers are contacted directly from the prosecuting attorney's office regarding changes to date and/or time, they must notify Records staff via email.

324.4 COURT CONTINUANCE OR CANCELLATION NOTIFICATIONS

(a) Department's Responsibility

1. Upon receiving notice of a continuance or cancellation, Records staff will promptly notify the affected officer(s) via email or other designated system.
2. Records staff shall document the date and time the notification was received from the attorney's office to ensure proper tracking for compensation or contractual purposes.

(b) Attorney's Office Responsibility

1. Prosecutors or attorney offices must notify the Department of any continuance or cancellation of a scheduled court appearance.
2. Notification should be provided by email or phone no later than **4:30 p.m. on the business day before the scheduled hearing.**
3. If late notification is unavoidable, every effort must be made to inform the Department as soon as possible.

324.4.1 COURT CANCELLATION CONTRACTUAL OBLIGATIONS

When an attorney's office notifies the department of any continuance or court cancellation after 4:30 p.m. of the business day **BEFORE** the hearing date court cancellation officers will be compensated in accordance with any current collective bargaining agreement.

324.5 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.

324.6 ON-CALL STATUS

Occasionally, an attorney's office will inquire if an officer can be put "on-call" for court. The department does not have an "on-call" status for off-duty officers. Off-duty officer(s) should appear on the date and time of the notice.

On-duty officers may be placed on standby only with supervisor approval..

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If an on-duty officer on standby changes their location during the day, the officer shall notify the designated department member of how they can be reached. On-duty officers are required to remain on standby until released by the court or the party that issued the subpoena.

324.7 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 business attire.
 - 1. Uniformed members shall wear the department uniform of the day when appearing in court on official business.
 - 2. Department members assigned to specialized units may choose to wear civilian attire.
 - i. Male members shall wear collared shirts with tie and slacks, or suits that are moderate in style.
 - ii. Female members shall wear shirts, blouses with slacks, dresses, or suits that are moderate in style.
- (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.

324.7.1 REPORTS AND EVIDENCE FOR COURT

Before the date of testifying, the subpoenaed member shall request a copy of the relevant reports and become familiar with the content in order to be prepared for court.

Members are required via email to notify Records staff (for reports) and the Evidence Specialist (for evidence) no later than five working days before the appearance. This will allow them to prepare the requested items.

324.8 OVERTIME APPEARANCES

When an officer appears in court during their off-duty time, they will be compensated in accordance with any current collective bargaining agreement. All overtime appearances must be documented through the Department's payroll system.

Outside Agency Assistance

325.1 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.

325.2 POLICY

It is the policy of the Inver Grove Heights 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.

325.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Sergeant's office for approval. Any such response to assist an outside agency may be considered for authorization regardless of whether an agreement for reciprocal aid under Minn. Stat. § 626.76, Subd. 1 exists. In some instances, a memorandum of understanding 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 Sergeant 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. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. 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.

325.3.1 AGREEMENTS

The Department may, at the discretion of the Chief of Police, establish an agreement with another law enforcement agency to (Minn. Stat. § 626.76, Subd.1):

- (a) Assist other peace officers in the line of their duty and within the course of their employment.
- (b) Exchange department peace officers with peace officers of another agency on a temporary basis.

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325.3.2 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 Inver Grove Heights Police Department shall notify his/her supervisor or the Shift Sergeant as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

325.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

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

325.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a incident report shall be documented in a general call notes or as directed by the Shift Sergeant.

325.6 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 Administrative Services Division Commander or the authorized designee.

The documentation should include:

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

Copies of the documentation should be provided to the Shift Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Manager should maintain documentation that the appropriate members have received the required training.

Registered Predatory Offender

326.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Inver Grove Heights 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 offenders.

326.2 POLICY

It is the policy of the Inver Grove Heights 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.

326.3 DEFINITIONS

Predatory Offender Registration and Community Notification: refers to the Minnesota law that requires certain predatory offenders to register with the Minnesota Department of Public Safety Predatory Offender Unit. The law also provides for community notification about certain adult predatory offenders who have been incarcerated by the Minnesota Department of Corrections (DOC) or confined by the Minnesota Department of Human Services (DHS).

Offender Risk Levels: the level of notification is governed by the level of risk assigned by the DOC.

- Level 1 – low risk of re-offending
- Level 2 – moderate risk of re-offending
- Level 3 – high risk of re-offending

***NOTE:** Some offenders who are required to register as predatory offenders are not assigned a risk level because their sentence was completed before predatory offender legislation or because they have not spent time in state or federal prison. These offenders are not subject to community notification.

326.4 REGISTRATION

The Investigation Unit supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Bureau of Criminal Apprehension (BCA) in accordance with Minn. Stat. § 243.166 within three days of the registration. Registration and updated information from

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a person who lacks a primary residence shall be forwarded within two business days. Updated primary address information from any registered predatory offender shall also be forwarded within two business days (Minn. Stat. § 243.166).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

326.4.1 NOTIFICATION TO REGISTRANTS

The registration process established by the Investigation Unit supervisor should include procedures for determining whether an individual requires notification of his/her requirement to register because the individual was not otherwise notified of the requirement by the sentencing court or assigned a corrections agent (Minn. Stat. § 243.166).

326.4.2 REGISTRATION PROCESS

When an offender arrives to register with this department, the assigned investigator should:

- (a) Determine in what state the offense was committed.
- (b) Confirm the individual is required to register by reviewing the list of Minnesota offenses on the BCA's Predatory Offender Registration website or in the BCA Predatory Offender Registration (POR) Manual that is available on the BCA's secure website.
- (c) If a person is required to register, search the BCA's secure website to verify whether the offender is already registered and a DNA sample has been submitted.
- (d) If the offender is already registered, complete a Change of Information Form (available on the BCA's secure website).
- (e) If the offender is not registered, complete a POR Form (available at BCA's secure website).
- (f) If the offender is from another state, contact the state (information for each state is listed on the BCA's website) and request a copy of the offender's original registration form, criminal complaint and sentencing documents.
 1. Documents obtained should be submitted to the BCA with a registration form.
 2. The BCA will determine if registration is required and inform the department and the offender.

Additional information regarding offender registration is available in the POR Manual or by contacting the Predatory Offender Unit by phone or through the BCA secure website.

326.4.3 GUIDELINES AND FORMS

The registration process shall be in accordance with Minn. Stat. § 243.166 and follow the guidelines implemented by the BCA. Forms used in the registration process are available from the secure website operated by the BCA.

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326.5 MONITORING OF REGISTERED OFFENDERS

The Investigation Unit supervisor should establish a system to periodically, and at least once quarterly, 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 BCA secure website or the Department of Corrections Offender Information (DOC) website.
- (c) Direct contact with the registrant.
- (d) Contact with a registrant's parole or probation officer, if any.

Any discrepancies should be reported to BCA in writing.

The Investigation Unit supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Inver Grove Heights Police Department personnel who have a need to know, including timely updates regarding new or relocated registrants.

326.6 DISSEMINATION OF PUBLIC INFORMATION

Members will not make a public notification advising the community of a particular registrant's presence in the community without permission from the Chief of Police. Members who believe notification is appropriate 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 based on statutory requirements, with the assistance of legal counsel as necessary, whether such a public alert should be made.

The Records Manager or designee shall release local registered offender information to residents in accordance with state law (Minn. Stat. § 244.052; Minn. Stat. § 243.166, Subd. 7; Minn. Stat. § 13.01 et seq.) and in compliance with a Minnesota Government Data Practices Act request.

326.6.1 MANDATORY DISSEMINATION

The Department shall provide and release predatory offender data, or updated data, obtained from the DOC based upon the offender's status of a Level 1, 2, or 3.

The Department shall continue to disclose data on an offender as required by law for as long as the offender is required to register under Minn. Stat. § 243.166.

Disclosure to the health care facility, home care provider, or hospice provider of the status of any registered predatory offender under Minn. Stat. § 243.166 who is receiving care shall be made by this department (Minn. Stat. § 244.052, Subd. 4c).

The Department shall provide an offender's change of status to the entities and individuals who were initially notified if the Department becomes aware that the area where notification was made is no longer where the offender resides, is employed, or is regularly found (Minn. Stat. § 244.052, Subd. 4).

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326.6.1 LEVEL 1 DISCLOSURE

Data maintained by law enforcement may be subject to limited disclosure (Minn. Stat. § 244.052, Subd. 4) (refer to the DOC document “Confidential Fact Sheet - For Law Enforcement Agency Use Only” or other DOC guidance):

- (a) Mandatory disclosure:
 - 1. Victims who have requested disclosure
 - 2. Adult members of the offender's immediate household
- (b) Discretionary disclosure:
 - 1. Other witnesses or victims
 - 2. Other law enforcement agencies

326.6.2 LEVEL 2 DISCLOSURE

Data is subject to limited disclosure for the purpose of securing institutions and protecting individuals in their care while they are on or near the premises of the institution (Minn. Stat. § 244.052, Subd. 4) (refer to DOC document "Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota - Risk Level 2" or other DOC guidance):

- (a) In addition to Level 1 disclosure, the Department may disclose data to:
 - 1. Staff members of public and private educational institutions, day care establishments, and establishments that primarily serve individuals likely to be victimized by the offender.
 - 2. Individuals likely to be victimized by the offender.
- (b) Discretionary notification must be based on the offender's pattern of offending or victim preference as documented by the DOC or the Minnesota Department of Human Services (DHS), or Direct Care and Treatment.

326.6.3 LEVEL 3 DISCLOSURE

Data is subject to disclosure not only to safeguard facilities and protect the individuals they serve but also to protect the community as a whole (Minn. Stat. § 244.052, Subd. 4) (refer to the DOC document “Law Enforcement Agency Fact Sheet - Notification of Release in Minnesota” or other DOC guidance):

- (a) The Department shall disclose information to the persons and entities provided for Level 1 and 2 disclosures.
- (b) The Department shall disclose data to other members of the community that the offender is likely to encounter unless public safety would be compromised by the disclosure or a more limited disclosure is necessary to protect the identity of the victim.
- (c) A good faith effort must be made to complete the disclosure within 14 days of receiving a confirmed address from the DOC.
- (d) The process of notification is determined by this department. The DOC has recommended that the community be invited to a public meeting and disclose the

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necessary data. Assistance is available from the DOC Risk Assessment/Community Notification (RA/CN) Unit.

Data disclosed to the public of a Level 3 predatory offender shall be forwarded to the DOC within two days of the department's determination to disclose (Minn. Stat. § 244.052, Subd. 4(g)).

326.6.4 HEALTH CARE FACILITY NOTIFICATION

Upon notice that a registered predatory offender is planning to be in this jurisdiction or has been admitted to a health care facility, home care provider, or hospice provider in this jurisdiction, this department shall provide a fact sheet to the facility administrator with the following data (Minn. Stat. § 243.166, Subd. 4b) (refer to the DOC documents, "Law Enforcement Agency Fact Sheet Health Care Facility Notification Data on a Registered Offender Not For Distribution to Facility Residents" and "Law Enforcement Agency Fact Sheet Health Care Facility Notification Data on a Registered Offender For Distribution to Facility Residents" or other DOC guidance):

- (a) Name and physical description of the offender
- (b) Offender's conviction history, including the dates of conviction
- (c) Risk level assigned to the offender, if any
- (d) Profile of likely victims

326.6.5 SPECIALIZED NOTIFICATION

Offenders from other states and offenders released from federal facilities are also subject to notification (Minn. Stat. § 244.052, Subd. 3a):

- (a) If this department learns that a person under its jurisdiction is subject to registration and desires consultation on whether the person is eligible for notification, the Department must contact the DOC. The DOC will review the governing law of the other state and, if comparable to Minnesota requirements, inform this department whether to proceed with community notification in accordance with the level assigned by the other state.
- (b) If the DOC determines that the governing law in the other state is not comparable, community notification by this department may be made consistent with that authorized for risk Level 2.
- (c) If this department believes that a risk level assessment is needed, the Department may request an end-of-confinement review. The Department shall provide to the DOC the necessary documents required to assess a person for a risk level.

326.6.6 VICTIM NOTIFICATION

If a predatory offender resides, expects to reside, is employed or is regularly found in this jurisdiction, the Department shall provide victims who have requested notification with data that is relevant and necessary to protect the victim. Information disclosed should be obtained from the risk assessment report provided by DOC (Minn. § Stat. 244.052, Subd. 3).

The DOC will provide victim contact data to this department when there is a victim who has requested notification (refer to the DOC document "Victim Data Confidential for Law Enforcement Agency Use Only").

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It may be appropriate for members of the Department to directly contact the victim. Community victim advocacy or prosecutor resources may also be available to assist with locating and notifying a victim. Assistance is also available from the DOC victim services staff.

Members of the Department may contact other victims, witnesses and other individuals who are likely to be victimized by the offender.

326.6.7 HOMELESS NOTIFICATION PROCESS

If public notice (Level 2 or 3) is required on a registered homeless offender, that notice should be as specific as possible. These offenders are required to check in weekly with local law enforcement, unless an alternative reporting procedure is approved by the Investigation Unit supervisor (Minn. Stat. § 243.166, Subd. 3a).

326.6.8 LIMITATIONS OF RELEASE OF DATA

Disclosures permitted or required for Level 2 or 3 offenders shall not be made if the offender is placed or resides in a DOC-licensed residential facility. Upon notification that the offender is released to a permanent address, the disclosures permitted or required by law shall be made (Minn. Stat. § 244.052, Subd. 4). Data regarding the victim or witnesses shall not be disclosed (Minn. Stat. § 244.052, Subd. 4(e)).

The broadest disclosures authorized under Minn. Stat. § 244.052, Subd. 4 may still be made for certain offenders (sexually dangerous persons or persons with a sexual psychopathic personality) even though still residing in a residential facility (Minn. Stat. § 253D.32, Subd. 1).

326.7 DISCLOSURE TO LOCAL WELFARE AGENCY

Upon request, members may disclose the status of an individual as a predatory offender to a child protection worker who is conducting an assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs under Chapter 260E (Minn. Stat. § 243.166).

Major Incident Notification

327.1 PURPOSE AND SCOPE

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

327.2 POLICY

The Inver Grove Heights 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.

327.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides.
- Traffic collisions with fatalities.
- Officer-involved shooting, whether on- or off-duty (See Officer-Involved Shootings and Deaths Policy for special notifications).
- Significant injury or death to an employee, whether on- or off-duty.
- Death of a prominent Inver Grove Heights official.
- Arrest of Department employee or prominent Inver Grove Heights official.
- Aircraft crash with major damage and/or injury or death.
- In-custody deaths.
- Any other incident, which has or is likely to attract significant media attention.

327.4 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant is responsible for making the appropriate notifications. The Shift Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Shift Sergeant shall attempt to make the notifications as soon as practicable. Notification should be made by using the call notification protocol posted in the Dispatch Center.

327.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification, the Chief of Police shall be notified along with the affected Division Commander and the Investigation Unit Division Commander if that division is providing assistance.

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327.4.2 INVESTIGATIONS NOTIFICATION

If the incident requires that an officer or investigator respond from home, the immediate supervisor of the appropriate detail shall be contacted.

327.4.3 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

Death Investigation

328.1 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 appeared to be initially. The thoroughness of death investigations and the use of appropriate resources and evidence gathering techniques is critical.

328.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases unless the death is obvious (e.g., decapitated or decomposed). A supervisor shall be notified in all death investigations.

328.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes, including, but not limited to (Minn. Stat. § 390.11):

- (a) Unnatural deaths, including violent deaths arising from homicide, suicide or accident.
- (b) Deaths due to a fire or associated with burns or chemical, electrical or radiation injury.
- (c) Unexplained or unexpected perinatal and postpartum maternal deaths.
- (d) Deaths under suspicious, unusual or unexpected circumstances.
- (e) Deaths of persons whose bodies are to be cremated or otherwise disposed of so that the bodies will later be unavailable for examination.
- (f) Deaths of inmates of public institutions and persons in custody of law enforcement officers who have not been hospitalized primarily for organic disease.
- (g) Deaths that occur during, in association with or as the result of diagnostic, therapeutic or anesthetic procedures.
- (h) Deaths due to culpable neglect.
- (i) Stillbirths of 20 weeks or longer gestation unattended by a physician.
- (j) Sudden deaths of persons not affected by recognizable disease.
- (k) Unexpected deaths of persons notwithstanding a history of underlying disease.
- (l) Deaths in which a fracture of a major bone, such as a femur, humerus or tibia, has occurred within the past six months.
- (m) Deaths unattended by a physician occurring outside of a licensed health care facility or licensed residential hospice program.
- (n) Deaths of persons not seen by their physician within 120 days of demise.

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- (o) Deaths of persons occurring in an emergency department.
- (p) Stillbirths or deaths of newborn infants in which there has been maternal use of or exposure to unprescribed controlled substances, including street drugs, or in which there is a history or evidence of maternal trauma.
- (q) Unexpected deaths of children.
- (r) Solid organ donors.
- (s) Unidentified bodies.
- (t) Skeletonized remains.
- (u) Unexpected deaths occurring within 24 hours of arrival at a health care facility.
- (v) Deaths associated with the decedent's employment.
- (w) Deaths of non-registered hospice patients or patients in non-licensed hospice programs.
- (x) Deaths attributable to acts of terrorism.

328.2.2 SEARCHING DEAD BODIES

The Medical Examiner or his/her assistants and authorized investigators are generally the only persons permitted to move, handle or search a dead body (Minn. Stat. § 390.221).

An officer shall make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for information identifying the individual as an organ donor or as an individual who made a refusal. If a donor document is located, the Medical Examiner shall be promptly notified (Minn. Stat. § 525A.12).

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, the investigating officer shall first obtain verbal consent from the Medical Examiner.

The Medical Examiner is required to release property or articles to law enforcement that are necessary for conducting an investigation unless reasonable basis exists pursuant to Minn. Stat. § 390.225 Subd. 2 to not release the property or articles (Minn. Stat. § 390.221).

Whenever reasonably possible, a witness, preferably a relative of the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer, pending the arrival of the Medical Examiner.

The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

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328.2.3 DEATH NOTIFICATION

When practicable, and if not handled by the Medical Examiner, notification to the next-of-kin of the deceased person shall be made, in person, by the 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 the relatives live outside this county, the Medical Examiner may be requested to make the notification. The Medical Examiner needs to know if notification has been made. Assigned investigators may need to talk to the next-of-kin.

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 the location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained (Minn. Stat. § 390.25 Subd. 2 (b)).

This department shall immediately notify the state fire marshal or Inver Grove Heights's chief officer (if that position exists) when a human death results from a fire, (Minn. Stat. § 299F.04 Subd. 5 (b)).

328.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner will issue a "John Doe" or "Jane Doe" number for the report.

328.2.5 UNIDENTIFIED BODIES DATA ENTRY

As soon as reasonably possible, but no later than 30 working days after the date a death is reported to the Department, any information or items pertaining to identifying features of the unidentified body, dental records, fingerprints, any unusual physical characteristics, description of clothing or personal belongings found on or with the body, that are in the possession of IGH PD shall be forwarded to the Medical Examiner for transmission to the BCA for eventual entry into systems designed to assist in the identification process, such as the Missing Children and Missing Persons Information Clearinghouse and the National Crime Information Center (NCIC) files (Minn. Stat. § 390.25 Subd. 2 (a)).

328.2.6 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

328.2.7 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 and the Division shall be notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

If the on-scene supervisor, through consultation with the Investigation Unit supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

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The investigator of a homicide or suspicious-circumstances death may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests and provide a report with the costs borne by the Department (Minn. Stat. § 390.251).

328.2.8 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment, should ensure that the nearest office of the Minnesota Department of Labor and Industry is notified with all pertinent information.

Identity Theft

329.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

329.2 REPORTING

- (a) A report shall be taken any time a person living within the jurisdiction of the Inver Grove Heights Police Department reports that he/she has been a victim of identity theft (Minn. Stat. § 609.527, Subd. 5). This includes:
 - 1. Taking a report even if the location of the crime is outside the jurisdiction of this department or has not been determined.
 - 2. Providing the victim with department information, as set forth in the Victim and Witness Assistance Policy. Officers should encourage the individual to review the material, and assist with any questions.
- (b) A report should also be taken if a person living outside the 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 Inver Grove Heights to facilitate the crime).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and the Department of Public Safety's Driver and Vehicle Services Division) with all known report numbers.
- (e) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

329.3 PREVENTATIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report as allowed by law (Minn. Stat. § 13C.016 Subd. 2). A victim may also access the Minnesota Attorney General's office for additional detailed information.

329.4 VICTIM DATA

The victim may be provided the Consent to Create an FBI Identity Theft File Form and a Notice About Providing Your Social Security Number. These completed forms should be submitted to the Records for appropriate filing and entry into the NCIC Identity Theft File. Forms and details are available on the Bureau of Criminal Apprehension identity theft website.

329.5 INFORMATION

The victim should also be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption

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Deterrence Act. The victim can contact the FTC online or by telephone. Additional information may be found at the U.S. Department of Justice (USDOJ) website.

Private Persons Arrests

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Minn. Stat. § 629.30 Subd. 2 (4).

330.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

All officers shall advise civilians of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all situations, officers should use sound discretion in determining whether to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.
- (c) Private individuals shall be informed of the requirement to take the arrested person before a judge or to a peace officer without unnecessary delay (Minn. Stat. § 629.39).

330.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances (Minn. Stat. § 629.37):

- (a) For a public offense committed or attempted in his/her presence.
- (b) When the person arrested has committed a felony, although not in his/her presence.
- (c) When a felony has been committed and he/she has reasonable cause for believing the person to be arrested committed the felony.
- (d) When directed by a judge or a peace officer to arrest another person (Minn. Stat. § 629.403).

330.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether there is reasonable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

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1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
 2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking.
 - (a) In cases involving juveniles, officers are to notify the parent or guardian and release the juvenile to them if detention is not warranted.
 2. Release the individual upon a misdemeanor citation or pending formal charges.

330.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a Department Private Person's Arrest Form ([See attachment: Private Persons Arrest Form.pdf](#)). If the person fails or refuses to do so the arrest subject shall be released unless the officer has an independent reason to take the person into custody.

In addition to the Private Person's Arrest Form (and any other related documents, such as citations and booking forms), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

330.5.1 STATEMENTS

In all circumstances in which a private person is claiming to have made an arrest, the private person must provide a statement of their reasoning/cause for the arrest. If the person fails or refuses to do so the arrest subject shall be released unless the officer has an independent reason to take the person into custody.

The officer shall obtain either a Mirandized statement, or a non-custodial statement from the suspect.

In cases involving juveniles, parents must be notified prior to the juveniles' statement if the juvenile does not understand the Miranda Warning or has requested their parents be present.

Limited English Proficiency Services

331.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals who have limited English proficiency (LEP) and ensures compliance with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Justice Limited English Proficiency (LEP) Guidance (67 Fed. Reg. 41455). These authorities require law-enforcement agencies receiving federal financial assistance to take reasonable steps to provide meaningful access to programs, services, and activities for LEP individuals.

This policy also fulfills the requirements of Minn. Stat. §§ 611.31 – 611.33, which govern access to qualified interpreters for persons disabled in communication.

331.1.1 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 proficient (LEP) - 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 be 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. This includes individuals who, because of difficulty in speaking or comprehending the English language, cannot fully understand any charges made against them, the seizure of their property, or they are incapable of presenting or assisting in the presentation of a defense (Minn. Stat. § 611.31).

Primary Language (Source Language) - An individual's native tongue or the language in which an individual most effectively communicates. Department personnel should avoid assumptions about an individual's primary language.

Qualified bilingual member - A member of the Inver Grove Heights 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).

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331.2 POLICY

It is the policy of the Inver Grove Heights 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.

331.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Patrol Division Commander or the authorized designee.

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

- (a) Coordinating and implementing all aspects of the Inver Grove Heights 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 Sergeant and Dispatch Supervisor. The list should include information regarding the following:
 1. Languages spoken
 2. Contact information
 3. Availability
- (d) Ensuring signage stating that interpreters and document translation services are available free of charge to LEP individuals is posted in the department's front lobby 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 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 the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.

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- (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.
- (k) Should there be a need for an item of evidence to be translated such as; a note/letter, or other document translated for an investigation, a request should be forwarded to the LEP Coordinator, with a copy of the original note, letter or other documents to be translated. The request should indicate if the translation is needed immediately; otherwise, the request should specify the date required.

331.4 FOUR-FACTOR ANALYSIS

Since 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 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 the Department or a particular geographic area.
- (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.

331.5 TYPES OF LEP ASSISTANCE AVAILABLE

Inver Grove Heights 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.

In the case of illiteracy or languages into which written materials have not been translated, such forms and documents will be read to LEP individuals in their primary languages.

[Inver Grove Heights PD Procedures Manual: 301.2 INTERPRETATION SERVICES FOR LEP INDIVIDUALS PROCEDURE](#)

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331.6 WRITTEN FORMS AND GUIDELINES

- (a) 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.
- (b) Any document the department has may be translated for any LEP individual.
 - 1. LEP individuals wishing to have documents translated into their native language may do by contacting the department's LEP Coordinator.
 - 2. The LEP Coordinator will be responsible for having documents translated and distributed to LEP individuals.
- (c) Requests by department personnel for document translation: Although the LEP Coordinator shall be the central conduit for document translation, all Department personnel shall have access to this service through the following procedures.
 - 1. Should department personnel identify a need for a specific department document to be translated; a request should be forwarded to the LEP Coordinator. The LEP Coordinator will review the request and confirm no similar document has already been translated, and then process the request through the appropriate vendor.

331.7 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.

331.8 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 City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

Qualified bilingual members who have been approved by the Department may serve as "qualified interpreters" under Minn. Stat. § 611.32 when assisting LEP individuals during law-enforcement procedures.

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331.9 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 used by the Department are considered qualified interpreters under Minn. Stat. § 611.32 when they meet department screening and ethical standards. Authorized interpreters must maintain neutrality, confidentiality, and impartiality at all times and shall not independently question an LEP individual or provide advice beyond their role as a language conduit.

Department members utilizing an authorized interpreter should document the interpreter's name, service provider, or identification number in any related report or recording, consistent with Policy § 331.14.1 (Other Timing and Notification Mandates).

331.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may utilize several sources of authorized interpreters who meet the qualifications established by this policy and the requirements of Minn. Stat. § 611.32. These interpreters are considered qualified to assist LEP individuals in accordance with departmental standards.

Members may use these interpreter services with the approval of a supervisor and in compliance with established procedures.

Authorized interpreter sources may include:

- (a) Contracted interpreter services that provide certified in-person, video, or telephonic interpretation.
- (b) Qualified bilingual members of this Department or personnel from other City departments who have demonstrated the requisite skills and competence.
- (c) Interpreters employed exclusively to perform interpretation services.
- (d) Court-certified or contracted in-person interpreters, including state or federal court interpreters, as appropriate.
- (e) Interpreters from allied agencies who have been qualified under this Department's standards and with whom the Department maintains a resource-sharing or cooperative agreement.

All interpreters used under this section shall adhere to the neutrality, confidentiality, and impartiality standards described in section 331.14.1 Other Timing and Notification Mandates and shall not independently question an LEP individual.

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331.9.2 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 and have been approved by the Department to communicate with LEP individuals.

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. Use of family members, friends, or bystanders should be limited to exigent circumstances or very informal, non-confrontational situations, and only to obtain basic information necessary for safety or initial understanding.

Children shall not be used as interpreters except in true emergencies when no other viable options exist.

When such individuals are used, the officer shall document the identity, relationship, and circumstances of the person providing interpretation in the related report, consistent with section 331.14.1 Other Timing and Notification Mandates.

All community volunteers or temporary interpreters must adhere to the Department's standards of confidentiality, accuracy, and neutrality and shall not independently question an LEP individual or provide personal opinions during interpretation.

331.10 CONTACT AND REPORTING

While 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, and interpretation or translation services were provided to any involved LEP individual, such services should be noted in the related report. Documentation should include:

- (a) The interpreter's name, service provider, or identification number (if applicable).
- (b) The type of interpretation used (e.g., in-person, telephonic, bilingual department member, or temporary interpreter).
- (c) The circumstances or reason if a family member, friend, bystander, or other temporary interpreter was used prior to obtaining a qualified interpreter.

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This documentation requirement applies to all contacts involving interpretation or translation, including field interactions, custodial interviews, and written or recorded statements, consistent with section 331.14.1 Other Timing and Notification Mandates.

Accurate documentation ensures transparency, compliance with Minn. Stat. § 611.32, and adherence to Title VI of the Civil Rights Act of 1964 by demonstrating that LEP individuals received meaningful access to services and due process.

331.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Inver Grove Heights 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.

331.11.1 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 the Dispatch Center, 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.

While 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.

331.12 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.

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

331.13 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.

Under no circumstances will an interpreter independently question an LEP individual. The interpreter's role is to serve as a neutral third party, taking care not to insert his or her perspective into the communication between the parties.

331.14 QUALIFIED INTERPRETER REQUIREMENTS AND TIMING

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none are 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 admissible as evidence, interrogations should be audio or video-recorded whenever reasonably possible. See also the Investigation and Prosecution Policy for additional guidance on recording custodial interrogations.

Under no circumstances will an interpreter independently question an LEP individual. The interpreter's role is to serve as a neutral third party, taking care not to insert personal perspective into the communication between the parties.

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These procedures ensure meaningful access to rights and processes consistent with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Justice Limited English Proficiency Guidance (67 Fed. Reg. 41455).

331.14.1 OTHER TIMING AND NOTIFICATION MANDATES

When a person disabled in communication (including an individual with limited English proficiency) is apprehended or arrested, officers shall make necessary contact to obtain a qualified interpreter at the earliest possible time at the place of detention.

The interpreter shall assist the individual in understanding:

- (a) All charges filed against the person;
- (b) All procedures relating to the person's detainment and release;
- (c) Any medical needs or requests; and
- (d) In the case of any property seizure under the Asset Forfeiture Policy:(d)
 1. The possible consequences of the seizure; and
 2. The person's right to judicial review.

A qualified interpreter may include:

- (a) A certified or contracted interpreter service;
- (b) A bilingual department member who demonstrates sufficient fluency and comprehension in both languages; or
- (c) Another interpreter authorized under department procedures.

Contracted interpreter services and department members acting as interpreters must ensure accuracy, impartiality, and confidentiality consistent with Minnesota law, departmental policy, and Title VI LEP guidance.

When a qualified interpreter is not immediately available and exigent circumstances exist—such as when communication is necessary to ensure safety, secure evidence, or facilitate an arrest—an officer may temporarily rely on a bilingual witness, family member, or bystander for limited, non-incriminating communication. Such use should cease once a qualified interpreter becomes available. The officer shall document in the report the identity, relationship, and circumstances of any person who provided interpretation.

Prior to conducting any recorded or written custodial interview, officers shall ensure a qualified interpreter is available throughout the process. The officer shall document in the report or on the recording the interpreter's name, service provider, or identification number.

Officers are not required to administer or record a statutory oath unless specifically directed by a prosecutor or court.

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331.15 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, 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.

331.16 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 an 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.

331.17 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.

331.18 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:

- (a) How to identify when language assistance is needed.
- (b) How to access department-authorized telephonic, in-person, and video interpreters.
- (c) The proper use of qualified bilingual members, authorized interpreters, and temporary interpreters.
- (d) Documentation and reporting requirements consistent with section 331.14.1 Other Timing and Notification Mandates.

Training will also emphasize the Department's obligations under Title VI of the Civil Rights Act of 1964, the U.S. Department of Justice Limited English Proficiency Guidance (67 Fed. Reg. 41455), and applicable state law, including Minn. Stat. § 611.32, to ensure LEP individuals have meaningful access to rights, services, and due process.

The Training Manager shall coordinate and document all LEP-related training, including initial instruction and periodic refresher training. Training records shall be maintained in accordance with

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established records-retention schedules and be available for review by the LEP Coordinator and command staff to ensure compliance with federal and state requirements.

The LEP Coordinator and Training Manager shall periodically review LEP training materials and related documentation to confirm continued alignment with federal law, state statute, and recognized best practices for law-enforcement language-access programs.

331.18.1 TRAINING FOR AUTHORIZED INTERPRETERS OR BILINGUAL MEMBERS

Members who have been identified or approved by the Department to provide limited interpretation or bilingual assistance shall receive appropriate guidance or orientation on their responsibilities, including confidentiality, neutrality, and ethical considerations.

When feasible, the Department may provide periodic refresher information or briefings for these members to ensure continued familiarity with LEP procedures and best practices.

The Training Manager shall document any such briefings or guidance and maintain records in accordance with established training-documentation standards.

Because the Department primarily relies on contracted interpreter services for certified language assistance, no separate interpreter-certification training program is required at this time.

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332.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to Inver Grove Heights Police Department services, programs, and activities for persons with disabilities, in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities. See the Service Animals Policy for guidance on protecting the rights of individuals who use service animals in accordance with the ADA.

332.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The member designated by the Chief of Police to coordinate the department's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used by persons with disabilities to facilitate their participation in services, programs, and activities offered by the Inver Grove Heights Police Department and to facilitate effective communication. 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; a qualified reader; or a qualified interpreter.

Disability - A physical or mental impairment that substantially limits a major life activity including hearing, seeing, or speaking, regardless of whether the person uses assistive devices, auxiliary aids, and services. This includes those who, because of a hearing, speech, or other communication disorder, cannot fully understand any charges made against them or the seizure of their property, or they are incapable of presenting or assisting in the presentation of a defense (Minn. Stat. § 611.31). Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of department buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders a department service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to services, programs, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

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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.

332.2 POLICY

It is the policy of the Inver Grove Heights Police Department that persons with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to services, programs, and activities of the Department.

The Department will not discriminate against or deny any individual access to services, programs, or activities based upon the presence or suspected presence of disabilities.

332.3 ADA COORDINATOR RESPONSIBILITIES

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Collaborating with the City ADA coordinator regarding the Inver Grove Heights Police Department's efforts to provide equal access to services, programs, and activities.
 - 1. Maintaining department compliance with accessibility standards for department web content and mobile applications as required by 28 CFR 35 Subpart H (28 CFR 35.200).
- (b) Collaborating with the City ADA coordinator to facilitate a process of periodic self-evaluation. The process should include:
 - 1. Inspection of current department facilities to identify access issues.
 - 2. Review of current department services, activities, and programs for access issues.
 - 3. Assessment and update, if necessary, of current compliance measures.
 - 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
 - 5. Review of the department's emergency programs, services, and activities as they apply to persons with disabilities.
 - 6. Recommendation of a schedule to implement needed improvements.
 - 7. Providing notice to the public regarding the rights and protections afforded by the ADA. This may include posters, published notices, handbooks, manuals, and pamphlets describing department services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications (28 CFR 35.106).
 - 8. Collaborating with other city departments during the planning process to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
 - 9. Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding

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discrimination in access to services, programs, and activities. The complaint procedures should include an appeal process (28 CFR 35.107).

- (c) Acting as a liaison with local disability advocacy groups or other disability-focused groups regarding access to department services, programs, and activities.
- (d) Developing procedures that will enable members to access assistive devices, auxiliary aids, and services, and making the procedures available as appropriate.
 - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to members.
- (e) Developing procedures for the review and processing of requests for modifications that will help members provide persons with disabilities access to department services, programs, and activities, as appropriate.
- (f) Establishing procedures for the booking process to assist members with managing commonly encountered disabilities such as sight or mobility impairments and intellectual or developmental disabilities.
- (g) Verifying that third parties providing department services, programs, or activities through contract, outsourcing, licensing, or other arrangement have established reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (h) Recommending amendments to this policy as needed.

332.4 SERVICE, PROGRAM OR ACTIVITY MODIFICATION REQUESTS

The goal of any modification should be to allow a person with a disability to participate in a service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, members should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Members should not ask about the nature and extent of a person's disability but should limit questions to elicit information necessary to determine the need for a modification and the appropriate type of modification.

If the requested modification or an alternative modification can reasonably be made at the time of the request, the member should make the modification. A member who is unable to accommodate a request or unsure about whether a request should be accommodated should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

332.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

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- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
 - 1. A substantial alteration of the service, program, or activity.
 - 2. An undue financial or administrative burden on the Department. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
 - 3. A threat to or the destruction of the historic significance of a historic property.
 - 4. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with department members and the person requesting the modification to determine if an alternative modification is available.
- (c) Where new construction or physical modification of an existing building or facility would be unfeasible or unduly burdensome, the ADA coordinator should work with department members to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
 - 1. Reassigning services, programs, or activities to accessible buildings or facilities.
 - 2. Utilizing technology, equipment, rolling stock, or other conveyances.
 - 3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
 - 4. Any other means or methods that would make services, programs, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the service, program, or activity will not be made (28 CFR 35.150).

332.4.2 PERSONAL DEVICES AND ASSISTANCE

Although members should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

332.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications (28 CFR 35.130(f)).

332.5 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Members should remain alert to the possibility of communication problems when engaging with persons with disabilities. When a member knows or suspects an individual requires assistance to effectively communicate, the member should identify the individual's choice of assistive devices, auxiliary aids, and services. The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

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Factors to consider when determining whether an alternative method may be 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 modification reasonably appears effective under the circumstances. This may include 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. Once the emergency has ended, the method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

[Inver Grove Heights PD Procedures Manual: 302 ADA Compliance Procedures](#)

332.5.1 TYPES OF ASSISTANCE AVAILABLE

Department members shall not refuse an available type of assistive device, auxiliary aid, or service to a person with a disability who is requesting assistance. The Department will not require persons with disabilities to furnish their own assistive device, auxiliary aid, or service as a condition for receiving access to department services, programs, and activities. The Department will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services (28 CFR 35.160).

The Department will not require that persons with disabilities use department-provided assistive devices, auxiliary aids, and services. Department-provided assistive devices, auxiliary aids, and services may include but are not limited to the means described in this policy.

332.5.2 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment. If such a recording is not available, members may read aloud from the appropriate form or provide forms with enlarged print.

332.5.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) with individuals who normally rely on sign language or speechreading (i.e., lip-reading) to understand what others are saying.

The qualified interpreter should not be a person with an interest in the matter. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a legal proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time.

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- (b) Experienced in providing interpretation services related to law enforcement matters in the person's primary language.
- (c) Familiar with the use of text- and video-based communications products and systems.
- (d) Certified in either American Sign Language (ASL) or Signing Exact English (SEE).
- (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 or when it is reasonably apparent that an interpreter is needed. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Persons with disabilities shall not be required to provide an interpreter (28 CFR 35.160).

332.5.4 TELECOMMUNICATION SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., during booking or attorney contacts), members must also provide those with communication-related disabilities the opportunity to place calls using an available TTY, TDD, or other voice, text, or video-based communications product or system. Members shall provide additional time, as needed, for effective communication due to the slower nature of assisted communications.

The Department will accept all TDD and computer modem calls placed by individuals with communications-related disabilities and received via a telecommunications relay service (28 CFR 35.162).

332.5.5 COMMUNITY VOLUNTEERS

Where qualified interpreters are unavailable to assist members, department-approved community volunteers who have demonstrated competence in communication services, such as ASL or SEE, may be called upon to provide interpreter services when appropriate. However, department members must carefully consider the nature of the interaction and the relationship between the individual with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

332.5.6 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 interaction and relationship between the individual with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Except in an emergency involving an imminent threat to the safety or welfare of any person and no qualified interpreter is reasonably available, members shall not use a minor child as an interpreter (28 CFR 35.160).

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332.5.7 FIELD ENFORCEMENT CONSIDERATIONS

Due to the unpredictable and varied nature of field enforcement, the Department recognizes that it is impracticable to provide immediate access to a comprehensive supply of assistive devices, auxiliary aids, and services to every member of this department. Members involved in interactions with persons with disabilities that occur in the field should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

332.6 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals with disabilities are protected during a custodial interrogation, this department will provide reasonable modifications before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without receiving a modification. *Miranda* warnings should be provided to a suspect via the individual's preferred method of communication.

Interrogations should be recorded whenever reasonably practicable. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

332.6.1 STATE REQUIREMENTS

The investigating or arresting officer shall immediately make necessary contacts to get a qualified interpreter for a person in custody at the earliest possible time (Minn. Stat. § 611.32).

The following shall be explained with the assistance of the qualified interpreter (Minn. Stat. § 611.32):

- (a) All charges filed against the person
- (b) All procedures relating to the person's detainment and release
- (c) In the case of any seizure under the Asset Forfeiture Policy:
 1. The possible consequences of the seizure
 2. The person's right to judicial review

Every qualified interpreter shall be administered and take the following oath prior to assisting in taking a statement related to a criminal matter from an in-custody deaf or hard of hearing person (Minn. Stat. § 611.33):

"I will make, to the best of my skill and judgment, a true interpretation to the disabled person being examined of all the proceedings, in a language which said person understands, and to repeat the statements, in the English language, of said person to the officials before whom the proceeding is taking place."

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332.6.2 JUVENILE CONSIDERATIONS

When the subject of a custodial interrogation is a juvenile, members shall follow the requirements outlined in the following policies:

- (a) ADA Considerations Policy
- (b) Temporary Custody of Juveniles Policy

These include steps to ensure a knowing, intelligent, and voluntary waiver, use of simplified language, and involvement of parents or guardians. All accommodations, interpreter use, and communication methods must be documented as part of ADA compliance.

332.7 ARREST

If an individual with a communication-related disability is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter as soon as reasonably practicable, unless the individual indicates a preference for a different assistive device, auxiliary aid, or service, or the officer reasonably determines another effective method of communication exists under the circumstances.

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.

332.8 WEBSITE ACCESS

The ADA coordinator should work with the appropriate parties to develop online content that is readily accessible to persons with disabilities. Department web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice and federal regulations (28 CFR 35 Subpart H; 28 CFR 35.200).

Department website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

332.9 DOCUMENTATION

Whenever any modification has been provided, the member involved should document:

- (a) The type of modification, assistive device, auxiliary aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, or service provided by the Department or another identified source, as applicable.
- (c) Whether the individual's express preference for the modification was not honored and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

All written communications exchanged in a criminal case shall be attached to the member's report or placed into evidence.

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332.10 COMPLAINTS

A member who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access the department's programs, services, or activities should document the complaint and promptly refer the matter to the ADA coordinator (28 CFR 35.107). The Department shall assist persons with disabilities who require assistance to file a complaint regarding members of this department. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate.

332.11 TRAINING

Members should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy, related procedures, forms, and available resources.
- (b) Accessing assistive devices, auxiliary aids, and services needed to accommodate requests for modifications.
- (c) General requirements of the ADA, including modifying policies and practices, communicating with individuals with disabilities, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the member's job duties.

The Training Manager should maintain records of all training provided and retain a copy in each member's training file in accordance with the established records retention schedule.

Pupil Arrest Reporting

333.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedures to follow when a pupil is arrested on school grounds and during school hours.

333.2 PUPIL ARREST REPORTING

In the event a school pupil is arrested, the arresting officer shall include the necessary information in the report to ensure that the Records notifies the chief administrative officer of the school, or an appropriate designee, of the pupil's arrest.

If there is probable cause to believe an incident involved alcohol or a controlled substance, the arresting officer shall complete the appropriate form and submit the form with the report to the Records. The Records shall ensure the form is distributed to the chemical abuse pre-assessment team of the school within two weeks of the occurrence (Minn. Stat. § 121A.28).

333.2.1 PUPIL ARREST AFTER NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to notify the school prior to the arrest. Prior notification and assistance from the school, may reduce disruption to school operations and other students.

333.2.2 PUPIL ARREST BEFORE NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to arrest the pupil before notifying the school. This may be appropriate if the pupil is a flight risk, if prior notification will impede the investigation or if notification creates additional risks to students, faculty, the officer or the public.

Proper notification to the school after the pupil's arrest should then be made when circumstances reasonably allow.

333.2.3 PARENTAL NOTIFICATION

Upon arrest, it is the arresting officer's responsibility to ensure the parents of the arrested pupil are properly notified. Notification shall be made by the officer, regardless of subsequent notifications by the juvenile detention facility. Notifications should be documented and include the charges against the pupil and where the pupil will be taken.

Volunteer Program

334.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, licensed officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

334.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

334.1.2 VOLUNTEER ELIGIBILITY

Requirements for participation as an Inver Grove Heights Police Department volunteer include:

- (a) Residency in the City of Inver Grove Heights.
- (b) At least 18 years of age for all positions other than Explorer.
- (c) At least 14 years of age for Explorer.
- (d) A valid driver's license if the position requires vehicle operation.
- (e) Liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.
- (f) No conviction of a felony, any crime of a sexual nature, any crime related to assault, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.
- (g) No conviction of a misdemeanor or gross misdemeanor crime within the past 10 years, excluding petty misdemeanor traffic offenses.
- (h) The applicant must not have any mental illness or chemical dependency condition that may adversely affects the person's ability to serve in the position.
- (i) Physical requirements reasonably appropriate to the assignment.
- (j) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualification of the individual.

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334.2 VOLUNTEER MANAGEMENT

334.2.1 VOLUNTEER COORDINATOR

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator or designee shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions.
- (b) Maintaining records for each volunteer.
- (c) Tracking and evaluating the contribution of volunteers.
- (d) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
- (e) Maintaining a record of volunteer schedules and work hours.
- (f) Completion and dissemination as appropriate of all necessary paperwork and information.
- (g) Planning periodic recognition events.
- (h) Administering discipline when warranted.
- (i) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

334.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

334.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with the applicant.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check

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(b) Employment

(c) References

A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals, shall require submission of prints and clearance through the Bureau of Criminal Apprehension (BCA).

334.2.4 SELECTION AND PLACEMENT

Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Program Manager. No volunteer should begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening and paperwork. At the time of final acceptance, each volunteer should complete all necessary enrollment paperwork and will receive a copy of the job description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

334.2.5 EMPLOYEES WORKING AS OFFICERS

Qualified employees of this department, when authorized, may also serve as reserve officers. However, the Department must not utilize the services of a or volunteer in such a way that it would violate employment laws or labor agreements (Example: a detention officer working as an officer for reduced or no pay). Therefore, the Coordinator should consult the Department of Human Resources prior to an employee serving in a volunteer capacity (29 CFR 553.30).

334.2.6 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Depending on the assignment, Training may include:

- (a) Role of the volunteer.
- (b) Department policies.
- (c) Training specific to the procedure manual for the volunteer position.
- (d) Discrimination and harassment training.
- (e) CPR/first aid.
- (f) CERT/Citizens Emergency Response Training.

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- (g) Search and rescue techniques.
- (h) Scenario-based searching methods.
- (i) Evidence preservation.
- (j) Basic traffic direction and control.
- (k) Roadway incursion safety.
- (l) Self-defense techniques.
- (m) Vehicle operations, including specialized vehicles.
- (n) Horsemanship.

Pursuant to Minn. Stat. § 626.8466, the Department may establish training, licensing and continuing education requirements for its reserve officers.

Training should reinforce to volunteers that they should not intentionally represent themselves as, or by omission infer that they are licensed officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department. Whenever a rule, regulation or guideline in this manual refers to a licensed officer, it shall also apply to a volunteer unless by its nature it is inapplicable.

334.2.7 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations
- (e) All law enforcement contacts

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

334.2.8 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

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Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by licensed officers. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

334.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

334.4 DATA PRACTICES

With appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor, the duties of the position or department policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

Each volunteer will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

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334.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

334.5.1 VEHICLE USE

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

- (a) A driving safety briefing.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should only operate a marked patrol car that it is being used to transport prisoners or equipment; or is being used to provide supplementary assistance under the direction of an on-duty licensed officer (Minn. Stat. § 169.98 Subd. 1b. Volunteers are not authorized to operate a Department vehicle under emergency conditions (lights and siren).

334.5.2 RADIO AND MDC USAGE

Volunteers shall successfully complete state and federal database access training and radio procedures training prior to using the law enforcement radio or MDT and shall comply with all related provisions. The Volunteer Coordinator should ensure that radio and database access training is provided for volunteers whenever necessary.

334.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with this department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

334.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

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334.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly and to ensure optimum job satisfaction on the part of volunteers.

334.8 EMERGENCY CALLOUT FOR VOLUNTEER PERSONNEL

The Volunteer Coordinator shall develop a plan outlining an emergency callout procedure for volunteer personnel.

Chaplains

334.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Inver Grove Heights Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

334.2 POLICY

The Inver Grove Heights Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

334.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver's license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

334.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Inver Grove Heights Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

334.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

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334.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.
- (b) Include a recommendation from employers or volunteer programs.
- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

334.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. The necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform if provided and not reflect any religious affiliation.

Chaplains will be issued Inver Grove Heights Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Inver Grove Heights Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued equipment or department property at the termination of service.

334.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Administrative Services or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee chaplains shall report to the chaplain coordinator and/or Shift Sergeant.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

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

- (a) Recruiting, selecting and training qualified chaplains.

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- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

334.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Inver Grove Heights Police Department.

334.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

334.7.2 OPERATIONAL GUIDELINES

- (a) Chaplains will be scheduled to be on-call for a period of seven consecutive days during each month, beginning on Monday and ending on the following Sunday.
- (b) Generally, each chaplain will serve with Inver Grove Heights Police Department personnel a minimum of hours per month agreed upon with the Chief of Police or the authorized designee.
- (c) At the end of each watch the chaplain will complete a chaplain shift report and submit it to the Chief of Police or the authorized designee.

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- (d) Chaplains shall be permitted to ride with officers during any shift and observe Inver Grove Heights Police Department operations, provided the Shift Sergeant has been notified and has approved the activity.
- (e) Chaplains shall not be evaluators of members of the Department.
- (f) In responding to incidents a chaplain shall never function as an officer.
- (g) When responding to in-progress calls for service chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (h) Chaplains shall serve only within the jurisdiction of the Inver Grove Heights Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (i) Each chaplain shall have access to current department member rosters, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered private personnel data and each chaplain will exercise appropriate security measures to prevent distribution of the data.

334.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and after notification responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

334.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Sergeant or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if reasonably possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

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- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

334.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

334.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

334.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Inver Grove Heights Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Inver Grove Heights Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

334.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training as approved by the Training Manager may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality

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- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

Child and Dependent Adult Safety

335.1 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 vulnerable adult investigation. These are covered in the Child Abuse and Adult Abuse.

335.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Inver Grove Heights 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.

335.3 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 take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, 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.

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Child and Dependent Adult Safety

335.3.1 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.

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) 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.
- (b) Unless there is evidence to the contrary (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.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the county social services agency, if appropriate.
- (e) Notify the field supervisor or Shift Sergeant 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.

335.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

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If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

335.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee should document the following information about the dependent adult:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether he/she reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

335.3.4 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 with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

335.4 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 entity to determine whether protective custody is appropriate (Minn. Stat. § 260C.007; Minn. Stat. § 260C.175).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

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Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

335.5 TRAINING

The Training Manager is responsible to ensure that all personnel 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

336.1 PURPOSE AND SCOPE

The purpose of this policy is to provide 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).

336.1.1 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; Minn. Stat. § 363A.19 (c)).

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)).

336.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide equal access to services, programs, and activities of the Department to persons with service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law. This protection extends to any person who is training a service dog (Minn. Stat. § 256C.02).

336.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

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 Inver Grove Heights Police Department affords to all members of the public (28 CFR 35.136; Minn. Stat. § 256C.02; Minn. Stat. § 363A.19).

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.

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- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

336.4 INQUIRIES REGARDING SERVICE ANIMALS

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 their disabilities nor should members ask any individual to provide any license, certification, or identification card for the service animal.

336.5 CONTACT WITH SERVICE ANIMALS

Service animals are not pets. Department members should not interfere with a service animal by talking to, petting, or otherwise initiating contact.

336.6 REMOVAL OF SERVICE ANIMALS

If a service animal is not housebroken, exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, a department supervisor 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); 28 CFR 35.139).

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 access to services, programs, and activities to an individual with a disability. Members are expected to provide all services, programs, and activities that are reasonably available to an individual with a disability, with or without a service animal.

336.7 COMPLAINTS

When handling calls of a complaint regarding a service animal, members should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the

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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

337.1 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.).

337.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects - Objects that, as part of the death rite or ceremony of a Native American culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains. Funerary objects are either associated funerary objects or unassociated funerary objects.

Associated funerary objects are any funerary objects related to removed human remains, where the location of the human remains is known. This includes objects that were made exclusively for burial purposes or to contain human remains, regardless of the physical location or existence of any related human remains.

Unassociated funerary objects are any other funerary objects that are identified by a preponderance of the evidence such as:

- Related to human remains but the remains were not removed, or the location of the remains is unknown.
- Related to specific individuals or families.
- Removed from specific burial sites with Native American cultural affiliation.
- Removed from an area where such burial sites are known to have existed, but the site no longer exists.

Native American human remains - Any physical part of the body of a Native American individual.

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.

337.2 POLICY

It is the policy of the Inver Grove Heights Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, unassociated funerary objects,

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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.

337.3 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, unassociated 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 10.5).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.5):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - State archaeologist (Minn. Stat. § 307.08, Subd. 7)
- Tribal land - Responsible Indian tribal official

337.4 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 10.7).

337.5 BURIAL GROUNDS

All human burials, human remains and human burial grounds shall be afforded equal treatment and respect for human dignity, regardless of ethnic origins, cultural backgrounds or religious affiliations (Minn. Stat. § 307.08, Subd. 1).

This department shall cooperate with other government agencies, the Minnesota Office of the State Archaeologist and the Minnesota Indian Affairs Council to carry out any provisions of state law (Minn. Stat. § 307.08, Subd. 9).

Off-Duty Law Enforcement Actions

338.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Inver Grove Heights Police Department with respect taking law enforcement action while off-duty.

338.2 POLICY

Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

When the safety of the public or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers are not expected to place themselves in unreasonable peril. However, any licensed member of this department who becomes aware of an incident or circumstance that the member reasonably believes would justify the use of deadly force or result in significant property damage may take reasonable action to minimize or eliminate the threat. See the Use of Force Policy for additional guidance.

338.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations, state law and department policy. All firearms and ammunition must meet guidelines as described in the Firearms Policy. When carrying firearms while off-duty, officers shall also carry their department-issued identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment.

338.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable and should take into consideration:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, Oleoresin Capsicum (OC) spray or a baton.

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- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

338.4.1 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. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if reasonably possible.

Whenever reasonably practicable, the officer should loudly and repeatedly identify him/herself as an Inver Grove Heights Police Department officer until acknowledged. Official identification should also be displayed.

338.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances, officers should call the responsible agency to handle the matter.

338.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and reasonably practicable.

338.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

338.5 REPORTING

Any officer, who has taken any off-duty law enforcement action, shall notify an Inver Grove Heights Police Department supervisor of the action taken (or other applicable enforcement authority if acting outside the jurisdiction of the Inver Grove Heights Police Department). The supervisor notified shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Department Use of Social Media

339.1 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 Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

339.1.1 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.

339.2 POLICY

The Inver Grove Heights Police Department may use social media as a method of effectively informing the public about department services, issues, investigations 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.

339.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee 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 Chief of Police 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 should be made through the member's chain of command.

339.4 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.

Authorized members shall review all content prior to posting to ensure that the posting does not contain prohibited content.

339.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

339.5 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 Inver Grove Heights 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 supervisor.

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 supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

339.5.1 PUBLIC POSTING PROHIBITED

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

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

339.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor 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. The same supervisor should review the department social media on a quarterly basis for any posted prohibited content and remove the same upon discovery.

339.7 RETENTION OF RECORDS

The Administrative Services Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

339.8 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.

Community Relations

340.1 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 or Prejudice Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

340.2 POLICY

It is the policy of the Inver Grove Heights 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.

340.3 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 Detentions and Photographing Detainees Policy).
- (b) Become reasonably 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.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and the Dispatch Center of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform the Dispatch Center of their location and status during the foot patrol.

340.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or the authorized designee and is responsible for:

- (a) Obtaining department-approved training related to his/her responsibilities.

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- (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) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.
 - 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.
- (e) Working with the Patrol Division Commander to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending City council and other community meetings to obtain information on community relations needs.
- (h) 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.
- (i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

340.5 SURVEYS

The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

340.6 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:

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- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer programs.
- (e) Neighborhood Watch and crime prevention programs.

340.7 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.

Information should be regularly refreshed, to inform and engage community members continuously.

340.8 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 driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Along Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

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.

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340.9 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, 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 must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

340.10 COMMUNITY ADVISORY COMMITTEE

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Training Manager should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

340.10.1 LEGAL CONSIDERATIONS

The Chief of Police and the community relations coordinator should work with the City Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

340.11 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers. The community relations coordinator should work with the community

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advisory committee to identify information that may increase transparency regarding department operations.

340.12 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.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

340.12.1 STATE-MANDATED TRAINING

The Training Manager is responsible for ensuring that members receive community policing as required by Minn. Stat. § 626.8455.

Rapid Entry System

341.1 PURPOSE

This policy explains the Rapid Entry System (RES) used by the Inver Grove Heights Police Department. The previous system of maintaining keys and/or security codes for each secured building(s) and each multi-housing complex(es) was unmanageable and not efficient. Emergencies are in everyday police work and rapid access to secured buildings, multi-housing complexes, and residences are of utmost concern to both owners and residents, as well as the police department. The RES will protect the property from forced entry damage during emergencies.

341.2 POLICY

It is the policy of the Inver Grove Heights Police Department to have a RES in place to be able to effectively and professionally handle any given emergency at locations such as business(es); i.e. secured building(s) and multi-housing complex(es), and if requested at residence(s). Department members will not force entry to gain access instead they will use the RES to gain access to the secured entrance.

341.3 DEFINITIONS

Authorized Agency Representative - The Chief of Police or designee is the only department representatives who can sign the approval for an order of a Rapid Entry System.

Rapid Entry System (RES) - The Rapid Entry System is a high-security key box that is manufactured by the Knox Company. There are different models depending on; the placement of the RES, RES series; based on business(es) or residential models, mounting type, and color.

341.4 PROCEDURE

Any department member responding to any given emergency located at locations that have a RES in place at a secured entrance will use the department's RES key to gain access to RES. Once the RES is opened the department member shall use any key(s) located in the RES to assist with the entry. Once the department member is done using the key(s) taken from the RES, the key(s) will be placed back into the RES and the RES will be relocked and check to make sure it is properly secured.

341.4.1 RAPID ENTRY SYSTEM ORDERING, PLACEMENT, INSPECTION, AND MAINTENANCE

[Rapid Entry System Procedure: Ordering, Placement, Inspection, and Maintenance](#)

Remote Restraint Device

342.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of a remote restraint device in order to minimize injury to suspects, subjects, and officers.

342.2 POLCY

The remote restraint device is intended to immobilize and control resistive/non-compliant persons and persons with known or suspected mental health issues. The appropriate use of such a device should result in fewer serious injuries to officers, suspects, and subjects.

342.3 DEFINITIONS

BolaWrap - is a hand-held, remote restraint device that discharges a Kevlar cord to entangle an individual at a range of 10-25 feet. The BolaWrap is equipped with entangling barbs at each end of the Kevlar cord. The BolaWrap is the department approved remote restraint device.

Deployment - Does not include the mere removal of a remote restraint device from the holster, but does include any use of a remote restraint device against any person, including the illumination of the laser sight onto an individual.

Passive Non-Compliance - An act of not responding to verbal commands but also offers no physical force resistance.

342.4 ISSUANCE AND CARRYING A REMOTE RESTRAINT DEVICE

Only members who have successfully completed department-approved training may be issued, carry, and use a remote restraint device

Members shall only use a remote restraint device that have been issued by the Department. Officers who have been issued a remote restraint device shall do so in an approved holster or manner on their person.

Members shall be responsible for ensuring their issued remote restraint device is properly maintained and in good working order by conducting daily function checks.

When carried, officers shall carry the remote restraint device on the opposite side of the duty weapon.

- (a) All remote restraint devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Officers shall be responsible for ensuring that their issued remote restraint device is properly maintained and in good working order.
- (c) Officers should not hold both a firearm and the remote restraint device at the same time.

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342.5 VERBAL AND VISUAL WARNINGS

A verbal warning of "Less Lethal" should precede a BolaWrap device application, unless it would otherwise endanger the safety of officers or when it is otherwise not practicable due to the totality of the circumstances. The purpose of the warning is to:

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

Officers may also "paint" the subject with the device's laser in a further attempt to gain compliance prior to the application of the device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

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

342.6 USE OF REMOTE RESTRAINT DEVICE

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

342.6.1 APPLICATION OF THE REMOTE RESTRAINT DEVICE

The remote restraint device may be used in any of the following circumstances: when the totality of circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is or has demonstrated passive non-compliance.
- (b) The subject is demonstrating evasive movements to interfere with an officer's attempt to control that subject; including actual or attempted flight.
- (c) The subject is violent or is physically resisting

The use of a remote restraint device on non-compliant subjects is only authorized when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is a reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

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

Simultaneous applications of a remote restraint device on a single individual by multiple devices is allowed in authorized target areas.

A remote restraint device is not a substitute for deadly force; officers should employ a cover officer when using the device.

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Any deployment of the remote restraint device should comply with the use of force guidelines outlined in this manual.

The deploying officer should assemble a sufficient number of officers to assist with taking the suspect into custody, with a plan in place for using restraints—such as handcuffs—prior to using the BolaWrap.

The remote restraint device is not intended to be a transportation restraint device and shall not be used as a substitute for a hobble. Once the subject has been detained in handcuffs or equivalent restraints, the cord should be cut with an approved device and removed in accordance with this policy.

342.6.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the remote restraint device on the individuals listed below should generally be avoided, unless an officer reasonably believes under the totality of the circumstances that other options would be ineffective or would present a greater danger to the officer, the subject, or others:

- (a) Individuals who are known to be pregnant (legs only, allowing the use of their hand if they enter a state of falling).
- (b) Individuals who are handcuffed or otherwise restrained unless they are actively resisting or exhibiting active aggression, and/or to prevent individuals from harming themselves or others.
- (c) Individuals detained in a police vehicle.
- (d) Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- (e) Individuals near any body of water that may present a drowning risk.

342.6.3 PROHIBITED USE

The prohibited use of a remote restrain device shall include:

- (a) On individuals whose mere failure or refusal to cooperate with the lawful direction of an officer by one or more unarmed, non-violent persons, such as in the case of an act of civil disobedience.
- (b) On a non-violent handcuffed prisoner.
- (c) To psychologically torment, elicit statements, for coercion, or to punish any individual.
- (d) To rouse unconscious, impaired, or intoxicated individuals.
- (e) For horseplay or use in an otherwise unprofessional manner.
- (f) To experiment on a person or to allow a person to experience the device, even if the person requests it, when the device's use would not otherwise be allowed by Department policy. This does not apply to voluntary device training exposures or demonstrations as authorized by the Department.

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342.6.4 TARGETING CONSIDERATIONS

When members are acquiring a target they should use the laser to aim the device per training and manufacturer's instructions.

Reasonable efforts should be made to target manufacturers preferred target zones whenever reasonably possible. When practical, the preferred target are lower extremities or lower arms. The intentional aiming to the head, neck, chest and groin is prohibited. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the device to a precise target area, officers should monitor the condition of the subject if one or more barbs strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

342.6.5 MULTIPLE APPLICATIONS OF THE REMOTE RESTRAINT DEVICE

Multiple applications of the a remote restraint device:

- (a) Multiple officers may use the remote restraint device simultaneously on a subject, referred to in training as a "double wrap." The intent of the "double wrap" is to immobilize a subject and ensure effective application of the device. In this instance, the preferred application would be to apply BolaWrap "high" and "low" or to the legs and lower arms.

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

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

Under exigent circumstances, nothing in this policy prohibits an officer from deploying the device at a subject without requesting or having the presence of additional officers; this is not an ideal application of the device.

342.6.6 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all remote restraint device discharges.

If the device barbs cause injury to the subject, Officers shall ensure that photographs have been taken of any areas involving visible injury or complaint of pain. These photographs should be retained until all potential for civil litigation has expired.

If the barbs penetrated the subject's skin, they should be treated as a sharps biohazard, similar to a used hypodermic needle, and handled and disposed of appropriately. Universal precautions should be taken.

Officers shall ensure all restrained subjects receive appropriate emergency medical care for individuals under police care or control.

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Once a subject is under control and the Kevlar cord is no longer needed for restraint it shall be removed/cut appropriately. The Kevlar cord shall be cut (using medical sheers or a seatbelt cutter, the use of a pointed knife is prohibited) prior to any transportation.

342.6.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry a department remote restraint device while off-duty and not working in official capacity.

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

342.7 DOCUMENTATION

Officers shall document all remote restraint device discharges in the incident and aggression resistance reports. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation will also be documented on the report form.

The officer should include the following in the the incident and aggression resistance reports:

- (a) The cartridge serial number
- (b) Identification of all personnel discharging a remote restraint device.
- (c) Medical care provided to the subject.
- (d) Observations of the subject's physical and physiological actions.

Officers shall complete the applicable report for the incident. The report shall include the cartridge serial number, reason for the application of force, as well as the description of injuries sustained or claimed.

When booking an arrested subject, officers shall notify the appropriate jail staff of any sustained injury and the type of force used.

342.8 MEDICAL TREATMENT

Officers may remove remote restraint device barbs from a person's body using universal precautions. Used barbs that have penetrated skin shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled and disposed of appropriately.

- (a) If the device barbs cause injury to the subject, Officers shall ensure that photographs have been taken of any areas involving visible injury or complaint of pain.
- (b) Officers must examine barbs upon removal to determine if the barbs are not intact. If the barbs are not intact, photographs of the barbs and barb sites shall be taken.
- (c) Officers shall not remove barbs which have implanted anywhere on a subject's head, neck, chest and groin unless authorized to do so by competent medical authority OR if the officer has been trained to do so by a certified instructor.

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Remote Restraint Device

All persons who have been struck by remote restraint device barbs shall be offered medical attention by qualified medical personnel. Qualified medical personnel are medical professionals including medical doctors, licensed nurses, and EMS first responders.

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 a BWC recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

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

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the remote restraint device.

342.9 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood a remote restraint device may be used. A supervisor should respond to all incidents where a remote restraint device was deployed and a cartridge was discharged.

A supervisor should review each incident where a person has been exposed to an activation of a remote restraint device.

342.10 TRAINING

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

Officers who have been issued a remote restraint device will receive training on this policy. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Sergeant. All training and proficiency for remote restraint devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive remote restraint device training as appropriate.

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

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Remote Restraint Device

The Training Sergeant is responsible for ensuring that all members who carry remote restraint devices have received initial and annual review training. Periodic audits should be used for verification.

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

The Training Sergeant should 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 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 near the head, neck, chest and groin.
- (e) Handcuffing a subject after the application of the remote restraint device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the remote restraint device.

Court-Ordered Firearm Surrenders and Returns

343.1 PURPOSE AND SCOPE

This policy establishes procedures for the acceptance, storage, return, transfer, and disposal of firearms surrendered to the Inver Grove Heights Police Department (IGHPD) under court order or statutory authority. Firearm surrenders may occur in connection with Orders for Protection (OFPs), Harassment Restraining Orders (HROs), Domestic Assault or Stalking convictions, Prohibited Person status under Minn. Stat. § 624.713, Extreme Risk Protection Orders (ERPOs), or other applicable restrictions under Minnesota law.

The purpose of this policy is to:

- Ensure compliance with state law and court-ordered surrender provisions;
- Protect victims, the public, and officers by providing a safe process for firearm relinquishment;
- Maintain proper chain-of-custody and accountability for surrendered firearms and ammunition;
- Establish consistent procedures for the storage, release, and lawful disposition of firearms.

While IGHPD generally accepts firearms when required by valid court order or statutory authority, the Department is not required to accept firearms in all circumstances. Acceptance may be declined when jurisdiction rests with another agency or when conditions of surrender do not comply with this policy. In such cases, IGHPD will document the order and coordinate with the appropriate jurisdiction.

343.2 LEGAL AUTHORITY FOR FIREARM SURRENDERS

Firearm surrenders may be required under Minnesota law when a person is prohibited from possessing firearms due to a court order or statutory restriction. The Department will accept and process firearms in accordance with these authorities, including but not limited to:

- (a) Orders for Protection (OFPs) – Under Minn. Stat. § 518B.01, courts may prohibit respondents in domestic abuse cases from possessing firearms and require immediate surrender.
- (b) Harassment Restraining Orders (HROs) – Minn. Stat. § 609.748 authorizes courts to prohibit firearm possession by respondents in harassment or stalking cases.
- (c) Domestic Assault Convictions – Minn. Stat. §§ 609.2242 and 624.713 restrict firearm possession by individuals convicted of misdemeanor domestic assault for specified time periods.
- (d) Stalking Convictions – Minn. Stat. §§ 609.749 and 624.713 prohibit firearm possession for certain stalking convictions.

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- (e) Prohibited Persons (General) – Minn. Stat. § 624.713 prohibits possession by categories of individuals, including convicted felons, persons adjudicated mentally ill or chemically dependent, certain juveniles, and others identified by law.
- (f) Extreme Risk Protection Orders (ERPOs) – Minn. Stat. §§ 624.7174 – 624.7176 authorize courts to prohibit firearm possession when a person poses a significant danger of causing injury to themselves or others. ERPOs require immediate surrender and must be enforced by law enforcement.
- (g) Juvenile Adjudications – Minn. Stat. § 260C.201 imposes firearm restrictions on certain juvenile adjudications.

343.3 ACCEPTANCE OF FIREARMS

The Department will accept firearms surrendered pursuant to court order or statutory requirement when presented in compliance with this policy. Acceptance of firearms is intended to provide a safe, documented process for individuals who are legally required to relinquish possession and to ensure the Department maintains proper chain-of-custody, accountability, and court compliance.

- (a) Qualifying Orders and Conditions - The Department will only accept firearms for safekeeping when surrender is specifically required by law or court order. This includes:
 - 1. Orders for Protection (OFP) issued under Minn. Stat. § 518B.01.
 - 2. Harassment Restraining Orders (HRO) issued under Minn. Stat. § 609.748.
 - 3. Domestic Assault convictions under Minn. Stat. §§ 609.2242 and 624.713.
 - 4. Stalking convictions under Minn. Stat. §§ 609.749 and 624.713.
 - 5. Prohibited Persons under Minn. Stat. § 624.713.
 - 6. Extreme Risk Protection Orders (ERPO) under Minn. Stat. §§ 624.7174 – 624.7176.
 - 7. Juvenile adjudications restricting firearm possession under Minn. Stat. § 260C.201.
- (b) Court Order Requirement - No firearm shall be accepted unless accompanied by a copy of the applicable court order, or documentation establishing prohibited person status under Minn. Stat. § 624.713.
- (c) Delivery Requirements - Persons surrendering firearms must deliver them:
 - 1. Unloaded;
 - 2. In a secure, closed case or container; and
 - 3. Free of ammunition.
- (d) Ammunition - The Department generally will not accept ammunition for safekeeping. However, when a valid court order requires the surrender of ammunition in addition to firearms, the Department shall accept the ammunition in accordance with this policy. All accepted ammunition shall be logged, packaged, and stored consistent with evidence/property procedures, and may be disposed of in accordance with state law if not subject to lawful return.

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- (e) Documentation and Receipt - Upon acceptance, staff shall:
 1. Complete the **Firearm Intake and Receipt Transfer to PD Receipt** form, available on the Department's shared drive, documenting the make, model, caliber, serial number, and condition of each firearm.
 2. Generate a case or property report with the firearm(s) entered into the property system.
 3. Provide the surrendering party a copy of the completed form as proof of compliance with the court order.

343.4 STORAGE AND FEES

All firearms and ammunition surrendered to the Department under court order or statutory requirement shall be securely stored to preserve their condition and to ensure compliance with chain-of-custody, court, and statutory requirements. Firearms will only be released or disposed of in accordance with this policy and applicable law.

- (a) Secure Storage
 1. All firearms shall be logged into the Department's property/evidence system and stored in a secure firearms storage area.
 2. Firearms will be handled in a manner designed to preserve their condition and prevent damage or loss.
 3. Ammunition, when accepted pursuant to a valid court order, shall be packaged and stored separately in accordance with property/evidence protocols.
- (b) Chain-of-Custody
 1. A receipt shall be issued for each firearm or ammunition item accepted.
 2. Firearms shall not be released or transferred unless the recipient has provided proof of legal eligibility to possess firearms under state and federal law.
 3. Prior to final disposal, a certified mail notice shall be provided to the owner or lawful transferee, as required by Minn. Stat. § 624.7175.
- (c) Fees
 1. The Department may assess reasonable storage and administrative fees for maintaining firearms in custody.
 2. Fees shall be set by the Chief of Police or designee and made available to the public.
 3. The Chief of Police or designee may waive fees in the interest of public safety or upon a showing of financial hardship.

343.5 IMMEDIATE POSSESSION OF FIREARMS

In certain cases, firearms may need to be taken into immediate possession to ensure compliance with a court order or statutory restriction, or to protect public safety. Officers shall balance enforcement duties with respect for constitutional rights, ensuring that all seizures are lawful, documented, and carried out safely.

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Court-Ordered Firearm Surrenders and Returns

- (a) Voluntary Surrender at the Department
 1. Individuals subject to a valid court order (including OFPs, HROs, ERPOs, or prohibited person determinations) may surrender firearms and ammunition at the Department.
 2. Firearms must be delivered in accordance with the requirements in Section 343.3.
 3. Staff shall follow intake and receipt procedures, documenting all items received.
- (b) Surrender or Seizure in the Field
 1. When officers respond to a residence, workplace, or other location in connection with a firearm surrender order, they shall first request voluntary compliance.
 2. If consent is not provided, officers shall seek a search warrant consistent with the order and state law.
 3. Officers must document efforts to obtain voluntary surrender, any warrant applications, and the items seized.
- (c) ERPO-Specific Considerations
 1. When serving an Extreme Risk Protection Order (ERPO), officers shall take reasonable steps to ensure all firearms and ammunition are surrendered or seized, consistent with the scope of the order.
 2. Officers shall coordinate with the subject, household members, and, if necessary, obtain a warrant to complete the seizure.
- (d) Documentation
 1. All firearms and ammunition taken into possession under this section must be photographed, logged, and entered into the property system.
 2. A receipt shall be provided to the individual, or left at the location when items are seized without the individual present.

343.6 OUT OF JURISDICTION ORDERS

Court-ordered firearm surrenders may be issued outside the jurisdiction of this Department. In such cases, the Department's role is to ensure the order is documented and forwarded to the appropriate law enforcement agency with primary jurisdiction, while maintaining officer and public safety.

- (a) Verification
 1. Officers who become aware of an out-of-jurisdiction order (e.g., OFP, HRO, ERPO, or Prohibited Person order) shall verify the validity of the order through available databases, the court, or official documentation.
- (b) Documentation
 1. A case report shall be created documenting the order, the subject, and any known firearm possession information.

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2. Copies of the order and report shall be forwarded to the Records Division for retention.
- (c) Notification to Jurisdiction of Record
1. The originating law enforcement agency with jurisdiction over the subject's residence or location shall be notified as soon as practicable.
 2. IGHPD shall provide all relevant documentation and, when appropriate, coordinate on officer safety considerations or service of the order.
- (d) Limited Enforcement Authority
1. Unless otherwise authorized by law, IGHPD officers shall not independently enforce an out-of-jurisdiction surrender order beyond taking immediate steps to protect life or safety.
 2. Enforcement responsibility rests with the agency of jurisdiction, unless exigent circumstances require temporary intervention.

343.7 RETURN AND DISPOSAL OF FIREARMS

Firearms and ammunition surrendered to the Department will only be returned, transferred, or disposed of in accordance with applicable law and this policy. The Department shall ensure that all returns comply with court orders, statutory restrictions, and eligibility requirements.

- (a) Verification Prior to Release
1. Before returning any firearm or ammunition, staff shall verify through appropriate databases (e.g., BCA, NICS, NCIC) that the individual is legally eligible to possess firearms under Minn. Stat. § 624.713.
 2. Firearms shall not be released to any person who remains subject to a court order or statutory prohibition.
- (b) Documentation of Release
1. A **Firearm Release and Receipt Transfer to PD Receipt** form, available on the Department's shared drive, shall be completed and signed by the releasing officer and the recipient.
 - (a) The recipient must be provided a copy of this form as proof of lawful release..
 2. The recipient must provide government-issued identification.
 3. Copies of release documents shall be provided to the court if the order requires proof of compliance.
- (c) Transfer to Third Parties
1. When firearms are released to a third party in lieu of return to the original owner, staff must verify that the third party is legally eligible to possess firearms.
 2. Documentation of the transfer shall include proof of eligibility and acknowledgment of lawful possession.

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Court-Ordered Firearm Surrenders and Returns

(d) Preservation and Disposal

1. Firearms will be maintained in a manner to preserve their condition.
2. Firearms shall not be disposed of or destroyed without first providing certified mail notice to the owner or lawful transferee of record, consistent with Minn. Stat. § 624.7175.
3. Firearms deemed permanently forfeited to the Department shall be disposed of in accordance with law. When the Department retains a forfeited firearm, the agency shall pay the former owner the fair market value as required by Minn. Stat. § 624.7175.

(e) Ammunition

1. Ammunition accepted under a valid court order shall be released or disposed of in accordance with evidence/property procedures.
2. Ammunition will not be returned to individuals prohibited from firearm possession. If not claimed or transferable, it may be destroyed per Department policy.

Generative Artificial Intelligence Use

344.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for department use of generative artificial intelligence (GenAI). This policy does not apply to artificial intelligence that is integrated into facial recognition applications, voice recognition applications, biometric access controls, or software that redacts documents or video or similar applications.

Additional guidelines for the use of department information technology resources are found in the Information Technology Use Policy.

344.1.1 DEFINITIONS

Definitions related to this policy include:

Generative artificial intelligence (GenAI) - A type of artificial intelligence that is algorithmically trained on one or more large data sets and designed to generate new and unique data (e.g., text, pictures, video) in response to a prompt (generally questions, instructions, images, or video) input by the user.

344.2 POLICY

The use of GenAI systems carries unique benefits within a law enforcement agency, providing ways to increase operational efficiency, enhance department procedures, and improve the overall effectiveness of the Inver Grove Heights Police Department.

However, the prompts input into GenAI systems can present risks to both individuals and law enforcement agencies by making accessible to the public information such as department tactics, investigative and training techniques, confidential information (e.g., confidential informants, protected information), active investigations, and security procedures. In addition, without safeguards in place, GenAI can produce unintended discriminatory or biased output as well as content that is inaccurate, misleading, or copyrighted.

It is the policy of the Department to develop, implement, and use GenAI ethically and responsibly in a way that minimizes potential risk and harm in accordance with the guidelines set forth below.

Any function carried out by a member of the Department using GenAI is subject to the same laws, rules, and policies as if carried out without the use of GenAI. The use of GenAI does not permit any law, rule, or policy to be bypassed or ignored.

344.3 RESPONSIBILITIES

344.3.1 CHIEF OF POLICE

The Chief of Police or an authorized designee shall approve all GenAI systems, their acceptable uses, and their authorized user groups prior to the use, implementation, or development for any department functions.

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Generative Artificial Intelligence Use

344.3.2 AI COORDINATOR

The Chief of Police or the authorized designee shall appoint an AI coordinator. The AI coordinator shall report to the Administrative Services Division Commander or the authorized designee.

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

- (a) Evaluating potential GenAI systems and recommending those GenAI systems that appear to be appropriate and trustworthy to the Chief of Police or the authorized designee. The trustworthiness of GenAI systems should be evaluated by balancing the following characteristics:
 1. Validity and reliability - The system's apparent ability to meet the intended purpose and fulfill the needs of the Department consistently over time.
 2. Safety - Any apparent risk to human life, health, property, or the environment that could result from the department's use of the system.
 3. Security and resiliency - The system's capability to prevent unauthorized access and misuse and its ability to return to normal function should misuse occur.
 4. Accountability and transparency - The ability to track and measure the system's use and activity through histories, audit logs, and other processes to provide insight about the system and identify potential sources of error, bias, or vulnerability.
 5. Explainability and interpretability - The ability of the user to understand the purpose and impact of the system, how and why the system reached the resulting output, and what the output means for the user.
 6. Privacy - The ability of the system to protect confidentiality and meet applicable privacy standards for the types of data intended to be input into the system (e.g., state privacy laws, Criminal Justice Information Services (CJIS), Health Insurance Portability and Accountability Act (HIPAA)).
 7. Fairness - The ability of the system to operate in a way that avoids or minimizes bias and discrimination.
- (b) Ensuring appropriate contractual safeguards are in place to manage third-party use of department data and to restrict the use of input in AI training data sets. If the input of protected information is necessary for the proper use of the GenAI system, an information-exchange agreement in compliance with applicable rules and standards (e.g., CJIS requirements) should be used to outline the roles, responsibilities, and data ownership between the Department and third-party vendor.
- (c) Coordinating with others within the Department and City, such as the information technology or legal departments, as appropriate to ensure GenAI systems are procured, implemented, and used appropriately.
- (d) Maintaining a list or inventory of department-approved GenAI systems and, when appropriate for department transparency, making the list or inventory available to the public.
- (e) Developing and maintaining appropriate procedures related to the use of GenAI systems, including procedures for editing and fact-checking output.

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- (f) Ensuring any public-facing GenAI systems notify the user that GenAI is being used.
- (g) Developing and updating training for the authorized users of each department-approved GenAI system.
- (h) Ensuring access to department GenAI systems is limited to authorized users and establishing requirements for user credentials such as two-factor authentication and appropriate password parameters.
- (i) Conducting audits at reasonable time intervals for each of the GenAI systems utilized by the Department to evaluate the performance and effectiveness of each approved system and to determine if it continues to meet the department's needs and expectations of trustworthiness. The coordinator should arrange for audits to be conducted by an external source, as needed.
- (j) Ensuring each GenAI system is updated and undergoes additional training as reasonably appears necessary in an effort to avoid the use of outdated information or technologies.
- (k) Keeping abreast of advancements in GenAI and any GenAI-related legal developments. Reviewing this policy and department practices and proposing updates as needed to the Chief of Police.
- (l) Reviewing this policy and department practices and proposing updates as needed to the Chief of Police.
- (m) Developing procedures in coordination with the *Brady* information coordinator and the Records Manager for the compilation and potential release of any discovery or records related to the use of GenAI systems consistent with *Brady* and applicable the Minnesota Data Practices Act.

344.4 USE OF GENERATIVE AI

The use of department GenAI systems by department members shall be limited to official work-related purposes, and members shall only access and use GenAI systems for which they have been authorized and received proper training.

Members shall use AI-generated content as an informational tool and not as a substitution for human judgment or decision-making. Members should not represent AI-generated content as their own original work.

AI-generated content should be considered draft material only and shall be thoroughly reviewed prior to use. Before relying on AI-generated content, members should:

- (a) Obtain independent sources for information provided by GenAI and take reasonable steps to verify that the facts and sources provided by GenAI are correct and reliable.
- (b) Review prompts and output for indications of bias and discrimination and take steps to mitigate its inclusion when reasonably practicable (see the Bias-Based Policing Policy).
- (c) Include a statement in the final document or work product that GenAI was used to aid in its production.

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Generative Artificial Intelligence Use

344.4.1 PRIVACY CONSIDERATIONS

Information not otherwise available to the public, including data reasonably likely to compromise an investigation, reveal confidential law enforcement techniques, training, or procedures, or risk the safety of any individual if it were to become publicly accessible, should not be input into a GenAI system unless contractual safeguards are in place to prevent such information from becoming publicly accessible. Members should instead use generic unidentifiable inputs, such as "suspect" or "victim," and hypothetical scenarios whenever possible.

Protected information should only be input into GenAI systems that have been approved for such use and comply with applicable privacy laws and standards (see the Protected Information Policy).

344.5 PROHIBITED USE

Members shall not use GenAI systems to rationalize a law enforcement decision, or as the sole basis of research, interpretation, or analysis of the law or facts related to a law enforcement contact or investigation.

Members shall not create user accounts in their official capacity or input work-related data (including information learned solely in the scope of their employment) into publicly available GenAI systems unless the system has been approved by the Chief of Police or the authorized designee for the intended use.

344.6 TRAINING

The AI coordinator should ensure that all members authorized to use GenAI have received appropriate initial training that is suitable for their role and responsibilities prior to their use of GenAI and receive periodic refresher training. Training should include but is not limited to the following:

- (a) A review of this policy
- (b) The need for human oversight of GenAI outputs
- (c) The interpretation, review, and verification of GenAI output
- (d) Checking GenAI output for bias or protected information
- (e) Ethical use of GenAI technology
- (f) Data security and privacy concerns

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-organization cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Inver Grove Heights, respond to calls for assistance, act as a deterrent to crime, enforce state, local and, when authorized or empowered by agreement or statute, federal laws and respond to emergencies 24 hours per day, seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other division within the Department, as well as other government agencies.
- (h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.
- (i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the Inver Grove Heights Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Investigation Unit Supervisor in a timely fashion.

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Patrol Function

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-organization cooperation and information flow between the various divisions of the Inver Grove Heights Police Department.

400.2.1 INCIDENT REPORTS

An incident report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.2 PATROL BRIEFINGS

Patrol supervisors, investigative sergeants and special unit sergeants are encouraged to share information as much as reasonably possible. All supervisors and/or officers will be provided an opportunity to share information through daily patrol briefings, as time permits.

400.2.3 BULLETIN BOARDS

A bulletin board will be kept in the briefing room and the Investigation Unit for display of suspect information, investigative reports and photographs. New General Orders will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the General Order will be placed on the briefing room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting 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. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Inver Grove Heights 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, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), 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. This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes towards certain groups).

This also includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. It does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject (Minn. Stat. § 626.8471).

401.2 POLICY

The Inver Grove Heights 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 (Minn. Stat. § 626.8471, Subd. 3).

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. (e.g., the suspect description is limited to a specific race or group (MN Statute 626.8471)).

1. Officers may consider factors including the race, ethnicity, national origin, gender, sexual orientation and religion of a specific suspect based on information that links specific, suspected, unlawful, or suspicious activity to an individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, or weight about specific suspects.

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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 biased-based actions by another member.

Ensure the detention of an individual is no longer than necessary to take appropriate action for the known or suspected offense.

Promptly reporting any known or suspected instances of racial-based or bias-based profiling to a supervisor.

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 Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 INFORMATION TO BE PROVIDED

Officers shall (Minn. Stat. § 626.8471, Subd. 3):

- (a) Introduce or identify themselves and state the reason for a contact as soon as practicable unless providing the information could compromise officer or public safety.
- (b) Attempt to answer questions the person may have regarding the contact, including relevant referrals to other agencies when appropriate.
- (c) Explain the reason for the contact if it is determined the reasonable suspicion was unfounded.
- (d) When requested, provide their name and badge number and identify this department during routine stops.
- (e) When requested, officers should inform a member of the public of the process to file a misconduct complaint for bias-based policing against a member of the Department, and that bias-based policing complaints may be made by calling the Attorney General's office (Minn. Stat. § 626.9514).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and their supervisor in a timely manner.

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1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio Video (MAV) recordings, body-worn camera (BWC) media, Mobile Digital Computer (MDC) data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 1. Supervisors should document these periodic reviews.
 2. 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 Patrol Division Commander 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 report should also include a documented review of department activities with potential for bias. This may include traffic and field contacts, asset forfeiture efforts, citizen complaints, and any corrective measures taken. 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

Training on fair and objective policing and review of this policy shall be conducted annually and include:

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.

401.7.1 ADDITIONAL TRAINING REQUIREMENTS

The Training Manager should ensure that Board of Peace Officer Standards and Training (POST) approved in-service training is provided to officers on recognizing and valuing community diversity and cultural differences, including implicit bias, as required by Minn. Stat. § 626.8469, Subd. 1.

The Chief of Police and supervisors should receive and review training materials prepared by POST on how to detect and respond to racial profiling (Minn. Stat. § 626.8471, Subd. 7).

Roll Call Briefing

402.1 PURPOSE AND SCOPE

Roll Call is generally conducted at the beginning of the officer's assigned shift. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call. However, officers may conduct Roll Call for training purposes with supervisor approval.

Roll Call should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new General Orders or changes in General Orders.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call, or the officer if the supervisor is unable to participate in a group briefing session, is responsible for collection and preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his/her absence or 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 Inver Grove Heights 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

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, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

403.5 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.

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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.

403.5.1 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.

403.6 EXECUTION OF HEALTH ORDERS

Any licensed member of this department may assist in the enforcement of all directives of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease (Minn. Stat. § 144.4195, Subd. 2(c)).

Special Weapons and Tactics Team

404.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Department's involvement with a multi-jurisdictional Special Weapons and Tactics Team (SWAT Team) for the specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary.

404.1.1 SWAT TEAM DEFINED

SWAT Team - A designated unit of law enforcement officers, including a multi-jurisdictional team, that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigative units. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 POLICY

It is the policy of this department to assign member(s) to the multi-jurisdictional SWAT Team and to provide the equipment, manpower and training as necessary. This multi-jurisdictional SWAT Team is a sufficient resource to perform three basic operational functions:

- (a) Command and control
- (b) Containment
- (c) Entry/apprehension/rescue

Since situations that necessitate the need for such a law enforcement response vary greatly from incident to incident the Department recognizes the team's objective is a peaceful resolution of critical field operations. In all instances, department members assigned to the SWAT Team will adhere to State and Federal laws, department policies, and team policies that do not conflict with department policy.

It is understood it is difficult to categorize specific capabilities for critical incidents so nothing in this policy shall prohibit individual patrol teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

404.3 TEAM STRUCTURE

SWAT command is responsible for team structure, selection, training, and activation.

404.4 TRAINING

SWAT command is responsible for the SWAT training needs of department members assigned to the team.

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Special Weapons and Tactics Team

404.4.1 INITIAL TRAINING

Members should not be deployed as an operator until the successful completion of an approved Basic SWAT Course or its equivalent.

- (a) Members week long training schedule will be taken into account as part of the 14-day work period and overtime will be accrued accordingly.

Members may be deployed in a support capacity if they have attended at least one monthly SWAT training. Support capacity will depend on assignment by SWAT command and/or a team leader.

- (a) Support capacity will consist of low-risk tasks, i.e. perimeter support, vehicle transporting, security for the command post.
- (b) Under no circumstances will non-SWAT trained members be utilized as an operator.

404.4.2 ONGOING TRAINING

Assigned team members may attend monthly team training while on-duty if the schedule allows.

- (a) There is potential this training may cause attendance issues for obtaining the required amount of trainings.
 1. When the yearly schedule is released, it is up to the assigned member to communicate with their supervisor about monthly trainings to make sure their on-duty schedule is adjusted to reflect the trainings before the benefit time-off bidding process starts.

Assigned team members may attend monthly team training while off-duty.

- (a) Members who are scheduled to work the day before the monthly training, will have their schedule adjusted making the work the day before the monthly training an off day and the training day a scheduled workday.

Assigned team members may attend week long training if the schedule allows.

- (a) There is potential this training may cause attendance issues for obtaining the required amount of trainings.
 1. When the yearly schedule is released, it is up to the assigned member to communicate with their supervisor about monthly trainings to make sure their on-duty schedule is adjusted to reflect the trainings before the benefit time-off bidding process starts.
- (b) Members week long training schedule will be taken into account as part fo the 14-day work period and overtime will be accrued accordingly.

404.4.3 CONFERENCES AND SEMINARS

Assigned team members may attend conferences and/or seminars related to SWAT if scheduling allows.

404.4.4 TRAINING ATTENDANCE

Assigned team members are required to attend a minimum of 75 percent of the 10-hour monthly trainings, also team members are required to attend the 40-hour week long training.

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Assigned team members who on vacation time, sick time, or who are on limited duty status will not attend training.

404.4.5 TRAINING DOCUMENTATION

Assigned team members training documentation shall be entered into the electronic training file by the member. Such documentation shall be maintained by the Training Unit in each member's individual training file.

404.5 TEAM MEMBER SELECTION

In case of openings for the SWAT team assignment, interested members with a minimum of two years of law enforcement experience and who are off probation may submit a request to the Patrol Commander.

Those members that qualify as candidates will then be invited to participate in the team selection process. The selection process will be done at the discretion of SWAT Team command and will consist of a professional resume submission, candidate interview, physical fitness agility test, and a firearms proficiency test.

- (a) Professional resume: personal information consisting of job duties and training that have prepared the candidate for selection.
- (b) Candidate Interview: Interview panel that will consist of personnel selected by SWAT command.
- (c) Physical fitness agility test: The physical fitness agility test is designed to determine the physical capabilities of the candidate as it relates to the performance of SWAT Team related duties. The test is a timed obstacle course and scoring procedure will be established by SWAT command.
- (d) Firearms proficiency testing: Both handgun and rifle.

A list of successful candidates shall be submitted to the Chief of Police for final selection.

404.5.1 TEAM MEMBER REMOVAL

The Chief of Police may remove a member from the SWAT Team at any time.

- (a) If this occurs the Patrol Division Commander shall inform SWAT command of the departure and coordinate with command to ensure a smooth transition.

A member may resign from the SWAT team at any time. If a member wishes to resign from the team, they shall provide written notification to the Chief of Police.

- (a) The resignation will be forwarded to SWAT command.
- (b) The member and Patrol Division Commander will coordinate with SWAT command to ensure a smooth transition.

404.6 UNIFORMS, EQUIPMENT AND FIREARMS

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Special Weapons and Tactics Team

404.6.1 UNIFORMS

SWAT members from this department shall wear the approved uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission as approved by SWAT command.

The initial uniform setup will follow the approved individual uniform list provided by SWAT command.

All ongoing uniform setups will be maintained through the member's yearly uniform allowance.

404.6.2 EQUIPMENT

SWAT members from this department shall carry the approved equipment, as members should be adequately equipped to meet the specific mission(s) identified by SWAT command.

The initial equipment setup will follow the approved individual equipment list provided by SWAT command.

All ongoing equipment setups will be maintained through the member's yearly uniform allowance.

404.6.3 FIREARMS

Standard issued weapons and equipment will follow the approved weapons and equipment list provided by SWAT command. All standard issued weapons and equipment used by assigned team members shall be Department-issued or approved, including any modifications, additions or attachments.

Any weapon or equipment setups that are not standard issue for assigned team members will be maintained through the member's yearly uniform allowance.

404.6.4 BODY-WORN CAMERAS

Assigned team members shall wear and activate their BWC when on an incident scene, refer to the BWC policy for further information.

404.7 TEAM ACTIVATION AND DEACTIVATION

When SWAT command determines the appropriateness of activating the team, members assigned to the team shall do the following:

- (a) If on-duty notify the Shift Sergeant of the activation to determine if they can respond.
 - 1. When multiple team members are on the same shift it may limit the availability for more than one to respond.
- (b) If off-duty notify the Shift Sergeant of the activation and respond accordingly.

Activation Attendance Expectations

- (a) Members are required to attend a minimum of 50 percent of all team activations.
- (b) Members who on vacation time, sick time, or who are on limited duty status will not attend team activations.

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When SWAT command determines the appropriateness of deactivating the team from an incident members shall do the following:

- (a) Notify the Shift Sergeant that the team activation has ended and advise them of any issues/concerns that need to be reported to the Patrol Division Commander or the Chief of Police.
 - 1. If on-duty, resume their normal scheduled duties.

404.7.1 SHIFT SUPERVISOR RESPONSIBILITIES

Shift Sergeants oversee the responsibilities of members who are on active SWAT Team incident.

- (a) For active SWAT incidents that continue into the next scheduled shift, the out-going Shift Sergeant shall notify the on-coming Shift Sergeant of the incident and which team members are at the incident.
- (b) For team members who are on an active SWAT incident and scheduled to work on the next scheduled shift, the Shift Sergeant must determine if the team member can remain at the incident or have them resume normal duties.

404.7.2 ACTIVATION REPORTING

Members who respond to an active incident as part of the SWAT team activation shall document their involvement in an incident report. If there were multiple SWAT members from our department on an activation one member will complete an incident report and the other member will complete a supplemental report.

- (a) An incident/supplemental report should be completed even if the activation is canceled while members are responding to document the activation.

If force was used, documentation of the force used shall be done on the appropriate report, refer to the Use of Force policy for further information.

- (a) If force was used the report should be completed within 24 hours of the completion of the activation. (unless the team member was involved in an officer-involved shooting in which case the Officer-Involved Shootings policy will supersede this policy.)

404.8 VEHICLE SUPPRESSION

Active members of the SWAT team, who have been trained and assigned to an active SWAT operation, are authorized to use SWAT vehicles, as well as agency vehicles, to conduct a vehicle suppression as described in the SWAT operations manual.

Ride-Along Policy

405.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for persons to experience the law enforcement function first hand. This policy provides the requirements, approval process and hours of operation for the Ride-Along Program.

405.1.1 ELIGIBILITY

The Inver Grove Heights Police Department Ride-Along Program is offered to:

- (a) Residents, proof of residence is needed
 1. Under the Age of Eighteen (18)
 - (a) The department may grant permission for youth participants under the age of eighteen (18), involved in department-sponsored law enforcement programs or special community events to participate in ride-along activities. The written permission of a parent or legal guardian shall be obtained on the required Waiver of Claims and Release of Liability Agreement. This includes department Explorer Program participants.
 - (b) Ride-Along participants under the age of 18 are restricted to times within compliance of curfew ordinances.
 2. Business owners, proof of business ownership is needed.
 3. College students:
 - (a) Proof of enrollment in an accredited law enforcement program within the department's jurisdiction.
 - (b) College student(s) who are eligible but reside outside of department's jurisdiction may be accepted on a case by case basis.
- (b) Any applicant may be denied with or without cause from participating in the program.
 1. If an applicant is denied, they will be advised of the denial.
 2. The following factors may be considered in disqualifying an applicant and are not limited to:
 - Being under 18 years of age.
 - Prior criminal history.
 - Pending criminal action.
 - A respondent of an order for protection/restraining order within the past year.
 - Pending lawsuit against the Department.
 - Denial by any supervisor.

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405.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Division Commander or Shift Sergeant.

Every reasonable attempt will be made to accommodate interested individuals.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Shift Sergeant. The participant will complete a ride-along packet and sign all applicable forms. Information requested will include a valid driver's license, address and telephone number.

The Shift Sergeant will schedule a date, based on availability, at least seven to ten days after the date of application. If approved, a copy of the applicable ride-along packet forms will be forwarded to the respective Shift Sergeant as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

RIDE-ALONG PROGRAM APPLICATION PROCEDURE

405.2.1 PROGRAM REQUIREMENTS

- (a) Once approved, civilian ride-alongs will be allowed to ride no more than once every twelve (12) months. An exception would apply to the following: cadets, Explorers, chaplains, Reserves, Special Participants, police applicants and all others with approval of the Chief of Police or designee.
- (b) Participants should be in good health and not have any conditions that may restrict an officer from performing their official duties.
 1. The Department will, to the extent possible, make every effort to provide reasonable accommodations to any person interested in the program.
- (c) Individuals will not be allowed to ride-along with officers performing raids or with plain-clothes units without specific advanced coordination and the approval of the Chief of Police or designee.
- (d) Department members shall not allow participants to participate, directly or indirectly, in situations that may jeopardize the safety of the participant, that department member, or the public.
- (e) Participants will not be allowed to enter private homes on medical emergency responses.
- (f) Participants may not ride unless there is a shift supervisor on-duty.
- (g) Department members may terminate a ride-along at any time and transport the participant back to the police station or other location of origin.
 1. Reasons may include but are not limited to, the participant's conduct, public safety, violation of the rules of conduct, or department response needs.

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2. Department members shall indicate the reason for termination on the ride-along evaluation form.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

Ride-along requirements for police cadets are covered in Policy Manual, "Police Cadets."

405.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in an appropriate shirt, blouse or jacket, slacks/jeans and shoes. Sandals, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps may be worn by participants in the police vehicle. The Shift Sergeant or field supervisor may refuse a ride-along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the express consent of the Shift Sergeant. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent him/herself as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Minnesota Bureau of Criminal Apprehension Criminal History System check prior to approval (provided that the ride-along is not an employee of the Inver Grove Heights Police Department).

405.2.5 SPECIAL PARTICIPANTS

(a) City Employees:

1. The Chief of Police or designee may authorize City employees to participate in the ride-along program. Participation may occur more often than this policy normally allows, as deemed necessary.
2. City employees participating in the ride-along program must complete a ride-along packet. The Chief of Police is the only department member who may authorize a city employee not completing an application and without signing the Waiver of Claims and Release of Liability Agreement.

(b) Department Member Family and Friends:

1. The Chief of Police or designee may authorize family members and/or friends of department members to participate in the ride-along program. Participation may occur more often than this policy normally allows, as deemed necessary.
2. With each ride-along, the family member or friend must complete a ride-along packet.

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(c) Explorers:

1. Programs sponsored by national organizations that provide personal liability and medical insurance coverage for its members may be exempt from the minimum age requirement. The Explorer must complete an initial ride-along packet.
 - (a) For each additional ride-along an additional Waiver of Claims, Release of Liability and Confidentiality Agreement must be signed for each subsequent ride-along.

(d) Repeat Participant:

1. The Chief of Police or designee may grant a regular participant a repeat participant status and allow additional ride along(s) when that participant gives a reasonable explanation for the additional ride-along. The participant must complete an initial ride-along packet.
 - (a) For each additional ride-along an additional Waiver of Claims, Release of Liability and Confidentiality Agreement must be signed for each subsequent ride-along.

(e) Vendor Participant:

1. The Chief of Police or designee may authorize any vendor that works with the Department to participate in the ride-along program. Participation may occur more often than this policy normally allows, as deemed necessary.
2. Vendor Participant must sign for each ride-along:
 - (a) Waiver of Claims and Release of Liability
 - (b) Confidentiality Agreement

405.3 OFFICER'S RESPONSIBILITIES

The officer shall advise the Shift Sergeant that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times.

Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. They shall advise dispatch of the situation and as soon as practicable. Dispatch will have another police unit 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 Sergeant.

The Shift Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the applicable ride-along packet forms shall be returned to the Shift Sergeant with any comments that may be offered by the officer.

405.4 CONTROL OF RIDE-ALONG

The assigned member shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include:

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- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and be returned to his/her home or to the station.
- (d) The officer may terminate the ride-along and return the observer to their home or to the station if the ride-along interferes with the performance of any officer's duties.
- (e) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (f) Officers will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.
- (g) Under no circumstance shall a civilian ride-along be permitted to enter a private residence without an officer.

405.5 RULES OF CONDUCT

- (a) Officers will explain the potential hazards that may be encountered and the necessity for participants to immediately obey all instructions. Participants shall follow the rules of the program as well as any directions of the supervising officer or the officer to which they are assigned.
 - 1. Participants have no police power and shall not become involved in any law enforcement incidents unless specifically instructed to do so by the assigned department member.
 - 2. Participants shall respect and preserve the confidentiality of all names of persons or information learned through the program unless otherwise authorized.
 - 3. Participants shall not operate any vehicle during their ride-along, except when directly authorized by department staff or in extreme emergencies.
 - 4. Participants shall not use department equipment, including computers, except when directly authorized by department staff or in extreme emergencies.
 - 5. Participants shall always be required to wear seatbelts and remain within the police vehicle unless otherwise directed by the assigned member.
 - 6. Participants are prohibited from possessing or carrying a firearm or other weapon (Sworn Law Enforcement Officers are exempt).
 - 7. Participants are prohibited from using a recording device to include but not limited to; a camera, a tape recorder, or any other type of recording device during a ride-along.
 - 8. Participants shall not smell of, possess, or consume alcoholic beverages before or during the ride-along.
 - 9. Participants shall wear appropriate dress for conditions.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees as a result of their exposure. To comply with Minnesota law, the following represents the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED

Hazardous material - Any refuse, sludge or other waste material or combinations of refuse, sludge or other waste materials in solid, semisolid, liquid or contained gaseous form, which, because of its quantity, concentration, or chemical, physical or infectious characteristics may (Minn. Stat. § 116.06 Subd. 11):

- (a) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness.
- (b) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards.

Responders should not perform tasks or use equipment absent proper training. A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify the type of hazardous material. Identification can be determined by placard, driver's manifest or statements from the person transporting the material
- (b) Notify the appropriate fire department.
- (c) Provide first aid to injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate and surrounding areas dependent on the material. Voluntary evacuation should be considered. Depending on the material, mandatory evacuation may be necessary.
- (e) Contact the Minnesota Duty Officer (800-422-0798).
- (f) Responders should remain uphill and upwind of the hazard until a zone of entry and a decontamination area are established.
- (g) An assessment should be made to determine if assistance is needed from outside agencies.

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Hazardous Material Response

406.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report.

Each exposure is reported the same as any other on-duty injury or illness.

406.3.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the appropriate fire department.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where 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 purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Inver Grove Heights 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 surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATION

A supervisor with probable cause to believe that a person is being unlawfully confined may order a telephone company to cut, reroute, or divert telephone lines for the purpose of establishing and controlling communications with a suspect (Minn. Stat. § 609.774).

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Hostage and Barricade Incidents

407.4 FIRST RESPONDER CONSIDERATION

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.

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. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

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Hostage and Barricade Incidents

- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

407.4.2 HOSTAGE SITUATION

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:

- Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- 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.
- 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).
- 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.
- Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- Provide responding emergency personnel with a safe arrival route to the location.
- Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- Coordinate pursuit or surveillance vehicles and control of travel routes.
- Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- 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.
- Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

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Hostage and Barricade Incidents

- If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITY

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a SWAT response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
 1. A supervisor with probable cause to believe that a person is being unlawfully confined may order a telephone company to cut, reroute, or divert telephone lines to establish and control communications with a suspect (MN State Statute § 609.774).
- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Dispatch Center.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer 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 department members and responding law enforcement personnel.
- (l) Review documentation as appropriate.

407.6 CRISIS RESPONSE UNIT

It will be the Incident Commander's decision, with input from the SWAT Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support

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for the SWAT. The Incident Commander and the SWAT Commander or the authorized designee shall maintain 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 Inver Grove Heights Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY

It is the policy of the Inver Grove Heights 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 Sergeant is immediately advised and informed of the details. This will enable the Shift Sergeant to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

408.3.1 BOMB THREAT RECEIVED BY TELEPHONE

- (a) The person who received the call should be asked about the communication to see if the suspect provided information on:
 1. When is the bomb going to explode?
 2. When did they place the bomb?
 3. What would cause the bomb to explode?
 4. Where is the bomb?
 5. What kind of bomb is it?
 6. What does it look like?
 7. Why did you place the bomb?
- (b) Additionally, the person who received should be asked:
 1. Time of the call and duration.
 2. Exact words of the person as accurately, as possible

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3. Estimated age and gender of the caller.
 4. Speech patterns and/or accents.
 5. Background noises.
- (c) If the threat is received on a recorded line, steps should be taken to ensure that the recording is preserved.

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 INVER GROVE HEIGHTS POLICE DEPARTMENT FACILITY

If the bomb threat is against the Inver Grove Heights Police Department facility, the Shift Sergeant will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

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 is immediately advised and informed of the details. This will enable the shift supervisor to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given a warning.

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 Inver Grove Heights 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 Sergeant deems appropriate.

408.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

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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 the City of Inver Grove Heights, 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 Sergeant is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Shift Sergeant should be notified when police assistance is requested. The Shift Sergeant 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 Sergeant 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 evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building because it can be difficult without familiarity with the facility.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - (a) Notification and response, or standby notice, for fire and emergency medical services.

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- (b) Notification to the Minnesota State Duty Officer.

Even though a facility 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 the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Shift Sergeant 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.

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

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to victims, minimize contamination of the scene by gathering crowds, or minimize 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
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Shift Sergeant
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

408.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

408.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Sergeant should assign officers to protect the crime scene area, which could extend over a long

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distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

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409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual in protective custody and request a 72-hour hold under the Minnesota Commitment and Treatment Act (Minn. Stat. § 253B.051).

409.2 POLICY

It is the policy of the Inver Grove Heights Police Department to protect the public and individuals through legal and appropriate use of the 72-hour hold process.

409.3 AUTHORITY

An officer, having probable cause to believe that any individual because of mental illness, chemical dependency, or public intoxication is in danger of injuring him/herself or others if not immediately detained, may take, or cause to be taken, the individual to an appropriate treatment facility for a 72-hour evaluation (Minn. Stat. § 253B.051, Subd. 1).

The officer shall make written application for admission of the individual to an appropriate treatment facility. The application shall contain the officer's reasons for and circumstances under which the individual was taken into custody. If danger to specific individuals is a basis for the requested emergency hold, the statement must include identifying information for those individuals to the extent reasonably practicable. The officer shall also provide the department contact information (which is the Shift Sergeant and the Dispatch Center's non-emergency number) for purposes of receiving notice if the individual is released prior to the 72-hour admission or leaves the facility without consent. The facility shall make a copy of the statement available to the individual taken into custody (Minn. Stat. § 253B.051, Subd. 1).

409.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a 72-hour hold, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Arrange transportation for the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to the Minnesota Commitment and Treatment Act.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the application for a 72-hour hold, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a 72-hour hold should consider, as time and circumstances reasonably permit:

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- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

409.5 TRANSPORTATION

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Sergeant approval is required before transport commences.

When transporting any individual for a 72-hour hold in a patrol unit, the transporting officer should have the Dispatch Center 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.

409.5.1 TYPE OF TRANSPORTATION

When transporting any individual on a Minn. Stat. § 253B.051 admission, and if reasonably practicable, officers should not be in uniform and should not use a vehicle visibly marked as a law enforcement vehicle (Minn. Stat. § 253B.051, Subd. 1(e)).

409.6 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 a 72-hour hold and remain present to provide clarification of the grounds for detention, upon request.

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.

409.7 DOCUMENTATION

The officer should complete an application for emergency admission, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

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409.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for purposes of a 72-hour hold should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for a 72-hour hold 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 72-hour hold.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 72-hour hold.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a 72-hour hold, the handling officers should seek to determine if the individual 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.

The handling officers should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

409.10 TRAINING

This department will endeavor to provide department-approved training on interaction with persons with a mental disability, 72-hour holds, and crisis intervention.

Citation Releases

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Inver Grove Heights Police Department with guidance on when to release adults who are suspected offenders on a citation for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

This policy also provides guidance on when a court orders that a person be released.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Abuse Policy.

410.2 POLICY

The Inver Grove Heights 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.

410.3 RELEASE

A suspected offender shall be released on issuance of a citation:

- (a) When the offender has been arrested without a warrant and either a prosecutor or district court judge orders that the offender should be released (Minn. R. Crim. P. 4.02; Minn. R. Crim. P. 6.01).
 1. Release is not required if a reviewing supervisor determines that the offender should be held pursuant to Minn. R. Crim. P. 6.01 Subd. 1.
- (b) When the offender is charged with a petty or fine-only misdemeanor (Minn. R. Crim. P. 6.01).
- (c) In misdemeanor cases unless it reasonably appears to the arresting officer that the offender will (Minn. R. Crim. P. 6.01):
 1. Cause bodily injury to him/herself or another if he/she is not detained.
 2. Continue engaging in criminal conduct.
 3. Not respond to a citation.
- (d) When the offender is from another state which has a reciprocal agreement with Minnesota unless the offense is (Minn. Stat. § 169.91):
 1. One which would result in the revocation of the offender's driver's license under Minnesota law upon conviction.
 2. A violation of a highway weight limitation.
 3. A violation of a law governing the transportation of hazardous materials.
 4. That the offender was driving without a valid driver's license.

410.4 PROHIBITIONS

The release of a suspected offender on a citation is not permitted when:

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- (a) The offender has committed a driving while impaired (DWI) offense (Minn. Stat. § 169A.40; Minn. Stat. § 169.91).
- (b) The offender is arrested for a violation of state law or an ordinance related to the operation or registration of a vehicle punishable as a misdemeanor or felony and (Minn. Stat. § 169.91):
 - 1. The offender demands an immediate appearance before a judge.
 - 2. The offender is charged with:
 - (a) An offense involving an accident that resulted in injury or death.
 - (b) Criminal vehicular homicide.
 - (c) Failure to stop after being involved in an accident that resulted in death, personal injuries or damage to property.
 - 3. There is reasonable cause to believe that the offender may leave the state.

See the Domestic Abuse Policy for release restrictions related to those investigations.

410.5 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider:

- (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.
- (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.

410.6 FISH AND GAME AND ENVIRONMENT-RELATED OFFENSES

In the case of game and fish laws or other environment-related offenses, as specified in Minn. Stat. § 97A.211, officers should release the offender unless there is reason to believe that criminal conduct will continue or that the offender will not respond as required by the citation (Minn. Stat. § 97A.211).

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Inver Grove Heights Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Inver Grove Heights 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.

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

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.

411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

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Foreign Diplomatic and Consular Representatives

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations.
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers.

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

411.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members

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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	Yes	No for official acts Yes otherwise (note a)	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note a)	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note a)	No immunity or inviolability (note a)
Int'l Org Staff (note b)	Yes (note c)	Yes (note c)	Yes	Yes (note c)	No for official acts Yes otherwise (note 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 & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

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Foreign Diplomatic and Consular Representatives

- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response and Deployment

412.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

412.2 POLICY

The Inver Grove Heights 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 that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

412.3 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding 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 should 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 other 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 advance or engagement should be based on information known or received at the time.
 - 1. Any advance on a suspect should be made using teams of two or more officers whenever reasonably possible.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

412.5 PLANNING

The Patrol Division Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

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Rapid Response and Deployment

412.6 TRAINING

The Training Manager should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Inver Grove Heights Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the Inver Grove Heights 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.

413.3 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 Minnesota constitutions.

413.4 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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Immigration Violations

413.4.1 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).

413.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a county 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.

413.6 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.

413.7

413.7.1 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.

413.8 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)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigation Unit supervisor assigned to oversee the handling of any related case. The Investigation Unit 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.

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- (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 the Chief of Police has reviewed and signed off on certification or declaration form.
- (e) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

413.9 TRAINING

The Training Manager 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.

Emergency Utility Service

414.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter for potable water or sanitary sewer, emergency personnel from the Utilities Department should be called as soon as practicable by the Dispatch Center.

414.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or Public Works should be promptly notified, as appropriate.

414.1.3 RESERVOIRS, PUMPS AND WELLS

Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies will be maintained by the Dispatch Center.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of Inver Grove Heights contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by:

- Minnesota Department of Transportation (Mn/DOT) for State roadways.
- Dakota County for County roadways.

414.2.1 OFFICER'S RESPONSIBILITIES

Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch Center of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

Aircraft Accidents

415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide 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 Operations Plan and Hazardous Material Response policies.

415.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

415.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

415.3 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 who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

415.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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Aircraft Accidents

415.5 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)

415.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Medical Examiner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this 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.

415.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

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- (d) Evacuation chutes, ballistic parachute systems and composite materials.

415.8 DOCUMENTATION

All aircraft accidents occurring within the City of Inver Grove Heights 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 IGH PD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

415.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

415.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

415.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

Field Training Officer Program

416.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Inver Grove Heights Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

416.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry-level and lateral police officers in the application of their previously acquired knowledge and skills.

416.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of two years of patrol experience.
- (c) Demonstrated ability as a positive role model.

416.2.2 TRAINING

All FTOs must possess an FTO certificate of completion from a Minnesota POST Board-approved course.

416.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program Supervisor will be selected by the Patrol Division Commander or designee.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conduct FTO meetings.
- (c) Maintain and ensure FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor overall FTO Program.
- (g) Provide updates to Patrol Division Commander on the progress of the trainee.

The FTO Program supervisor will be required to obtain a Field Training Officer Supervisory certificate from a Minnesota POST Board-approved course within one year of appointment to this position.

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Field Training Officer Program

416.4 TRAINEE DEFINED

Trainee - Any entry level or lateral police officer newly appointed to the Inver Grove Heights Police Department who possesses a Minnesota POST license or is eligible to be licensed.

416.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

416.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as an officer with the Inver Grove Heights Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Inver Grove Heights Police Department.

416.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

416.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Completing and submitting a written evaluation on the performance of the assigned trainee to the Field Training Supervisor on a daily basis.
- (b) Reviewing the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Signing off all completed topics contained in the Field Training Manual.

416.6.2 FIELD TRAINING SUPERVISOR

The Field Training Supervisor will be responsible for the following:

- (a) Reviewing and approving the Daily Trainee Performance Evaluations.
- (b) Conduct end-of-week meetings with the trainee and FTO to ensure progression, understanding, and compliance with the Field Training Program weekly requirements.
- (c) Conduct end-of-phase meetings with the trainee and FTO to ensure progression, understanding, and compliance with the Field Training Program phase requirements.

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Field Training Officer Program

416.6.3 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a performance evaluation of each of his/her FTOs and of the Field Training Program.

416.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of week evaluations.
- (c) End of phase evaluations.
- (d) A Notice of Completion, certifying that the trainee has successfully completed the required number of hours of field training.

Obtaining Air Support

417.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

417.2 REQUEST FOR AIR SUPPORT ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, the Shift Sergeant or designee will call the closest agency having air support available. The Shift Sergeant will apprise that agency of the specific details of the incident prompting the request.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement air support may be requested under any of the following conditions:

- (a) When the aircraft is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard.
- (c) When the use of aircraft will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When an aircraft is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits (Minn. Stat. § 626.8458).
- (f) When the Shift Sergeant or equivalent authority determines a reasonable need exists.

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.

Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When 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 a Mobile Video Recorder (MVR) 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_deputy], 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.

418.2 POLICY

The Inver Grove Heights 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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Contacts and Temporary Detentions

418.3 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 Inver Grove Heights Police Department to strengthen community involvement, community awareness, and problem identification.

418.3.1 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.

418.4 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.

418.4 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

418.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

418.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The 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. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the 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.

418.4.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Shift Sergeant with either an associated FI incident report 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 Sergeant 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 Sergeant will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal 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.

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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. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

418.4.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Field photographs shall be classified as law enforcement data under Minn. Stat. § 13.82, and shall be collected, maintained, and disseminated consistent with the Minnesota Government Data Practices Act. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

418.5 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 reasonably available, prior to transport.
 2. When obtaining a recorded statement, members shall record their name, employee number, the current date and time, and case number at the beginning and the end of any statement being obtained. See the Portable Audio Recorders Policy for additional guidance.

Criminal Organizations

419.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Inver Grove Heights Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

419.1.1 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.

419.2 POLICY

The Inver Grove Heights 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.

419.3 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.

419.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, 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. Any supporting documentation

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for an entry shall be retained by the Records in accordance 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 are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.

419.3.2 ENTRIES INTO CRIMINAL GANG INVESTIGATIVE DATA SYSTEM

It is the designated supervisor's responsibility to approve the entry of any information into the criminal gang investigative data system maintained by the Minnesota Bureau of Criminal Apprehension and authorized by Minn. Stat. § 299C.091. Entries may be made if the individual is 14 years of age or older and the Department documents the following:

- (a) The Department has reasonable suspicion to believe that the individual has met at least three of the criteria or identifying characteristics of gang membership, developed by the Violent Crime Coordinating Council.
- (b) The individual has been convicted of a gross misdemeanor or felony, or has been adjudicated or has a stayed adjudication as a juvenile for an offense that would be a gross misdemeanor or felony if committed by an adult.

419.4 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 CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

419.4.1 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 or Evidence Room, but should be copies of, or references to, retained documents such as copies of reports, field interview (FI) forms, the Dispatch Center records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

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- (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.

419.4.2 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 or entered in an authorized criminal intelligence system, as applicable.

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.

419.5 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:

- (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 Training Manager to train members to identify information that may be particularly relevant for inclusion.

419.6 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 should 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.

419.7 CRIMINAL STREET GANGS

The Investigation Unit supervisor should ensure that there are an appropriate number of department members who can:

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- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity.
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

419.8 TRAINING

The Training Manager 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.
- (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.

Mobile Video Recorders

420.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department has equipped marked patrol cars with Mobile Video Recording (MVR) systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

420.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MVR system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Video Recorder (MVR) - 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.

Law Enforcement Operator (LEO) - Primarily a licensed peace officer but on occasion may be a non-licensed representative of the Department who is authorized and assigned to operate MVR-equipped vehicles to the extent consistent with Minn. Stat. § 169.98.

MGDPA - The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

MVR technician - Personnel certified or trained in the operational use and repair of MVRs, 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.

420.1.2 MVR OPERATIONAL GUIDELINES

The Inver Grove Heights Police Department has adopted the use of MVRs to accomplish the following objectives:

- (a) To enhance officer safety.
- (b) To document the audio-visual of events during an incident.
- (c) To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and courtroom preparation/presentation.
- (d) To provide an impartial measurement for self-critique and field evaluation during the recruitment and new officer training.
- (e) To preserve visual and audio information for use in current and future investigations.
- (f) To enhance public trust by preserving objective factual representations of officer-citizen interactions in the form of recorded media.
- (g) To identify training needs.

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420.2 POLICY

It is the goal of the Inver Grove Heights Police Department to use mobile video recorder (MVR) technology to more effectively fulfill the mission of the Department and to ensure these systems are used securely and efficiently.

420.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip themselves to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. Only Inver Grove Heights Police Department identified and labeled media with tracking numbers is to be used.

At the start of each shift, officers should test the MVR system operation in accordance with manufacturer specifications and department operating procedures and training.

System documentation is accomplished by the officer signing into the MVR system with their name and badge number. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

420.4 ACTIVATION OF THE MVR

The MVR system is designed to turn on whenever the vehicle's emergency lights are activated, however the system may be manually activated by the officer. The system remains on until it is turned off manually. The audio portion is independently controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

420.4.1 REQUIRED ACTIVATION OF THE MVR

This policy is not intended to describe every possible situation in which the MVR 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 its use would be appropriate and/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 MVR. The MVR system should 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 (to include but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops)
 - 2. Priority responses
 - 3. Vehicle pursuits
 - 4. Suspicious vehicles

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5. Arrests
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Prisoner transports
 9. Non-custody transports
 10. Pedestrian checks
 11. Driving While Intoxicated (DWI) investigations including field sobriety tests
 12. Consensual encounters
 13. Crimes in progress
 14. Responding to an in-progress call
 15. Medical incidents attended to by members of the Department
- (b) All self-initiated activity in which an officer would normally notify the Dispatch Center
- (c) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect, including:
1. Domestic abuse
 2. Disturbance of the peace
 3. Offenses involving violence or weapons
- (d) Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate

Activation of the MVR system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

420.4.2 CESSATION OF RECORDING

Once activated the MVR system should remain on until the incident has concluded. For purposes 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.

420.4.3 SURREPTITIOUS RECORDING

No member of this department may surreptitiously use City equipment to record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

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420.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MVR systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of the Dispatch Center.

At reasonable intervals, supervisors should validate that:

- (a) Beginning and end-of-shift recording procedures are followed.
- (b) Logs reflect the proper chain of custody, including:
 - 1. The tracking number of the MVR system media.
 - 2. The date the media was issued.
 - 3. The name of the department member or the vehicle to which the media was issued.
 - 4. The date the media was submitted.
 - 5. The name of the department member submitting the media.
 - 6. Holds for evidence indication and tagging as required.
- (c) The operation of MVR systems by new employees is assessed and reviewed no less than biweekly.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved traffic collisions), a supervisor shall respond to the scene and 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.

Supervisors may activate the MVR system remotely to monitor a developing situation such as a chase, riot, or an event that may threaten public safety, officer safety, or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MVR system for the purpose of monitoring the conversations or actions of an officer.

420.5 REVIEW OF MVR RECORDINGS

All recording media, recorded images, and audio recordings are the property of the Department and subject to the provisions of the MGDPA. Dissemination outside of the Department is strictly prohibited except to the extent permitted or required under the MGDPA, Peace Officer Disciplinary Procedures Act, or other applicable 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, MVR technician, or forensic media staff. When reasonably possible a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations.

- (a) By officers for use when preparing reports or statements

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- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to conduct documented reviews of their subordinate's MVR media at least annually to evaluate the member's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review MVR media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member.
- (d) To assess proper functioning of MVR 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
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to their employment
- (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 or with an MGDPA request (Minn. Stat. § 13.01 et seq.)
- (j) To assess possible training value
- (k) Recordings may be shown for staff or public safety training purposes. If an involved officer objects to showing a recording, their objection will be submitted to the command staff to determine if the training value outweighs the officer's objection
- (l) As may be directed by the Chief of Police or the authorized designee

Members desiring to view any previously uploaded or archived MVR recording should submit a request in writing to the Shift Sergeant. Approved requests should be forwarded to the MVR technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any member.

420.6 DOCUMENTING MVR 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. If a citation is issued, the officer shall make a notation on the records copy of the citation indicating that the incident was recorded.

420.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage all recording media will be labeled and stored in a designated secure area. All recording media that is not booked in as evidence will be retained for a minimum of 180 days and disposed of in compliance with the established records retention schedule.

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420.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

420.7.2 MVR RECORDINGS AS EVIDENCE

Officers who reasonably believe that an MVR recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer, or against the Inver Grove Heights Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

420.8 CLASSIFICATION OF MVR DATA

Nothing in this policy shall be interpreted as changing the underlying classification of data collected by the MVR systems. The classification of data collected by the MVR systems will need to be determined on a case by case basis. The factors that will determine the classification include the specific facts and circumstances surrounding the data, the application of the relevant policies and procedures as well as application and interpretation of the MGDPA, and other laws.

420.9 SYSTEM OPERATIONAL STANDARDS

- (a) MVR system vehicle installations should be based on officer safety requirements and vehicle and device manufacturer recommendations.
- (b) The MVR system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MVR system may not be configured to record audio data occurring prior to activation.
- (d) Unless the transmitters being used are designed for synchronized use, only one transmitter, usually the primary initiating officer's transmitter, should be activated at a scene to minimize interference or noise from other MVR transmitters.
- (e) Officers using digital transmitters that are synchronized to their individual MVR shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MVR equipped law enforcement vehicles in order to minimize the possibility of causing electronic or noise interference with the MVR system.
- (g) Officers shall not erase, alter, reuse, modify, or tamper with MVR recordings. Only a supervisor, MVR technician, or other approved designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.

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- (h) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MVR technician or forensic media staff.

420.10 MVR ADMINISTRATOR RESPONSIBILITIES

The MVR administrator is responsible for:

- (a) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. Following established records retention policies.
 - 3. Deemed to be of no evidentiary value.
- (b) Assigning all MVR to squads before issuance to the field.
- (c) Maintaining a record of issued MVRs.
- (d) Verifying the long-term storage of media that has been deemed to be of evidentiary value following the department's evidence storage protocols and the records retention schedule.

420.11 MVR TECHNICIAN RESPONSIBILITIES

The MVR technician is responsible for:

- (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 MVR technician:
 - 1. Ensures it is stored in a secured location with authorized controlled access.
 - 2. Makes appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with 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.

420.12 TRAINING

All members who are authorized to use the MVR systems shall successfully complete an approved course of instruction prior to its use.

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420.13 ANNUAL PROGRAM REVIEW

The MVR Administrator should complete an annual administrative review of the MVR program and provide it to the Chief of Police for review.

Mobile Digital Computer Use

421.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use, and application of the Mobile Digital Computer (MDC) 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 the Dispatch Center. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

421.2 POLICY

Inver Grove Heights Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

421.3 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).

421.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use, Protected Information, and CJIS Access, Maintenance, and Security policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Shift Sergeants.

Use of the MDC 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 their supervisor.

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

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

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421.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely.

When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

421.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Sergeant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

421.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC while the vehicle is not in motion.

421.5.2 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 field supervisor and the Shift Sergeant are 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 also handling an emergency.

421.6 EQUIPMENT CONSIDERATIONS

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421.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify the Dispatch Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

421.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Portable Audio Recorders

422.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio recording devices by members of this department while in the performance of their duties. Portable audio recording devices include all recording, hand-held, or integrated into portable equipment, non-Body-worn camera systems.

This policy does not apply to mobile audio recordings, interviews, or interrogations conducted at any Inver Grove Heights Police Department facility, undercover operations, wiretaps, or eavesdropping (concealed listening devices).

422.1.1 DEFINITIONS

Definitions related to this policy include:

Portable audio recorder - A hand held device that is capable of audio recording/statements (such as Axon Capture Mobile Application).

422.2 POLICY

The Inver Grove Heights Police Department may provide members with access to portable recorders for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing statements for criminal investigations.

422.3 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time or while acting in an official capacity of this department, regardless of ownership of the device, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

422.4 MEMBER RESPONSIBILITIES

Members will be responsible for making sure that they are equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to their supervisor and obtain a functioning device as soon as reasonably practicable.

When using a portable recorder, the assigned member shall record their name, employee number, the current date and time, and case number at the beginning and the end of any statement being obtained.

The recorder shall be used when members are obtaining statements from victim(s) and/or witness(es) of crimes.

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Portable Audio Recorders

422.5 SURREPTITIOUS RECORDINGS

Minnesota law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Minn. Stat. § 626A.02).

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

422.6 PROHIBITED USE OF AUDIO RECORDERS

Members are prohibited from using department-issued portable recorders for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

422.7 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule.

422.7.1 RELEASE OF AUDIO RECORDINGS

Requests for the release of audio recordings shall be processed in accordance with the Records Maintenance and Release Policy.

422.8 ACCOUNTABILITY

Any member who accesses or releases recordings without authorization may be subject to discipline (see the Standards of Conduct and the Protected Information policies).

Public Recording of Law Enforcement Activity

423.1 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.

423.2 POLICY

The Inver Grove Heights 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.

423.3 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 officers, him/herself or others.

423.4 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. If practicable, officers should 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

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behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, 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.

423.5 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. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

423.6 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

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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 Room Policy.

Bicycle Patrol Unit

424.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in patrol areas. A bicycle's quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

424.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize its mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Shift Sergeant.

424.3 SELECTION OF PERSONNEL

Interested licensed personnel, who are off probation, shall submit a request join the BPU to the Patrol Division Commander. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as it pertains to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

424.3.1 BICYCLE PATROL UNIT SUPERVISOR

The BPU supervisor will be selected by the Patrol Division Commander or designee.

The BPU supervisor shall have responsibility for the following:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
- (c) Scheduling maintenance and repairs.
- (d) Evaluating the performance of bicycle officers.
- (e) Coordinating activities with the Patrol Division.
- (f) Inspection and documentation no less than every three months that bicycles not in active service are in a serviceable condition.
- (g) Other activities as required to maintain the efficient operation of the unit.

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Bicycle Patrol Unit

424.4 TRAINING

Participants in the program must complete an initial Department-approved bicycle-training course after acceptance into the program. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

Bicycle patrol officers may receive in-service training to improve skills and refresh safety, health and operational procedures.

Bicycle patrol officers will be required to show proficiency with their duty firearm while wearing bicycle safety equipment, including the helmet and riding gloves.

424.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a radio head set and microphone and jackets in colder weather. Turtleneck shirts or sweaters are permitted when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary department equipment needed while on bicycle patrol.

424.6 CARE AND USE OF PATROL BICYCLES

Bicycles utilized for uniformed bicycle patrol shall have a "Police" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front and rear lamps and a siren/horn. Lamps and reflectors must meet legal requirements.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry the necessary equipment for handling routine patrol calls.

Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information. These items are to remain with/on the bicycle at all times.

Each bicycle shall be equipped with a steady or flashing warning light that is visible from the front, sides or rear of the bicycle.

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Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of the bicycle (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a maintenance/repair email will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance yearly, to be performed by a Department-approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, the program supervisor shall periodically rotate the batteries on the respective chargers to increase battery life.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the express approval of the bicycle supervisor or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

424.7 OFFICER RESPONSIBILITIES

Officers are exempt from operating the bicycle in compliance with Minnesota law while performing their duties (Minn. Stat. § 169.222 Subd. 11). Officers may operate the bicycle without lighting equipment during hours of darkness, when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Foot Pursuits

425.1 PURPOSE AND SCOPE

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

425.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, must 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.

425.3 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 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 shall not serve as the sole 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 potentially place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

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 the following:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.

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- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (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.

425.4 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 suspect should a confrontation occur.
- (f) The physical condition of the officers renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the Dispatch Center 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.

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- (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 immediate threat to Department personnel or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

425.5 RESPONSIBILITIES IN FOOT PURSUITS

425.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. 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 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 Dispatch Center 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.

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425.5.2 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.

425.5.3 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 reasonably possible. The supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor should 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 should promptly proceed to the termination point to direct the post-pursuit activity.

425.5.4 THE DISPATCH CENTER RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (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 field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Sergeant as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

425.6 REPORTING

The initiating officer shall complete the appropriate crime/arrest reports documenting, at 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.

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1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 - (g) Arrestee information, if applicable.
 - (h) Any injuries and/or medical treatment.
 - (i) Any property or equipment damage.
 - (j) Name of the supervisor at the scene or who handled the incident.

Assisting 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.

In any case in which a suspect is not apprehended and there is insufficient information to warrant further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Homeless Persons

426.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Inver Grove Heights Police Department recognizes that members of the homeless community are often in need of special protection and services. The Inver Grove Heights Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy when serving the homeless community.

426.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

426.3 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

- (a) Maintain and make available to all Department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with social services and representatives of other organizations that render assistance to the homeless.
- (c) Maintain a list of those areas within and near this jurisdiction that are used as frequent homeless encampments.
- (d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 1. Proper posting of notices of trespass and clean-up operations.
 2. Proper retention of property after clean up, to include procedures for owners to reclaim their property in accordance with the Property Procedures Policy and other established procedures.
- (e) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.
- (f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

426.4 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer

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from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest. Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

426.4.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of our community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

426.5 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. 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, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

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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 or the Department Homeless Liaison Officer. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer.

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 Department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

426.6 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a 72-hour emergency medical hold unless facts and circumstances warrant such a detention.

426.7 ECOLOGICAL ISSUES

Sometimes homeless encampments can affect 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 when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Criminal Conduct on School Buses

427.1 PURPOSE AND SCOPE

Criminal conduct on school buses has been identified by the legislature as a critical component for the safety and security of the community. The primary purpose of this policy is to provide officers guidance in responding to reports of alleged criminal conduct on school buses. This department, in cooperation with any other law enforcement agency that may have concurrent jurisdiction over the alleged offense, is responsible for responding to all reports of criminal misconduct on school buses in this jurisdiction.

This policy is not intended to interfere with or replace school disciplinary policies that relate to student misconduct on school buses (Minn. Stat. § 169.4581).

427.2 COMMUNITY COOPERATION

The Inver Grove Heights Police Department shall work with and consult with school officials, transportation personnel, parents and students to respond to these incidents to protect student safety and deal appropriately with those who violate the law.

427.3 PROCEDURE

This department shall respond to all criminal misconduct on school buses within the jurisdiction of this department regardless of the source of the report. Officers should take reasonable actions to complete the following:

- (a) Provide for the safety of any person involved in the incident or present at the incident.
- (b) Coordinate any appropriate care.
- (c) Investigate reports of crimes committed on school buses using the same procedures as followed in other criminal investigations as appropriate for juveniles and/or adults.
- (d) Issue citations, release pending further investigation, or apprehend and transport individuals committing crimes on school buses to the extent authorized by law.
- (e) Submit reports regarding the incident for review, approval and consideration for prosecution.
- (f) Complete follow-up and additional investigation as reasonably necessary to prepare a case pertaining to criminal conduct on school buses as required for prosecution.
- (g) Provide information to the relevant school regarding the incident as required or authorized by law.

Suspicious Activity Reporting

428.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

428.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

428.2 POLICY

The Inver Grove Heights 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.

428.3 RESPONSIBILITIES

The Investigation Division Commander and 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 Investigation Division Commander 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 members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

428.4 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 should 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 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.

428.5 HANDLING INFORMATION

The Records will forward copies of SARs, in a timely manner, to the following:

- Investigation Unit supervisor
- Crime Analysis Unit
- Other authorized designees

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 Inver Grove Heights 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 the Dispatch Center 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 the Dispatch Center 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 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 not in custody and who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

For guidelines regarding transporting ill or injured persons who are in custody, see the Transporting Persons in Custody Policy.

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 care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks 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 a 72-hour hold in accordance with the Emergency Health and Welfare Hold/Civil Commitment 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, the arrestee 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.

Arrestees who appear to have a serious medical issue should be transported by ambulance to an appropriate medical facility.

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

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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.

429.6.1 HOSPITAL SECURITY AND CONTROL

Officers who transport persons in custody to medical facilities for treatment should provide security and control during examination and treatment consistent with department protocols. Any such transport should be conducted in accordance with the Transporting Persons in Custody Policy.

The Patrol Division Commander should develop protocols related to the following:

- (a) Providing security and control during an examination or treatment, including:
 1. Monitoring the person in custody (e.g., guarding against escape, suicide, and assault of others)
 2. Removal of restraints, if necessary and appropriate (see the Handcuffing and Restraints Policy)
- (b) Responsibility for continuing security and control if the person in custody is admitted to the hospital
 1. This should include transferring custody of the person to an appropriate agency.

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 Patrol Division Commander 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.

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- 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 should 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.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during 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

429.9.1 AED USER RESPONSIBILITY

AEDs issued 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 Shift Sergeant 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 the Dispatch Center as soon as possible and request response by EMS.

429.9.2 AED REPORTING

Any member using an AED will complete an AED Data Collection form and an incident report* (*if applicable).

429.9.3 AED TRAINING AND MAINTENANCE

The Training Manager should ensure appropriate training is provided to members authorized to use an AED.

The Training Manager is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

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429.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Only officers who receive training in the recognition of signs of opiate overdose and the use of opiate antagonists may administer opioid overdose medication (Minn. Stat. § 626.8443). Officers may administer opioid overdose medication in accordance with protocol specified by the physician who prescribed the overdose medication for use by the officer (Minn. Stat. § 151.37; Minn. Stat. § 604A.04).

429.10.1 MAINTENANCE AND REPLACEMENT OF OPIOID OVERDOSE MEDICATION

Exposure to freezing temperatures, extreme heat, or direct sunlight may deteriorate the medication and significantly reduce its effectiveness. Officers qualified to administer the medication should handle, store, and administer the medication consistent with approved protocols and the manufacturer's instructions.

Officers should check the medication at the beginning of their shift to ensure that it is serviceable and not expired.

Used, lost, damaged, or expired doses of medication will be replaced after a maintenance slip request form has been completed and submitted to the Shift Sergeant.

Expired medication will be properly documented and disposed of by the Training Manager, or designee.

429.10.2 ADMINISTRATION PROTOCOL

If officers encounter an individual who appears in a potential overdose state, they shall:

- (a) Request EMS response (if not already in progress) to respond.
- (b) Use universal precautions and protections.
- (c) Perform an assessment to determine the level of unresponsiveness and other indicators of opioid overdose, the assessment should include but may not be limited to;
 1. Checking if the individual is not breathing.
 2. Checking if the individual has no pulse.
 - (a) **If the individual is not breathing and/or has no pulse begin CPR and wait for EMS to deliver the overdose medication.**
 3. If the individual is unresponsive but is breathing and has a pulse.
 - (a) Perform a situational assessment to determine that it is more likely than not, that the individual is experiencing an opioid overdose.
 - (b) Administer the overdose medication following the established protocols.
 - (c) Update responding EMS service of:
 1. The amount of overdose medication given
 2. Any change in condition

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- (d) Use proper tactics when administering overdose medication; individuals who are revived from an opioid overdose may regain consciousness in an agitated and combative state and may exhibit symptoms associated with withdrawal.
- (e) Remain with the individual and provide basic life support care.
- (f) Document the overdose and the use of the overdose medication on the department approved method.
 1. Make note of that documentation in an incident report* or CAD notes* (*whichever is applicable).

429.10.3 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Officers who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Officers should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Manager.

429.10.4 OPIOID OVERDOSE MEDICATION REPORTING

Any officer administering opioid overdose medication should detail its use in an appropriate report.

429.10.5 OPIOID OVERDOSE MEDICATION TRAINING

The Training Manager should ensure training is provided to officers authorized to administer opioid overdose medication (Minn. Stat. § 151.37; Minn. Stat. § 626.8443).

429.10.6 OPIOID OVERDOSE MEDICATION SUPPLY

The Chief of Police or the authorized designee shall ensure there is a sufficient supply of opioid overdose medication available for use.

Trained officers shall carry at least two unexpired doses of opioid overdose medication while on-duty (Minn. Stat. § 626.8443).

429.11 ADMINISTRATION OF EPINEPHRINE

The department may obtain epinephrine auto-injectors from licensed pharmacies to be administered by trained members in accordance with Minn. Stat. § 144.999.

429.11.1 EPINEPHRINE USER RESPONSIBILITIES

Members who are qualified to administer epinephrine should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Manager.

Any member who administers epinephrine should contact the Dispatch Center as soon as possible and request response by EMS.

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429.11.2 EPINEPHRINE REPORTING

Any member administering epinephrine should detail its use in an appropriate report.

429.11.3 EPINEPHRINE TRAINING

The Training Manager should ensure that training is provided to members authorized to administer epinephrine.

Training shall be conducted by an authorized provider and be completed every two years (Minn. Stat. § 144.999).

429.12 FIRST-AID TRAINING

The Training Manager should ensure officers receive periodic first-aid training appropriate for their position.

Crisis Intervention Incidents

430.1 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.

430.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

430.2 POLICY

The Inver Grove Heights 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.

430.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

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430.4 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to 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 alone 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) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

430.5 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, courteous and avoid overreacting.

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- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding 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.

430.6 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.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

430.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Division Commander.

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- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

430.8 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

430.8.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Emergency Health and Welfare Hold/Civil Commitment Policy.

430.9 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

430.10 EVALUATION

The Division Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. 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.

430.11 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

Additionally, the Training Manager will provide officers with in-service training in crisis intervention and mental illness crisis as required by Minn. Stat. § 626.8469 and Minn. Stat. § 626.8474.

First Amendment Assemblies

431.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

431.2 POLICY

The Inver Grove Heights 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.

431.3 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 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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431.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

431.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Dispatch Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

431.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

431.5.1 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.

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- 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).

431.5.2 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 the following:

- (a) Command assignments, chain of command structure, roles, and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields)
 1. Uniforms must display the Department name and a unique personal identifier.
 2. A protocol for keeping record of any officers on scene who are not in compliance with uniform requirements due to exigent circumstances.
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multijurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with City government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief, and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability
- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly (as defined by Minn. Stat. § 609.705)
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions

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- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force
- (s) Protocol for handling complaints during the event
- (t) Parameters for the use of body-worn cameras and other portable recording devices

431.5.3 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).

431.6 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, the Incident Commander 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 (at least two routes when possible). A reasonable time to disperse should be allowed following a dispersal order.

Additionally, the dispersal order must include:

- (a) The name and rank of the person and the agency giving the order.
- (b) The reasons for the declaration.
- (c) How long the participants have to comply.

The dispersal announcements should be repeated after commencement of the initial dispersal order so that participants understand that they must leave the area.

If, after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it

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has been determined that it is an unlawful assembly, and a new declaration of unlawful assembly has been made.

431.6.1 MINNESOTA POST GUIDELINES ON UNLAWFUL ASSEMBLY

The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly.

The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.

Whenever possible, the unlawful behavior of a few participants must not result in the majority of peaceful protestors being deprived of their First Amendment rights, unless other participants or officers are threatened with dangerous circumstances.

431.7 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 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.

431.8 ARRESTS

The Inver Grove Heights 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:

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- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

431.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

431.10 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.

431.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment, and supply records
- (e) Incident, arrest, use of force, injury, and property damage reports
- (f) Photographs, audio/video recordings, the Dispatch Center records/tapes
- (g) Media accounts (print and broadcast media)
- (h) Record of any unlawful assembly declarations

431.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event

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- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

431.12 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.

431.13 ADDITIONAL INCIDENT COMMANDER RESPONSIBILITIES

The Incident Commander is responsible for maintaining familiarity with the Minnesota model policy on Public Assembly and First Amendment Activity and incorporating additional protocols as appropriate for the department's preparedness in addressing:

- (a) Approved devices, tactics, and munitions.
- (b) Accessibility to the public assembly or demonstration by media representatives and other observers.
- (c) Additional documentation requirements, if any.

Civil Disputes

432.1 PURPOSE AND SCOPE

This policy provides members of the Inver Grove Heights 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 Abuse 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 Minnesota law.

432.2 POLICY

The Inver Grove Heights 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 safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

432.3 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 not intended to be an exhaustive list, members should give considerations 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 including valid consent.
- (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 30 minutes are warranted.

432.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent

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court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

432.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

432.5 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 (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

432.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

Medical Cannabis

433.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the possession, transportation, or use of medical cannabis under Minnesota's medical cannabis laws.

433.1.1 DEFINITIONS

Definitions related to this policy include (Minn. Stat. § 342.01):

Medical cannabis - (also known as medical cannabis flower or medical cannabinoid product) - Cannabis flower or a product in approved form that consists of or contains cannabis or hemp concentrate or is infused with cannabinoids and is provided to a patient, registered caregiver, or a parent, guardian, or spouse of an enrolled patient to treat or alleviate the symptoms of a qualifying medical condition. Medical cannabis may be provided only in state-approved forms such as liquids, oils, pills, vaporized products, dissolvable tablets, gummies, chews, topicals, or other authorized delivery methods and does not include adult-use cannabis or hemp-derived consumer products.

Patient - A Minnesota resident who has been diagnosed with a qualifying medical condition by a health care practitioner and who has met any other requirements for patients under Minn. Stat. § 342.01 et seq.

Caregiver - A person who has been approved by the Minnesota Office of Cannabis Management (OCM) to assist a patient with obtaining and administering medical cannabis from a cannabis retailer, and who is authorized to assist the patient with the use of medical cannabis.

433.2 POLICY

It is the policy of the Inver Grove Heights Police Department to prioritize resources to avoid making arrests related to medical cannabis that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Minnesota medical cannabis laws are intended to provide protection from prosecution to those who use or possess medical cannabis for medical purposes. The Inver Grove Heights Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Minnesota law and the resources of the Department.

433.3 INVESTIGATION

Investigations involving the possession or use of cannabis generally fall into one of the following categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a person claims to be a patient or caregiver.
- (c) Investigations when the person is otherwise authorized.

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433.3.1 INVESTIGATIONS WITH NO MEDICAL CLAIM

In any investigation involving the possession, delivery, production, or use of a cannabis product or drug paraphernalia where no person claims that the cannabis is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use under Minn. Stat. § 342.09. A medicinal claim may be raised at any time, so officers should document any statements and observations that may be relevant to whether the cannabis was possessed or produced for medicinal purposes.

433.3.2 INVESTIGATIONS INVOLVING A PATIENT OR CAREGIVER

Arrests shall not be made for the possession of medical cannabis by a patient, a caregiver, or the parent or legal guardian of a patient (Minn. Stat. § 342.57).

Possession of medical cannabis properly packaged and labeled by an authorized manufacturer should suffice for verification of a person's status as a patient. The possession of medical cannabis registry verification from the OCM should also suffice for verification a person's status as a patient or caregiver (Minn. Stat. § 342.01; Minn. Stat. § 342.52).

433.3.3 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (Minn. Stat. § 342.56):

- (a) Possesses or consumes medical cannabis on a school bus or van, in a correctional facility, in a state-operated treatment program, including the Minnesota sex offender program, or on the grounds of any child care facility or family or group family daycare program.
- (b) Vaporizes or smokes medical cannabis on any form of public transportation, where the vapor or smoke would be inhaled by a non-patient minor child, or in any public place or a place of employment.
- (c) Operates a motor vehicle, aircraft, train, or motorboat, or works on transportation property, equipment, or facilities while under the influence of medical cannabis.

433.3.4 INVESTIGATIONS INVOLVING OTHER AUTHORIZED INDIVIDUALS

Any person falling into the following category shall not be arrested for the authorized possession of cannabis (Minn. Stat. § 342.515):

- (a) An otherwise authorized individual transporting cannabis plants or products between business facilities pursuant to state law.

433.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a medical cannabis 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.

433.5 EVIDENCE ROOM SUPERVISOR RESPONSIBILITIES

The Evidence Room supervisor shall ensure that medical cannabis, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical cannabis is not

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destroyed. Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Evidence Room supervisor shall as soon as practicable return to the person from whom it was seized any medical cannabis, drug paraphernalia or other related property.

The Evidence Room supervisor may not destroy medical cannabis except upon receipt of a court order.

The Evidence Room supervisor may release medical cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Investigation Unit supervisor.

433.6 REPORTING

Officers aware of a person experiencing a negative medical condition or a death related to a cannabis overdose, including as a result of an unauthorized access to medical cannabis, must contact the OCM within five business days. If discovered as part of an ongoing investigation, the report must be made within 72 hours of the conclusion of the investigation (Minn. R. 4770.4002; Minn. R. 4770.4004).

Officers having reasonable suspicion of unauthorized possession of medical cannabis or of violations of cannabis laws by individuals authorized to possess medical cannabis, must report to the OCM using the designated online form. Reports related to unauthorized possession must be submitted within 72 hours, unless discovered as part of an ongoing investigation, in which case reporting must be made within 72 hours of the conclusion of the investigation. Reports of violations by persons authorized to possess medical cannabis must be submitted within 15 days (Minn. R. 4770.4010).

Body-Worn Cameras

434.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of a body-worn camera (BWC) by members of this department and for the access, use, and retention of department BWC media (Minn. Stat. § 626.8473).

The provisions of this policy, including notice, documentation, access, and retention, also apply to other portable audio/video recording devices used by members, where applicable.

This policy does not apply to undercover operations, wiretaps, or eavesdropping (concealed listening devices).

434.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

BWC media - The video, audio, and images captured by department BWCs and the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, used by the Department to upload/download, store, view, transfer, and otherwise maintain BWC media.

Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately prior to activation is then stored as part of the BWC media. Deactivate does not mean powering off the BWC.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

434.2 POLICY

It is the policy of the Department to use BWCs and BWC media for evidence collection and to accurately document events in a way that promotes member safety and department accountability and transparency while also protecting the privacy of members of the public.

434.3 RESPONSIBILITIES

434.3.1 BWC COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee should delegate certain responsibilities to a BWC coordinator (Minn. Stat. § 13.825; Minn. Stat. § 626.8473).

The responsibilities of the coordinator include:

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- (a) Serving as a liaison between the Department and the BWC manufacturer/distributor and any third-party media storage vendor.
- (b) Developing inventory and documentation procedures for issuing and tracking BWC equipment, including properly marking BWCs as property of the Department, recording the date each BWC is placed into or taken out of service, and maintaining the following information:
 - 1. The total number of devices owned or maintained by the Inver Grove Heights Police Department
 - 2. The daily record of the total number deployed and used by members and, if applicable, the precinct or district in which the devices were used
 - 3. The total amount of recorded audio and video data collected by the BWC media systems and maintained by the Inver Grove Heights Police Department
- (c) Assisting with troubleshooting and maintenance of BWC equipment and media systems and, when necessary, coordinating the repair or replacement of BWCs.
 - 1. All equipment and system malfunctions and their resolutions should be documented, and maintenance and repair records should be maintained for all BWCs.
- (d) Managing BWC media systems so that:
 - 1. Access is limited to the minimum necessary authorized users and user privileges are restricted to those necessary for the member to conduct assigned department duties.
 - 2. Security requirements, such as two-factor authentication and appropriate password parameters, are in place for user credentials.
 - 3. Procedures include a process to obtain written authorization for access to non-public data by IGH PD members and members of other governmental entities and agencies for a legitimate, specified law enforcement purpose (Minn. Stat. § 13.825, Subd. 7; Minn. Stat. § 13.825, Subd. 8).
- (e) Configuring BWC media systems, or developing manual procedures, so that media is appropriately categorized and retained according to the event type tagged by members.
- (f) Retaining audit logs or records of all access, alteration, and deletion of BWC media and media systems, and conducting periodic audits to ensure compliance with applicable laws, regulations, and department policy.
- (g) Developing and updating BWC training for members who are assigned a BWC or given access to BWC media systems.
- (h) Coordinating with the community relations coordinator to (see the Community Relations Policy):
 - 1. Provide the public with notice of the department's use of BWCs (e.g., posting on the department website or social media pages) (Minn. Stat. § 626.8473, Subd. 3).

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2. Gain insight into community expectations regarding BWC use.
- (i) Coordinating with the Records Manager to (see the Records, Records Maintenance and Release, and Protected Information policies):
 1. Determine and apply proper retention periods to BWC media (e.g., firearm discharges, certain use of force incidents, formal complaints) (Minn. Stat. § 13.825, Subd. 3).
 2. Develop procedures for the appropriate release of BWC media.
 3. Ensure procedures comply with the requirements of the Minnesota Government Data Practices Act and other applicable laws (Minn. Stat. § 13.01 et seq.).
- (j) Coordinating with the Evidence Room to develop procedures for the transfer, storage, and backup of evidentiary BWC media (see the Evidence Room Policy).
- (k) Completing an annual administrative review of the BWC program and providing it to the Chief of Police for review.
- (l) Preparing the biennial audit required by Minn. Stat. § 13.825, Subd. 9.
- (m) Notifying the Bureau of Criminal Apprehension (BCA) in a timely manner when new equipment is obtained by the Inver Grove Heights Police Department that expands the type or scope of surveillance capabilities of the department's portable recorders (Minn. Stat. § 13.825, Subd. 10).

434.3.2 MEMBER RESPONSIBILITIES

Every member issued a BWC is responsible for its proper use, safekeeping, and maintenance.

At the beginning of each shift or period of BWC use, the member should inspect their assigned BWC to confirm it is charged and in good working order. As part of the inspection, the member should perform a function test by activating the BWC and recording a brief video stating their name, identification number, assignment, and the date and time (Minn. Stat. § 13.825; Minn. Stat. § 626.8473).

Members should wear their assigned BWC on their outermost garment positioned at or above the mid-line of the waist (Minn. Stat. § 626.8473). Members are responsible for ensuring there are no obstructions and that the BWC remains in a position suitable for recording.

When a BWC is not in the physical possession of the member to which it is assigned, it should be placed on the charging dock and stored in a secure location.

Members shall report any malfunction or damage to the BWC coordinator or on-duty supervisor as soon as practicable and, if possible, obtain a functioning BWC to use either temporarily while repairs are being made to the member's BWC or as a permanent replacement (Minn. Stat. § 626.8473).

Members shall comply with this policy's provisions while performing law enforcement activities under the command and control of another law enforcement agency (Minn. Stat. § 626.8473).

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434.4 BWC USE

The following guidelines apply to the use of BWCs:

- (a) Only department-issued BWCs should be used (Minn. Stat. § 13.825, Subd. 6).
- (b) BWCs should only be used by the member or members to whom it was issued unless otherwise authorized by a supervisor.
- (c) The use of department-issued BWCs shall be strictly limited to department-related activities.
- (d) Members shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.
- (e) Members shall immediately report unauthorized access or use of BWCs or BWC media systems by another member to their supervisor or the Chief of Police.

434.4.1 PROHIBITIONS

BWCs should not be used to record:

- (a) Routine administrative activities of the Department that do not involve interactions with the public. Care should be taken to avoid incidentally recording confidential documents that the Department has a duty to keep secure (i.e., criminal justice information).
- (b) Areas within the department facilities where members have a reasonable expectation of privacy (e.g., locker rooms or dressing areas, breakrooms) unless responding to a call for service or conducting an investigation.
- (c) Conversations of other members without their knowledge.
- (d) When a member is taking an authorized break or otherwise engaged in personal activities.
- (e) In a courtroom unless responding to a call for service or emergency situation.
- (f) Interactions with undercover officers or confidential informants.
- (g) Strip searches.

BWCs shall not be used for the purpose of embarrassment, harassment, or ridicule of any individual or group.

434.5 ACTIVATION OF BWC

Members should activate their BWC during all calls for service and the performance of law enforcement-related functions. Members are not required to activate their BWC during casual or informal contacts with members of the public that are not part of or related to law enforcement functions. However, members should activate their BWC any time a contact with an individual becomes hostile or adversarial.

BWCs shall be activated in any of the following situations:

- (a) All enforcement and investigative contacts, including stops and field interview (FI) situations

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- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance, and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify the Dispatch Center
- (d) Transport and physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, jails, or similar facilities.
- (e) Any participation in the service/execution of a court-approved search warrant
- (f) Any participation in a SWAT callout/response action
- (g) Assisting an outside law enforcement agency
 - 1. Exemption from recording may occur upon the request of the outside law enforcement agency with the approval of the Chief of Police or their designee.

Members assigned as a School Resource Officer (SRO) shall not be required to activate their BWC unless

- (a) Taking enforcement action
- (b) Interviewing or investigating a student(s) regarding an alleged offense
- (c) Engaging in a potentially adversarial encounter to the extent known.

The SRO shall not record conversations with school staff regarding students, except when the SRO is taking a formal statement from a school staff member and the school staff member has been advised that they are being recorded.

At no time is a member expected to jeopardize their safety to activate their BWC. However, the BWC should be activated as soon as reasonably practicable in required situations.

If a member attempts to activate their BWC but the BWC fails to record an event, the member should notify their supervisor as soon as practicable.

434.5.1 CESSATION OF RECORDING

Unless otherwise authorized by this policy or approved by a supervisor, BWCs should remain activated until the call for service or law enforcement-related function has concluded. A member may cease recording if they are simply waiting for a tow truck or a family member to arrive, or in other similar situations.

Once activated, BWCs 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. If circumstances change, members shall reactivate their BWC as required by this policy or as directed by a supervisor to capture information having evidentiary value.

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434.5.2 NOTICE OF RECORDING

Unless otherwise approved based on unique circumstances, a member should wear the BWC in a manner that is conspicuous and shall answer truthfully if asked whether they are equipped with a BWC or if their BWC is activated.

434.5.3 PRIVACY CONSIDERATIONS

Members should remain sensitive to the dignity of individuals being recorded and should exercise sound discretion with respect to privacy concerns.

When responding to a place where individuals have an expectation of privacy (e.g., private residences, medical or mental health facilities, restrooms) or to a sensitive situation (e.g., individuals partially or fully unclothed), members are permitted to mute or deactivate their BWC if it reasonably appears that the privacy concern outweighs any legitimate department interest in recording the event. Members may also mute or deactivate their BWC:

- (a) To protect the privacy of a victim or witness.
- (b) When an individual wishes to provide information anonymously.
- (c) To avoid recording a confidential informant or undercover officer.
- (d) When discussing case tactics or strategy.
- (e) During private conversations with other members or emergency responders.

Members should choose to mute rather than deactivate BWCs when practicable. Deactivation should only be used when muting the BWC will not accomplish the level of privacy necessary for the situation.

Before muting or deactivating their BWC, the member should verbally narrate the reason on the recording. As soon as possible once the privacy concern is no longer an issue, or when circumstances change so that the privacy concern no longer outweighs the department's interest in recording the event (e.g., the individual becomes combative, the conversation ends), the member should unmute or reactivate their BWC and verbally note that recording has resumed.

434.5.4 LIVESTREAMING

Livestreaming enables authorized individuals to remotely view the audio and video captured by a member's BWC in real time. Only supervisors and dispatchers approved by the Chief of Police or the authorized designee shall have access to livestreaming capabilities.

Livestreaming should only be activated:

- (a) For purposes of member safety when the member is not responding to their radio or there is some other indication of distress.
- (b) To assist with situational awareness or tactical decisions during a significant incident.
- (c) When requested by the member.

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434.5.5 BUFFERING

BWCs have the ability to continuously loop video-only recording (no audio) for a period of time before a recording is started.

- Pre-event buffering: Portable recorders are set up to record and recall 30 seconds before the recording is started.
- Video Recall: BWCs are set up when on (not recording or in sleep mode) with an 18-hour buffer to recall recorded video (no audio) in the event a BWC was not activated for an event. Only Command personnel have permission to recall the video.

434.5.6 DOCUMENTATION

Members are encouraged to provide narration while using a BWC when it would be useful to provide context or clarification of the events being recorded. However, the use of a BWC is not a replacement for written reports and should not be referred to in a written report in place of detailing the event.

Every report prepared by a member who is issued a BWC should state "BWC available" or "BWC unavailable," as applicable, and should document:

- (a) To the extent practicable and relevant, the identity of individuals appearing in the BWC media.
- (b) An explanation of why BWC media is unavailable including any malfunction, damage, or battery issue that resulted in the failure of the BWC to capture all or part of the event.
- (c) Any exigency or other circumstances that prevented the member from immediately activating the recording at the beginning of the event.
- (d) Any period of the event in which the member deactivated or muted their BWC and the reason for such action.
- (e) If livestreaming was activated during the event, the reason for livestreaming and the members who communicated or participated in the event through BWC livestreaming.

434.6 UPLOADING BWC MEDIA

Unless otherwise authorized by a supervisor, all media from a member's BWC should be properly tagged and docked before the end of their shift. BWC media related to a serious or high-profile event (e.g., search for a missing child, active shooter situation) should be uploaded and tagged as soon as practicable upon returning to the Department.

Following an officer involved shooting or death or other event deemed necessary, a supervisor should take possession of the BWC for each member present and upload and tag the BWC media.

434.6.1 TAGGING BWC MEDIA

Members should tag all media captured by their BWC with their name and/or identification number, the case or incident number, and the event type. BWC media should be tagged upon uploading or, if capabilities permit tagging in the field, as close to the time of the event as possible. If more than one event type applies to BWC media, it should be tagged with each event type. If BWC

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media can only be tagged with a single event type, the media should be tagged using the event type with the longest retention period.

See the Body-Worn Camera and Mobile Video Recorder Retention and Labeling procedure for additional guidance.

Supervisors should conduct audits at regular intervals to confirm BWC media is being properly tagged by their subordinates.

434.7 BWC MEDIA

All BWC media is the sole property of the Department. Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred in a manner that is physically and digitally secure with appropriate safeguards to prevent unauthorized modification, use, release, or transfer. Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Department and shall not be used by the vendor for any purpose without explicit approval of the Chief of Police or the authorized designee.

Members shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Chief of Police or the authorized designee.

BWC media systems should not be accessed using personal devices unless authorized by the Chief of Police or the authorized designee.

434.7.1 ACCESS AND USE OF BWC MEDIA

BWC media systems shall only be accessed by authorized members using the member's own login credentials and in accordance with the Information Technology Use Policy.

BWC media shall only be accessed and viewed for legitimate department-related purposes in accordance with the following guidelines:

- (a) BWC media tagged as restricted should only be accessible by those designated by the Chief of Police or the authorized designee.
- (b) Members may review their own BWC media for department-related purposes. Members should document in their report if they reviewed BWC media before completing the report.
- (c) Investigators may review BWC media pertaining to their assigned cases.
- (d) A member testifying regarding a department-related event may review the pertinent BWC media before testifying.
- (e) Supervisors are permitted to access and view BWC media of their subordinates.
 1. Supervisors should review BWC media that is tagged as a significant event or that the supervisor is aware pertains to a significant event.
 2. Supervisors should conduct documented reviews of their subordinate's BWC media at least annually to evaluate the member's performance, verify

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- compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review BWC media with the recording member when it would be beneficial to provide guidance or to conduct one-on-one informal training for the member (Minn. Stat. § 626.8473).
3. Supervisors should conduct periodic reviews of a sample of each subordinate's BWC media to evaluate BWC use and ensure compliance with this policy.
- (f) The Training Manager is permitted to access and view BWC media for training purposes.
1. The Training Manager should conduct a quarterly review of a random sampling of BWC media to evaluate department performance and effectiveness and to identify specific areas where additional training or changes to protocols would be beneficial. Training Committee members may review BWC media as part of their review to identify training needs.
 2. The Training Manager may use BWC media for training purposes with the approval of the Chief of Police or the authorized designee. The Training Manager should use caution to avoid embarrassing or singling out a member and, to the extent practicable, should seek consent from the members appearing in the BWC media before its use for training. When practicable, sensitive issues depicted in BWC media should be redacted before being used for training.
- (g) The Records Manager may access BWC media when necessary to conduct department-related duties.
- (h) The BWC coordinator may access BWC media and the BWC media system as needed to ensure the system is functioning properly, provide troubleshooting assistance, conduct audits, and fulfill other responsibilities related to their role.
- (i) Any member who accesses or releases BWC media without authorization may be subject to discipline (see the Standards of Conduct and the Protected Information policies for additional guidance) (Minn. Stat. § 626.8473, Subd. 3).
- (j) Members may be subject to criminal penalties for the misuse of BWC media pursuant to Minn. Stat. § 13.09 (Minn. Stat. § 626.8473, Subd. 3).

434.7.2 PUBLIC ACCESS

Unless disclosure is required by law or a court order, BWC media should not be released to the public if:

- (a) It is clearly offensive to common sensibilities (Minn. Stat. § 13.82, Subd. 7; Minn. Stat. § 13.825, Subd. 2; Minn. Stat. § 13.825, Subd. 4).
- (b) It unreasonably violates a person's privacy or depicts the interior of:
 1. A private residence.
 2. A facility that offers health care, mental health or substance abuse treatment, or social services.
 3. A school building.

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4. Any other building in which public access is restricted or which implicates heightened security concerns.

Except as provided by Minn. Stat. § 13.825, Subd. 2 or pursuant to Minn. Stat. § 13.82, Subd. 15, BWC media is considered private or nonpublic data.

434.7.3 ACCESS BY OTHER LAW ENFORCEMENT AGENCIES AND GOVERNMENT ENTITIES

Other law enforcement agencies and government entities (e.g., prosecutors, criminal justice agencies) may obtain access to not public BWC media for a legitimate, specified law enforcement purpose upon written authorization from the Chief of Police or the authorized designee and pursuant to department protocols (Minn. Stat. § 13.825, Subd. 8).

434.7.4 ACCESS BY PERSONS CAPTURED ON BWC MEDIA

Any person captured on BWC media may have access to the BWC media. If the individual requests a copy of the BWC media and does not have the consent of other non-law enforcement individuals captured on the BWC media, the identity of those individuals must be blurred or obscured sufficiently to render the person unidentifiable prior to release unless otherwise provided by law. The identity of on-duty peace officers may not be obscured unless their identity is protected under Minn. Stat. § 13.82, Subd. 17 (Minn. Stat. § 13.825, Subd. 4).

434.7.5 ACCESS TO BWC MEDIA USED IN COLLISION INVESTIGATIONS

Individuals shall be provided with unredacted BWC media used in a collision investigation if the individual (Minn. Stat. § 13.825, Subd. 4):

- (a) Is entitled to a collision report under Minn. Stat. § 169.09
- (b) Submits a written request accompanied by the related collision report

The Department may deny access to unredacted data as provided in Minn. Stat. § 13.825, Subd. 4.

434.7.6 BWC MEDIA REGARDING USE OF FORCE INCIDENTS RESULTING IN DEATH

When a person dies as a result of the use of force by an officer, the Department shall (Minn. Stat. § 13.825, Subd. 2; Minn. Stat. § 626.8473, Subd. 3):

- (a) Allow certain individuals as identified in Minn. Stat. § 13.825, upon request, to inspect all portable recording system data that documents the incident within five days of the request pursuant to the provisions of Minn. Stat. § 13.825.
- (b) Release all portable recording system data that documents the incident within 14 days of the incident pursuant to the provisions of Minn. Stat. § 13.825.

434.7.7 DENIALS, REDACTIONS, AND NOTICES

Requests for the release of BWC media shall be processed in accordance with the Records Maintenance and Release Policy. The Records Manager should review BWC media before public release.

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The Chief of Police should work with the Custodian of Records when redactions, denials, or notices (e.g., reason for denial, potential penalties for misuse, seeking court relief) are necessary (Minn. Stat. § 13.825, Subd. 2; Minn. Stat. § 13.825, Subd. 4; Minn. Stat. § 626.8473, Subd. 3).

434.8 RETENTION OF BWC MEDIA

Non-evidentiary BWC media should be retained in accordance with state records retention laws but in no event for a period less than 90 days (Minn. Stat. § 13.825).

Unless circumstances justify continued retention, BWC media should be permanently deleted upon the expiration of the retention period in a way that it cannot be retrieved. BWC media shall not otherwise be deleted by any person without the authorization of the Chief of Police or the authorized designee.

If an individual captured on BWC media submits a written request, the BWC media shall be retained for an additional time period up to 180 days. The BWC coordinator should be responsible for notifying the individual that the BWC media will then be destroyed unless a new request is made (Minn. Stat. § 13.825, Subd. 3).

Members shall not alter, erase, or destroy any BWC media, before the end of the applicable retention period (Minn. Stat. § 626.8473).

434.8.1 EVIDENTIARY BWC MEDIA

BWC media relevant to a criminal prosecution should be exported from the BWC media system and securely transferred to digital evidence storage according to established department procedures. Evidentiary BWC media is subject to the same laws, policies, and procedures as all other evidence, including chain of custody, accessibility, and retention periods (see the Evidence Room Policy).

434.8.2 EVIDENTIARY RETENTION REQUIREMENTS

BWC media documenting the following incidents must be retained for a minimum of one year and destroyed according to the department's records retention schedule (Minn. Stat. § 13.825, Subd. 3):

- (a) Any reportable firearms discharge
- (b) Any use of force by an officer resulting in substantial bodily harm
- (c) Any incident that results in a formal complaint against an officer

Evidentiary BWC media that documents an officer's use of deadly force must be maintained indefinitely (Minn. Stat. § 13.825; Minn. Stat. § 626.8473).

434.9 TRAINING

The BWC coordinator should ensure that each member issued a BWC receives initial training before use, and periodic refresher training thereafter. Training should include:

- (a) Proper use of the BWC device and accessories.
- (b) When BWC activation is required, permitted, and prohibited.

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- (c) How to respond to an individual's request to stop recording.
- (d) Proper use of the BWC media systems, including uploading and tagging procedures.
- (e) Security procedures for BWC media, including appropriate access and use.

Members who are not issued a BWC but who have access to BWC media systems shall receive training on the BWC media system, including appropriate access, use, and security procedures.

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436.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear guidelines governing the partnership between the **Inver Grove Heights Police Department** and the designated school district or charter school regarding the use of School Resource Officers (SROs) (Minn. Stat. § 626.8482). This policy defines the roles, responsibilities, and expectations of SROs to ensure a coordinated and lawful approach to law enforcement in educational settings.

The overarching goals of the SRO program are to:

- **Protect students, staff, and visitors** from criminal activity on school grounds;
- **Ensure a safe and secure learning environment** that supports student success;
- **Provide a trusted resource** for students, families, and school staff in matters relating to safety, law enforcement, and youth development;
- **Foster positive relationships** between law enforcement and the school community through consistent presence, communication, and engagement;
- **Support the development of problem-solving strategies** that address issues impacting students both inside and outside the classroom; and
- **Promote trust and accountability** by aligning police presence in schools with trauma-informed, culturally responsive, and youth-centered practices.

This policy also serves to clarify the distinction between school discipline and criminal enforcement and to ensure that SROs operate within clearly defined boundaries that respect students' rights and developmental needs.

436.2 DEFINITIONS

School - An elementary school, middle school, or secondary school, as defined in section 12005, subdivisions 9, 11, and 13.

School Resource Officer (SRO) - A peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school, as defined in Minn. Stat. § 626.8482, Subdivision 1.

Positive School Climate - A school environment that makes students feel safe, supported, and welcome.

Prone restraint - Placing a child in a face-down position, as defined in Minn. Stat. § 121A.58 Subdivision 1(c).

Custodial arrest - A custodial arrest is the actual, physical restraint of a person and subsequent detention. Custodial arrest may occur with or without a warrant, depending on the circumstances.

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De-escalation - Refers to the methods and actions taken to decrease the severity of a conflict, whether physical or verbal in nature.

436.3 POLICY

School Resource Officers (SROs) assigned by the Inver Grove Heights Police Department shall be carefully selected based on their qualifications, temperament, and aptitude for working in a school environment. All SROs must receive specialized training aligned with the learning objectives established under Minn. Stat. § 626.8482, Subdivision 4, which address the unique role of an SRO, including juvenile justice, mental health response, de-escalation, trauma-informed practices, and school safety protocols.

SROs are expected to actively participate in early intervention and prevention-based educational programming that supports student well-being and promotes a positive school climate. Their presence should contribute to a safe, respectful, and inclusive learning environment for students, staff, and visitors.

SROs must foster constructive relationships with students, staff, and the broader school community. This includes:

- Serving as mentors and role models.
- Encouraging open communication.
- Building trust through consistent and respectful interactions.

SROs must exercise professional judgment and consider non-punitive alternatives, such as diversion, restorative justice programs, and referral to school administrators, particularly when addressing conduct that violates both school policy and criminal statutes. Formal criminal referral should be used judiciously, taking into account the nature of the incident, the individuals involved, and the impact on the school community.

SROs shall not be used for routine enforcement of school codes of conduct or disciplinary policies. They are not school disciplinarians and should not be involved in resolving minor behavioral issues. Schools must develop clear internal protocols to ensure SROs are engaged appropriately and to prevent misuse.

This policy does not alter the legal responsibilities of peace officers. SROs maintain the same duty to protect the public, including students and school personnel, as they would in any community setting. Their actions must reflect sound judgment and adherence to department standards.

436.4 SCHOOL RESOURCE OFFICER PROGRAM

The Chief of Police should appoint SROs to serve in elementary, middle, and secondary schools upon contract with local school districts or charter schools. The goals and objectives of the SRO program are to provide a safe learning environment, provide valuable resources to school staff members, foster a positive relationship with students, and develop strategies to resolve problems. Methods to achieve these goals and objectives include but are not limited to:

- (a) Assisting with the development and implementation of a school safety plan.

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- (b) Protecting the school against external threats by preventing unauthorized access to school property, and securing the school against a natural disaster or other violence.
- (c) Creating respect for law and order in the public school system and minimizing criminal activity.
- (d) Identifying students at risk of becoming involved in the criminal justice system and guiding them toward more positive and socially acceptable ways to behave.
- (e) Reducing criminal activity on or near a school campus.
- (f) Enhancing communication and understanding between students, their families, district staff, and the Department.
- (g) Assisting with the coordination of security measures for school activities such as sports events, dances, and other large gatherings, if applicable.
- (h) Auditing security measures, at least annually, throughout the school and making recommendations to enhance safety and reduce risk.

436.4.1 SRO CONTRACT

The contract between the school district or charter school and the Department shall:

- (a) Include the SRO's duties set forth in Minn. Stat. 626.8482, Subd. 2.
- (b) Address a mutually agreed upon policy regarding the use of plain clothes, modified uniforms, and other changes to SRO attire.
- (c) Articulate the role, if any, of the school district or charter school in the selection, vetting, and retention of the SRO.
- (d) Establish a public notification process that an SRO will be present in the schools.
- (e) Address data practices policies and procedures.

A school district or charter school may contract with the Department for the SRO to perform additional duties (Minn. Stat. § 626.8482, Subd. 2). The contract should cover paid services, where applicable. The contract should also address how the SRO will be informed of school district resources available to school staff to assist with de-escalation of conflicts in school (e.g., specialized crisis teams, mediation opportunities).

436.4.2 REQUIRED CONTRACT ELEMENTS

Each SRO contract must address the following:

- (a) **Defined Purpose and Scope of Role** - Explicitly state the SRO's function as a law enforcement liaison and safety resource, not as a disciplinary authority for school rule violations.
- (b) **Positive Engagement** - Internal school protocols on supporting opportunities for positive, non-enforcement interactions between the SROs and the school community, such as mentorship programs, classroom visits, student forums, and informal gatherings.
- (c) **Uniform and Attire Guidelines** - Shall include provisions for the use of plain clothes, modified uniforms, or alternative attire designed to promote a positive school climate,

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enhance approachability, and support open communication between the SRO and the student body.

- (d) **Access to School De-escalation Resources** - The available internal school resources and personnel who can assist SROs with conflict resolution, such as crisis response teams, social workers, or mediation programs. The contract shall describe how this information will be communicated and updated.
- (e) **Public Notification Requirement** - The process established to notify the school community that an SRO is assigned to the building(s), including the officer's name, role, and contact information.
- (f) **Clarification of Duties and Limitations** - The internal school protocols to ensure SROs are engaged appropriately by school personnel to prevent misuse and differentiate between school matters and law enforcement matters.
 - 1. School disciplinary matters remain solely the responsibility of school personnel.
 - 2. Law enforcement matters fall under the SRO's authority as defined by law and the contract.
- (g) **Data Practices** - Data practices policies and procedures required to protect student privacy. Including protocols on how student information may be shared with an SRO. These protocols must comply with legal standards and ensure that only the minimum necessary data is disclosed for a legitimate public safety purpose.
- (h) **Community Input** - The Chief of Police may solicit and consider feedback from the Superintendent, school principals, and a variety of representative groups of educators, students, and/or parents when selecting an SRO. Community compatibility shall be a consideration in SRO assignments, recognizing that a strong school relationship enhances safety and collaboration.

436.5 SCHOOL RESOURCE OFFICER DUTIES

The SRO duties and responsibilities include (Minn. Stat. § 626.8482, Subd. 2):

- (a) Fostering a positive school climate through relationship building and open communication.
- (b) Protecting students, staff, and visitors to the school grounds from criminal activity.
- (c) Serving as a liaison from law enforcement to school officials.
- (d) Providing advice on safety drills.
- (e) Identifying vulnerabilities in school facilities and safety protocols.
- (f) Educating and advising students and staff on law enforcement topics.
- (g) Enforcing criminal laws.

436.5.1 POSITIVE ENGAGEMENT

SROs play a critical role in shaping school climate and community trust. Their presence in schools must go beyond enforcement, emphasizing engagement, approachability, and support for students and staff.

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To support this goal:

- (a) **Active Participation in the School Community** - SROs are encouraged to participate and interact with students in a positive, educational, and proactive way during school events, extracurricular activities, and student support initiatives to foster familiarity and build rapport with students, staff, and families.
- (b) **Facilitation of Non-Disciplinary Positive Engagement** - SROs are encouraged to create opportunities for positive, non-enforcement interactions between SROs and the school community, such as mentorship programs, classroom visits, student forums, and informal gatherings.
- (c) **Cultural Competency and Training** - All SROs must receive training in cultural competency, anti-bias practices, adolescent development, and trauma-informed approaches to ensure interactions are respectful, equitable, and developmentally appropriate.
- (d) **Community Notification** - SROs shall be formally introduced to by the designated school district or charter school administration to the school community at the beginning of the school year, outlining the SRO's role, background, and contact information. This shall include an explanation of the SRO's non-disciplinary function, how to provide feedback or raise concerns, and how to connect with the SRO in a non-enforcement capacity.
- (e) **School Safety Planning** - SROs shall collaborate with the designated school district or charter school administration on joint planning and coordination for violence prevention, behavioral intervention, crisis response, and emergency management.

This approach reinforces the role of SROs as trusted adults and allies within the school community, promoting safety through relationships rather than authority alone.

436.5.2 DISCIPLINARY AND BEHAVIOR MANAGEMENT

SROs are a law enforcement presence, law enforcement liaison, and safety resource that support the safety of the school community without undermining the educational mission or student rights. SROs are not responsible for disciplinary or behavior management for school rule violations.

- (a) **Non-Involvement in School Discipline** - SROs shall not be involved in the routine enforcement of school codes of conduct, behavioral expectations, or other disciplinary procedures that do not constitute violations of law.
- (b) **District Protocols** - SROs must be aware it is up to each school to develop and implement clear internal protocols that prevent the use of SROs for student discipline. These protocols must define appropriate circumstances for law enforcement intervention and ensure school staff understand when to involve an SRO.
- (c) **Educational Staff Training** - SROs must be aware it is up to each school to train staff on the proper scope and limits of SRO responsibilities, including distinguishing between disciplinary matters that are the school's responsibility and those that may require law enforcement involvement.

This section affirms SROs are present to ensure safety and respond to legitimate public safety concerns, and that educational staff are responsible for discipline and behavior management.

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436.5.3 DE-ESCALATION AND CRISIS RESPONSE

SROs must be trained in and actively utilize alternative conflict resolution strategies tailored to the school environment and the developmental needs of youth. These strategies must emphasize prevention, early intervention, and resolution of conflict without reliance on force or punitive discipline.

SROs should incorporate alternative conflict resolution strategies including:

- (a) **Implement Restorative Practices** - Engage in or support school-led restorative approaches that promote accountability, repair harm, and restore relationships among students, staff, and the broader school community.
- (b) **Support Peer Mediation Programs** - Encourage and facilitate the use of student peer mediation where appropriate, empowering students to resolve conflicts constructively with guidance and support.
- (c) **Apply Trauma-Informed Interventions** - Recognize the impact of trauma on student behavior and decision-making, and respond in ways that prioritize empathy, safety, and healing, rather than punishment.
- (d) **Collaborate with Mental Health Professionals and Support Staff** - Work in partnership with school counselors, social workers, psychologists, and community-based mental health providers to identify, support, and refer students in crisis to appropriate services.

These measures should be prioritized before considering any physical intervention and must be consistent with the developmental, emotional, and cultural context of the student population.

436.6 USE OF FORCE

SROs operating in educational settings must adhere to strict standards regarding the use of force, recognizing the unique vulnerabilities and developmental needs of students. Force must be applied only when legally justified, proportionate to the circumstances, and consistent with training and applicable law.

- (a) **Statutory Compliance** - All SROs must comply with Minn. Stat. § 609.06 Subdivision 3, which prohibits the use of choke holds and other restricted restraints in the performance of duties. Unless Minn. Stat. § 609.066 authorizes the use of deadly force to protect the peace officer or another from death or great bodily harm. Additionally, use-of-force practices must align with all other relevant provisions of state law, including Minnesota Statutes, section 121A.58 concerning physical holds and prone restraints.
- (b) **Prohibition on Enforcement of School Discipline** - SROs shall not use force or the authority of their office to enforce school rules or policies. Force may only be used in response to lawful situations requiring police intervention and never as a response to non-criminal misconduct.
- (c) **Prioritization of De-Escalation** - interventions. De-escalation techniques must be the first response when feasible, especially when engaging with youth. These strategies should be embedded into daily practice and prioritized over physical interventions.

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- (d) **Minimization of Physical Holds and Prone Restraints** - When physical intervention is necessary, SROs must utilize techniques that minimize the use and duration of physical holds, especially prone restraints. All physical interventions must comply with legal standards and respect the dignity and safety of students.
- (e) **Duty to Render Care** - In any instance where a student or individual is physically restrained or held, the SRO must render prompt and reasonable care consistent with their training. This includes ensuring medical assessment or assistance is provided when appropriate.

This affirms that the presence and actions of SROs must support a safe, respectful, and legally compliant school environment that prioritizes the well-being of students.

436.7 ARREST CONSIDERATIONS

SROs must recognize that the arrest of a student within the school environment is a significant action with long-term implications for the student, school climate, and community trust. Arrest decisions must be guided by principles of necessity, discretion, and dignity.

- (a) **Preference for Alternatives** - Whenever reasonably practicable, SROs should utilize alternatives to formal criminal referral, including diversion programs, restorative justice initiatives, and other community-based responses. These options should be pursued when appropriate to the nature of the incident, the needs of the student and family, and the interests of any victim(s) and the broader school community.
- (b) **Custodial Arrest Protocols** - Custodial arrests on school grounds should be avoided unless clearly necessary due to exigent circumstances or compelling public safety considerations. If a custodial arrest must be made:
 - 1. It should occur in a non-communal, private area out of sight from other students, whenever feasible.
 - 2. The SRO should seek to minimize disruption to the school environment and emotional harm to the student and their peers.
- (c) **Coordination with School Personnel** - When reasonably practicable, appropriate school staff—such as an administrator or counselor—should be notified prior to and/or be present during a custodial arrest of a student. This coordination can help ensure the student's rights are respected, de-escalation is supported, and the student's emotional needs are considered.
- (d) **Independence of School Personnel** - School personnel shall not act as agents of law enforcement during any criminal investigation. While staff may provide factual information as witnesses, all law enforcement actions (e.g., interviews, detentions, or searches) must be initiated and directed solely by the SRO or authorized peace officers. SROs shall not allow School staff to conduct searches or interviews at the direction of law enforcement.

This section reinforces that enforcement actions in schools must be exercised with restraint, professionalism, and a strong focus on student well-being.

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436.8 STUDENT AND PARENT DATA

Maintaining the confidentiality and security of student information is critical to fostering a safe and trusting school environment. All SROs must adhere strictly to state and federal laws governing student data.

- (a) **Compliance with Privacy Laws** - SROs must comply with all applicable state and federal laws regarding student data privacy, including the Family Educational Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act (Minn. Stat. ch. 13), and Minnesota Rules, parts 1205.0100 to 1205.2000.
- (b) **Limitations on Use of Student Data** - Student data accessed by SROs must be used solely for public safety purposes and not for school discipline or unrelated investigations. Unwarranted access or use of student records is strictly prohibited.
- (c) **Governance of Law Enforcement Records** - Any law enforcement records maintained by the department that include student or parent information shall be governed by the department's data practices policy and must be maintained in full compliance with the Minnesota Government Data Practices Act and relevant administrative rules.
- (d) **Data Security** - All student data in the custody of SROs or shared with law enforcement agencies must be stored securely and protected from unauthorized access, disclosure, or misuse.
- (e) **Access to Student Plans** - When an Individualized Education Plan (IEP) or 504 Plan contains accommodations relevant to interactions with law enforcement, the school may request that the student's parent or guardian provide informed written consent for the SRO to access limited sections of the plan. The consent shall specify the scope, purpose, and duration of access. This information shall be used only to support sensitive and informed engagement with the student.

This section affirms that student privacy is a shared responsibility and a legal obligation for the department and educational institutions.

436.9 TRAINING

Proper training is essential to ensure School Resource Officers (SROs) are equipped to support student well-being and school safety in developmentally appropriate, lawful, and effective ways. This section outlines the initial training, refresher course requirements, and compliance obligations.

- (a) **Initial Training Requirement** - All SROs must complete the training required under Minn. Stat. § 626.8482, Subdivision 3 before being assigned to school duties whenever practicable.
 - 1. If the department is unable to provide the training prior to assignment, the officer must complete the training within six months of assuming SRO duties. During that time, the officer shall not perform the duties described in Minn. Stat. § 626.8482, Subdivision 2, paragraph (a), clauses (4) providing advice on safety drills or (5) identifying vulnerabilities in school facilities and safety protocols, until

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training is completed. However, the officer must review and comply with this SRO policy prior to assuming any other school duties.

- (b) **Substitute SRO Exception** - An officer serving as a substitute SRO for fewer than 60 student contact days within a school year is not required to complete the training outlined above or perform duties under section 626.8482, subdivision 2, paragraph (a), clauses (4) or (5). However, they must review and comply with the department's adopted SRO policy before beginning substitute duties.
- (c) **Training Refresher** - SROs must complete a refresher course that reinforces the learning objectives in Minn. Stat. § 626.8482, Subdivision 4 a minimum of once every three years. The POST Board may require more frequent completion, but annual completion is encouraged to maintain readiness and accountability.
- (d) **Joint Training with School Administrators** - SROs, when practicable, should collaboratively train with school administrators to enhance shared understanding of:
 - 1. The role and limitations of SROs.
 - 2. Appropriate law enforcement engagement.
 - 3. Alternatives to exclusionary discipline.
 - 4. Shared responsibility for promoting a positive school climate.
- (e) **Recordkeeping and Compliance** - The SRO's most recent training documents shall be maintained in the SRO's training file (Minn. Stat. § 626.8482, Subd. 3) (See the Personnel Records Policy for additional guidance).

This training framework ensures that SROs are qualified, prepared, and acting within clearly defined boundaries that prioritize student safety, rights, and development.

436.10 ANNUAL SRO PERFORMANCE REVIEW

In accordance with Minnesota state law, the Chief of Police or the Chief's designee and the Superintendent shall conduct a formal annual review of an assigned SRO. The review is intended to evaluate the SRO's performance, alignment with the goals and mission of the SRO, and overall contribution to school safety, climate, and student well-being.

The performance review shall include, but is not limited to, assessment of:

- (a) Compliance with the terms of the SRO contract.
- (b) The SRO's effectiveness in supporting a safe and inclusive school environment.
- (c) Efforts to minimize unnecessary arrests, citations, or court referrals of students.
- (d) Use of de-escalation and diversion strategies.
- (e) Participation in restorative and prevention-based approaches to school safety.
- (f) Quality and frequency of positive, non-enforcement interactions with students, staff, and families.
- (g) Collaboration with school staff on problem-solving, threat assessment, and emergency planning.

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- (h) Engagement in professional development and training relevant to working in a school setting.

The review shall take place at the end of each school year.

436.11 COMPLAINT AND FEEDBACK PROCESS

The department shall maintain a confidential, accessible process for students, parents, and school staff to submit feedback or complaints regarding SRO conduct. This process shall allow for written, verbal, or electronic complaints as outlined in department policy.

Information on this process should be provided annually in student handbooks, school websites, and during SRO orientation sessions.

This section affirms the commitment to transparency, accountability, and community trust.

436.11.1 INTERNAL SCHOOL CONCERNS

If an SRO has internal school concerns regarding school personnel, including misconduct by school staff or administrators, the SRO shall report their concerns to a supervisor. These concerns shall be reviewed according to Police Department policy, and when appropriate, shared with school leadership in accordance with data practices and confidentiality requirements.

436.12 POLICY REVIEW

The SRO shall review this policy prior to assuming SRO duties (Minn. Stat. § 626.8482, Subd. 3(c)).

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventative patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Inver Grove Heights Police Department. Information provided by the Minnesota Office of Traffic Safety (OTS) is a valuable resource for traffic collision occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of collision-causing violations during periods of high-collision incidence and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high-collision incidence locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of citations issued by any officer shall not be used when evaluating officer performance (Minn. Stat. § 169.985; Minn. Stat. § 299D.08). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant.

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500.3.2 TRAFFIC CITATIONS

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.
- (d) The court contact information.

500.3.3 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the citation is properly directed to the court having jurisdiction (Minn. Stat. § 169.91 Subd. 3).

500.3.4 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (Minn. Stat. § 169.91):

- (a) Negligent homicide.
- (b) Driving under the influence of alcohol/drugs.
- (c) Hit-and-run resulting in serious injury or death.
- (d) Hit-and-run resulting in damage to any vehicle or property.

500.3.5 LIMITATION AND DISCLOSURE OF REASON FOR TRAFFIC STOP

Officers conducting a traffic stop for violations of Minnesota Statute Chapters 168 or 169 shall not ask the motorist if they can identify the reason for the traffic stop. Officers shall state a reason for the stop unless it would be unreasonable to do so under the totality of the circumstances (Minn. Stat. § 169.905).

500.5 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, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; Minn. R. 5205.0030).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be

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exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or any time high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plain clothes officer might benefit from being readily identified as an officer.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained by the employee it is issued to. Each vest should be stored to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Manager should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

Traffic Collisions

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic collisions.

501.2 POLICY

It is the policy of the Inver Grove Heights Police Department to respond to traffic collisions 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 collisions by attempting to identify the cause of the collision and through enforcing applicable laws. Unless restricted by law, traffic collision reports will be made available to the public upon request.

501.3 RESPONSE

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:
 - (a) A life-threatening injury.
 - (b) A fatality.
 - (c) A City vehicle involved.
 - (d) A City official or employee involved.
 - (e) Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A City of Inver Grove Heights vehicle involved.
 - 2. A City of Inver Grove Heights 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) Traffic direction and control
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (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, HAZMAT, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.3.2 INJURED ANIMALS

Department members should refer to the Animal Control Policy when a traffic collision involves the disposition of an injured animal.

501.4 INVESTIGATION

When a traffic collision 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 and reporting) on the appropriate forms.

501.4.1 MINIMUM REPORTING REQUIREMENTS

A collision report shall be taken when:

- (a) The collision occurs on a public roadway.
- (b) A fatality, any injury (including complaint of pain), impaired driving or hit and run is involved.
- (c) The collision involves any other public agency driver or vehicle.
- (d) There is damage to public property.
- (e) There is damage to any vehicle to the extent that towing is required.
- (f) Prosecution or follow-up investigation is contemplated.
- (g) Directed by a supervisor.

501.4.2 PRIVATE PROPERTY

Generally, reports should not be taken when a traffic collision occurs on private property unless there is an injury or fatality, a hit-and-run violation or other traffic law violation involved. Members may provide assistance to motorists as a public service, such as exchanging information and arranging for the removal of the vehicles.

501.4.3 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Shift Sergeant or on-duty Shift Sergeant should request that the Minnesota Department of Public Safety or other outside law enforcement agency investigate and complete a traffic collision

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investigation when a life-threatening injury or fatal traffic collision occurs within the jurisdiction of the Inver Grove Heights Police Department and involves:

- (a) An on- or off-duty member of the Department.
 - 1. The involved member shall complete the department traffic collision 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 the City of Inver Grove Heights.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic collision. The collision investigation and report shall be completed by the agency having jurisdiction.

501.4.4 COMMERCIAL VEHICLE COLLISIONS

Commercial vehicle collisions additionally require notification to the Minnesota State Patrol if the collision results in (Minn. Stat. § 169.783):

- (a) A fatality.
- (b) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the collision.
- (c) One or more vehicles incurring disabling damage as a result of the collision, requiring the vehicle to be transported away from the scene by tow truck or other motor vehicle.

A waiver or inspection by a state trooper or other authorized person is required before a person may drive a commercial motor vehicle that was involved in such a collision (Minn. Stat. § 169.783).

501.5 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 collision, authorized members should issue a citation or arrest the offending driver, as appropriate.

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.

501.6 REPORTS

Department members shall utilize forms approved by the Minnesota Department of Public Safety as required for the reporting of traffic collisions (Minn. Stat. § 169.09, Subd. 9). All such reports shall be forwarded to the Shift Sergeant for approval.

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

- (a) Forwarding the traffic collision report to the Department of Public Safety within 10 days of the collision investigation (Minn. Stat. § 169.09, Subd. 8).
- (b) Ensuring completion and submission of a Department of Public Safety Fatality Report when a collision results in a fatality.

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501.6.1 REPORT MODIFICATION

A change, modification, or amendment to a written Minnesota Department of Public Safety report that alters a material fact in the report may be made only by the member who prepared the report. If a change, modification, or amendment is made after initial report, it will need to be approved by the Shift Sergeant.

Once a Department incident report has been approved and distributed, any change, or modification, or amendment shall only be made by way of a written supplemental report. A written supplemental should be made by the member who prepared the report, however a Shift Sergeant with factual knowledge of the incident may make the correction.

501.7 NOTIFICATION

If a traffic collision involves a life-threatening injury or fatality, the responding officer shall notify the Shift Sergeant. The Shift Sergeant or any supervisor may assign an investigator or other appropriate personnel to investigate the incident. The Shift Sergeant will ensure notification is made to the department command staff in accordance with the Major Incident Notification Policy.

501.7.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain 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 collision should not be released until notification is made to the victim's immediate family.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Inver Grove Heights Police Department and under the authority of Minn. Stat. § 168B.035.

502.2 DEFINITION

Community Caretaker Doctrine: Action taken by the police that is “totally divorced from the detection, investigation, or acquisition of evidence relating to the violation of a criminal statute[,]” does not constitute a “search” for constitutional purposes. **Cady v. Dombrowski, 413 U.S. 433 (1973)**

502.3 TOWING AND IMPOUND/STORAGE AUTHORITY

Vehicles may be towed for violations of Minn. Stat. § 168B.035, including parking, registration and snow emergency violations.

Vehicles may be moved or removed from a highway when in violation of Minn. Stat. § 169.32(a) or when left unattended upon any street or highway or upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic (Minn. Stat. § 169.33).

Vehicles may be impounded for violations of Minn. Stat. § 168B.04 including junk vehicles or unauthorized vehicles or abandoned (See Disabled and Abandoned Vehicles Policy)

The responsibilities of those employees storing or impounding a vehicle are as follows:

502.3.1 COMPLETION OF VEHICLE IMPOUND AND INVENTORY TOW REPORT

Department members requesting towing of a vehicle shall complete a Tow Report (impounded vehicle information and inventory, including a description of property within the vehicle). The Tow Report will be electronically submitted to the tow company and Records as soon as practicable after the vehicle is stored.

When a member has requested a tow and impound/storage, they or another department member must remain at the scene until the vehicle is towed.

Within 48 hours, excluding weekends and holidays, of the towing of any such vehicle, it shall be the responsibility of the impound lot operator to determine the names and addresses of any individuals having an interest in the vehicle. Notice to all such individuals shall be sent by certified mail within five business days of impound (Minn. Stat. § 168B.06 Subd. 1).

502.3.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, the dispatcher will contact the department's authorized towing company.

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If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to contact the department's authorized towing company. The officer will then conduct an inventory and store the vehicle using the Tow Report.

502.3.3 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.4 TOWING SERVICES

The City of Inver Grove Heights periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Department to tow a vehicle.

502.5 TOWING PROHIBITED

Officers are prohibited from towing vehicles for the following singular violations:

- (a) With expired registration tabs less than 90 days.

502.6 TOWING OF A VEHICLE

- (a) As stated above, vehicles may be towed for violations of Minn. Stat. § 168B.035, including parking, registration, and snow emergency violations.
- (b) A towing authority may tow a motor vehicle from public property, when a department member has prepared, in addition to the parking citation, a Tow Report describing the motor vehicle and the reasons for towing
- (c) A towing authority may tow a motor vehicle from public property if:
 - 1. The vehicle is parked in violation of snow emergency regulations.
 - 2. The vehicle is parked in a rush-hour restricted parking area.
 - 3. The vehicle is blocking a driveway, alley, or fire hydrant.
 - 4. The vehicle is parked in a bus lane, or at a bus stop, during hours when parking is prohibited.

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5. The vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign.
6. The vehicle is parked in a disability transfer zone or disability parking space without a disability parking certificate or disability license plates.
7. The vehicle is parked in an area that has been posted for temporary restricted parking.
 - (a) At least 12 hours in advance in a home rule charter or statutory city having a population under 50,000 or
 - (b) At least 24 hours in advance in another political subdivision.
8. The vehicle is parked within the right-of-way of a controlled-access highway or within the traveled portion of a public street when travel is allowed there.
9. The vehicle is unlawfully parked in a zone that is restricted by posted signs to use by fire, police, public safety, or emergency vehicles.
10. A law enforcement official has probable cause to believe that the vehicle is stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence.
 - (a) The vehicle may be towed from public property, or if in plain view on private property.
 - (b) Department members are encouraged to seize vehicles that have been involved in crimes such as hit and runs, to allow the processing of the vehicles for evidence.
11. A law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses.
12. The vehicle is unlawfully parked in a zone that is restricted by posted signs to use by taxicabs.
13. The vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle.
14. The vehicle is parked, on a school day during prohibited hours, in a school zone on a public street where official signs prohibit parking; or
15. The vehicle is junk, abandoned, or unauthorized vehicle, as defined in section MN State Statute § 168B.011, and subject to immediate removal under chapter 168B.
 - (d) A motor vehicle is subject to forfeiture and the seizure is incident to a lawful arrest or search, or there is probable cause to believe that a delay caused by obtaining a court process would result in the removal or destruction of the vehicle.
 - (e) When the owner of the vehicle parked in violation arrives before the tow company, the owner can move the vehicle. The department member may use their discretion in the issuance of a citation.

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502.7 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, the vehicle would present a traffic hazard if it were not removed, or the vehicle is located in a high-crime area and is susceptible to theft or damage if left at the scene.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the occupant was arrested nor may be subject to forfeiture proceedings.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages.

502.8 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

502.9 PRESERVATION OF EVIDENCE

An officer who removes a vehicle pursuant to Minn. Stat. § 168B.035 is required to take reasonable and necessary steps to preserve evidence. If there is probable cause to believe that a vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or that a particular person has committed a criminal offense, officers shall ensure that all legally required and reasonably necessary efforts are taken to preserve the evidence. Such evidence is to be provided safe storage and preserved until released to the owner or otherwise disposed of according to law.

502.10 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officer should make reasonable accommodations to permit

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a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

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

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 while impaired (DWI).

503.2 POLICY

The Inver Grove Heights Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Minnesota's impaired driving laws.

503.3 INVESTIGATIONS

Officers should not enforce DWI laws to the exclusion of their other duties unless specifically assigned to DWI enforcement. All officers are expected to enforce these laws with due diligence.

The Shift Sergeant 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 DWI 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 Minnesota or another jurisdiction.

503.4 FIELD TESTS

The Shift Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DWI laws.

503.5 CHEMICAL TESTS

A person implies consent under Minnesota law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Minn. Stat. § 169A.51, Subd. 1):

- (a) The arresting officer has probable cause to believe the person was driving, operating or in physical control of a vehicle while impaired as defined by Minn. Stat. § 169A.20.
- (b) The officer has probable cause to believe that the person is DWI and has been involved in a vehicle accident resulting in property damage, personal injury or death.

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- (c) The officer has probable cause to believe that the person is DWI and the person has refused to take the preliminary screening test provided for by Minn. Stat. § 169A.41.
- (d) The person was administered a preliminary screening test and the results indicated an alcohol concentration of 0.08 or more.
- (e) The officer has probable cause to believe the person was driving, operating or in physical control of a commercial motor vehicle with the presence of any alcohol in the person's body.

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

At the time that the officer requests the person to submit to a breath test the officer must inform the person that (Minn. Stat. § 169A.51, Subd. 2):

- (a) Minnesota law requires that he/she take the test.
- (b) Refusal to take the test is a crime.
- (c) He/she has the right to consult with an attorney unless it would unreasonably delay administration of the test.

At the time that the officer directs a person to submit to a blood or urine test pursuant to a warrant, the person must be informed that a refusal to submit to a blood or urine test is a crime (Minn. Stat. § 171.177, Subd. 1 and Subd. 2).

503.5.2 BREATH SAMPLES

The Shift Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Shift Sergeant.

503.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Minn. Stat. § 169A.51, Subd. 7). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

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 test because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

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503.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the person giving the sample. The arrestee tested should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

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 (Minn. Stat. § 169A.51; Minn. Stat. § 171.177, Subd. 1).
- (b) Audio- and/or video-record the admonishment and the response when it is legal and practicable.
- (c) Document the refusal in the appropriate report.

503.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of intention to revoke upon the person and invalidate the person's license (Minn. Stat. § 169A.52, Subd. 7).

503.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who does not consent to a chemical test when any of the following conditions exist (Minn. Stat. § 169A.51, Subd. 3):

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist and the officer has probable cause to believe that the person has committed DWI, including vehicular homicide or injury (Minn. Stat. § 169A.52, Subd. 1; Minn. Stat. § 171.177, Subd. 13). 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 delay in obtaining a blood sample due to a collision investigation or medical treatment of the person.

503.6.3 WARRANTS FOR CONTROLLED SUBSTANCES OR INCAPACITATION

A blood or urine test may be required pursuant to a warrant if the officer has probable cause to believe that (Minn. Stat. § 169A.51, Subd. 4):

- (a) The person's impairment is due to a controlled substance, an intoxicating substance, or cannabis or hemp-related product that is not subject to testing by a breath test.

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- (b) A controlled substance listed in Schedule I or II or its metabolite (other than a cannabis or hemp-related product or tetrahydrocannabinols), is present in the person's body.
- (c) The person is unconscious or incapacitated to the point that the officer providing the breath test advisory, administering the breath test, or serving the search warrant has a good faith belief that the person is mentally or physically unable to comprehend the advisory or otherwise voluntarily submit to the chemical tests.

If a person objects to the blood or urine test as directed by the warrant or officer, the officer should offer the other type of test if the person is conscious. Action may be taken against a person refusing to submit to a blood or urine test only if an alternate test of blood or urine, as applicable, was offered (Minn. Stat. § 169A.51, Subd. 4; Minn. Stat. § 171.177, Subd. 2).

503.6.4 FORCED BLOOD SAMPLE

A forced sample may not be taken except in DWI cases involving vehicular homicide or injury (Minn. Stat. § 171.177, Subd. 13). In those cases, if a person indicates by word or action that he/she will physically resist a blood draw, 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 person to submit to such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video when reasonably 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 reasonably practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - 2. In misdemeanor cases, if the 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.

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If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

503.6.5 STATUTORY NOTIFICATIONS UPON REFUSAL WITH A SEARCH WARRANT

Upon refusal to submit to a chemical test pursuant to a search warrant, officers shall personally serve the notice of intention to revoke upon the person and invalidate the person's license in such a way that no identifying information is destroyed and immediately return the license to the person (Minn. Stat. § 171.177, Subd. 8).

503.7 ARREST AND INVESTIGATION

503.7.1 RIGHT TO ATTORNEY CONTACTS

A person has a limited right to consult with an attorney prior to submitting to a chemical test. This right is limited to the extent that it cannot unreasonably delay administration of the test (Minn. Stat. § 169A.51, Subd. 2).

503.7.2 ARREST AUTHORITY

An officer may arrest a person without a warrant and without regard to whether the offense was committed in the officer's presence if there is probable cause to believe the person committed (Minn. Stat. § 169A.40):

- (a) A DWI offense (Minn. Stat. § 169A.20).
- (b) An alcohol- or cannabis-related driving offense involving a school bus or a Head Start bus (Minn. Stat. § 169A.31).
- (c) An underage drinking and driving offense (Minn. Stat. § 169A.33).

503.7.3 OFFICER RESPONSIBILITIES

If an officer requests that a person submit to a chemical test and the person refuses such request, the officer shall report such refusal to the Commissioner of the Department of Public Safety (DPS) and the appropriate prosecuting attorney (Minn. Stat. § 169A.52, Subd. 1; Minn. Stat. § 171.177, Subd. 3).

If a person refuses to submit to a test or in the alternative submits to a test and the results indicate a prohibited alcohol concentration, the officer shall immediately give notice to the person that their driving privilege will be revoked and shall (Minn. Stat. § 169A.52, Subd. 7; Minn. Stat. § 171.177, Subd. 8):

- (a) Issue the person a temporary license effective for only 14 days.
 - 1. Officers are not required to issue a person a temporary license if the person's driving privilege is under withdrawal by DPS or if the person is unlicensed.
- (b) Send the notification of this action to the Commissioner of the DPS along with the certification that there was probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle while impaired, and that the person either refused to submit to a test or submitted to a test and the results indicated a prohibited alcohol concentration or drug presence.

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Test results of a person that indicate a prohibited alcohol concentration or drug presence shall be forwarded to the Commissioner of the DPS and the appropriate prosecuting attorney (Minn. Stat. § 169A.52, Subd. 2).

503.7.4 PRELIMINARY SCREENING TEST

An officer who has reason to believe the person was driving, operating or in physical control of a motor vehicle while impaired, may require the person to provide a sample of the person's breath for a preliminary screening test using a device approved by the DPS Commissioner (Minn. Stat. § 169A.41, Subd. 1).

The officer must use the results of the preliminary screening test for the purpose of deciding whether to arrest the person and require further chemical testing pursuant to Minn. Stat. § 169A.51 (Minn. Stat. § 169A.41, Subd. 2).

503.7.5 ADDITIONAL TESTING

An officer shall permit a person required to submit to a chemical test to have a qualified person of his/her own choosing administer a separate chemical test (Minn. Stat. § 169A.51, Subd. 7(b)). The separate chemical test shall:

- (a) Be conducted at the place where the person is in custody.
- (b) Be conducted after the officer has administered the statutorily mandated test.
- (c) Impose no expense to the state.

503.7.6 ADDITIONAL REQUIREMENTS FOR BREATH SAMPLES

All breath samples requested in accordance with this policy shall be obtained in accordance with Minn. Stat. § 169A.51, Subd. 5.

503.8 RECORDS RESPONSIBILITIES

The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

503.9 TRAINING

The Training Manager should ensure that officers participating in the enforcement of DWI laws receive training. Training should include at minimum current laws on impaired driving, investigative techniques and rules of evidence pertaining to DWI investigations. The Training Manager should confer with the prosecuting attorney's office and update training topics as needed.

Traffic Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

504.2 RESPONSIBILITIES

Records should maintain information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including race or ethnicity of the individual detained if available.

Records should submit an annual report to the Chief of Police of the information collected to assist in the implementation and administration of the Department's Bias-Based Policing Policy required by state law (Minn. Stat. § 626.8471 Subd. 4).

504.3 ADULT CITATION

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.
- (d) The court contact information.

504.3.1 MISDEMEANOR VIOLATIONS

A custodial arrest (even when citations are issued) may be made for a misdemeanor only to:

- ensure the defendant's appearance in court;
- prevent criminal conduct
- prevent bodily harm

504.3.2 GROSS MISDEMEANOR/FELONY VIOLATIONS

Gross Misdemeanor/Felony violations require a complaint/summons be issued, and therefore cannot be charged by citation. If any of the violations is a gross misdemeanor/felony do not issue any citations. All of the violations will be included in the complaint.

504.4 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

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- (a) When any juvenile is issued a citation for a drug or alcohol violation, or a juvenile 16 years of age or older is issued a citation for an adult court traffic offense, the officer shall follow the arrest procedures prescribed in Minn. Stat. § 169.91 and shall make reasonable effort to notify the child's parent or guardian of the violation and the nature of the charge. Notifications should be documented (Minn. Stat. § 260B.225 Subd. 3).
- (b) When any juvenile is issued a citation for a major traffic offense, the citation serves as a petition providing the juvenile court jurisdiction (Minn. Stat. § 260B.225 Subd. 5).

The Juvenile Division of the County Attorney's Office prosecutes in the following instances so the court date is "to be set":

- All violations committed by juveniles up to and including 15 years old,
- Major violations committed by 16 and 17 year olds defined as misdemeanors and gross misdemeanors).
 - Including reckless driving, careless driving, hit and run, no insurance, driving Major violations committed by 16 and 17 year olds defined as misdemeanors and gross
 - Not including DWI's violations committed by 16 and 17 year olds.

Adult court handles the following violations committed by juveniles (16 and 17 year olds):

- Petty misdemeanor violations, and
- DWI's committed by 16 and 17 year olds, and any traffic offenses committed as one course of action with the DWI.

504.5 NON-RESIDENT VIOLATORS

Violations committed by out-of-state residents are controlled by Minn. Stat. § 169.91, Subd. 4 (a) and (b), which states that if a non-resident commits a violation, and is a resident of a state which has a reciprocal agreement with Minnesota, they will not be required to post bail unless:

- Conviction of the offense would result in the revocation of driving privileges.
- The offense involves highway weight limitations or hazardous materials.
- The offense is driving without a license.

Persons from states that do not have a reciprocal agreement may be required to post bail at the county jail. The officer may escort the individual to the jail for this purpose.

- See procedure manual for a list of the current states having reciprocal agreements with the State of Minnesota.

504.6 SPECIAL SITUATIONS

504.6.1 DIPLOMATS

Foreign diplomats and consular officials have diplomatic immunity which is covered by federal law in the Diplomatic Relations Act of 1978. This immunity does not mean an officer is prohibited from

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conducting an investigation; in fact the State Department encourages a thorough investigation so they are able to take action through diplomatic channels.

504.6.2 MILITARY PERSONNEL

Military personnel do not have immunity from being arrested and enforcement practices will apply to them equally. If there are exceptional circumstances, the officer's Shift Sergeant should assist.

504.6.3 STATE LEGISLATORS

Minnesota state legislators do not have immunity from being arrested and enforcement practices will apply to them equally. If there are exceptional circumstances, the officer's Shift Sergeant should assist.

504.7 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the citation is properly directed to the court having jurisdiction (Minn. Stat. § 169.91 Subd. 3).

504.8 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Shift Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Shift Sergeant may request the Patrol Division Commander to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the prosecutor to dismiss the citation.

Members of the Department should provide a report or other verification to the owner of a stolen vehicle that may have received a citation during the time of the theft for the purpose of dismissing the citation (Minn. Stat. § 169.042 Subd. 2).

504.9 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation is completed but not issued. A copy of the citation and reasoning for the voiding shall be presented to a Shift Sergeant to approve the voiding. Once the Shift Sergeant approves voiding the citation, it shall then be forwarded to Records. Records shall prepare a letter of correction to the appropriate prosecutor.

504.10 CORRECTION OF TRAFFIC CITATIONS

When Records is in need of a correction to a traffic citation that was issued, they will notify the issuing officer of the specific corrections needed. The issuing officer shall correct the identified issue and submit the corrected citation to Records. Records shall prepare a letter to the recipient of the citation.

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When the issuing officer needs to correct a citation after it has been issued, they will need to make the correction and forward the corrected citation to Records advising the reason for the correction. Records shall prepare a letter to the recipient of the citation.

Disabled and Abandoned Vehicles

505.1 PURPOSE AND SCOPE

This policy provides procedures provide assistance to motorists in disabled vehicles within their primary jurisdiction or for the removal, recording and storage of vehicles abandoned in violation of abandoned vehicle laws, under the authority of Minn. Stat. § 168B.04.

505.1.1 DEFINITION

Pursuant to Minnesota statutes, a vehicle is abandoned if:

- (a) The motor vehicle has remained illegally for more than 48 hours on any government owned or -controlled property, or for more than four hours on that property when properly posted (Minn. Stat. § 168B.011 Subd. 2 (1)).
- (b) The motor vehicle has been properly tagged by an officer and abandoned for four hours on any highway (Minn. Stat. § 168B.04, Subd. 2 (b) (1)).
- (c) The motor vehicle has been abandoned and located so as to constitute a collision or traffic hazard (Minn. Stat. § 168B.04 Subd. 2 (b) (1)).
- (d) The motor vehicle is unattended on private residential property, that is a single-family or duplex, without permission of the property caretaker (Minn. Stat. § 168B.04 Subd.2 (b) (2)).
- (e) The motor vehicle can be immediately removed if on private non-residential property if properly posted or after 24 hours if not posted (Minn. Stat. § 168B.04 Subd. 2 (b) (2)).
- (f) The motor vehicle remains at a service, repair or maintenance establishment of motor vehicles five days after notifying the vehicle owner by certified mail, return receipt requested, of the property owner's intention to have the vehicle removed from the property (Minn. Stat. § 168B.04 Subd. 2 (b) (2)).

505.2 OFFICER RESPONSIBILITIES

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, they should advise the Dispatch Center of the location of the disabled vehicle and the need for assistance. The Communications Center should then assign another available officer to respond for assistance as soon as practicable.

If the officer finds the vehicle to be abandoned they shall investigate to determine if the vehicle is abandoned pursuant to Minnesota statutes or City ordinance.

505.2.1 MARKING VEHICLES

Vehicles on public roadways suspected of being abandoned in violation of Minnesota abandoned vehicle laws shall be marked and documented via the computer aided dispatch (CAD) system. No case number is required at this time.

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A visible chalk, crayon or paint mark should be placed on the rear window or left rear tire tread at the fender level unless the vehicle is missing tires or other vehicle conditions or weather prevent marking. Any deviation in markings shall be documented via the CAD system.

If a marked vehicle has been moved or the markings have been removed during a four or 24-hour investigation period, the vehicle shall be marked again for either the four or 24-hour abandonment violation and completed a CAD update.

505.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

505.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

505.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

When a disabled vehicle is creating a traffic hazard the vehicle must be removed from the scene the department member shall request the department's currently used tow company.

- (a) Drivers/owners may request a different towing company for removal of the vehicle, if that occurs, they must make their own arrangements unless time and/or safety is of concern
- (b) If the vehicle is unoccupied members will need to conduct an inventory.
- (c) When an owner of a towed vehicle is not notified of the impound/storage, department members will request Records personnel to enter the vehicle as impounded into the Minnesota Justice Information Services (MNJIS) with pertinent data from the completed Tow Report and shall note such request in applicable reports.

505.4 VEHICLE TOWING

Any vehicle in violation shall be stored by the authorized towing service and a Tow Report shall be completed by the officer authorizing the storage of the vehicle.

The Tow Report shall be submitted to Records immediately following the storage of the vehicle. It shall be the responsibility of Records to immediately notify the Minnesota Criminal Justice Information Services (MNJIS). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of Records to immediately notify MNJIS. Notification may also be made to the NLETS.

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505.5 PRIVATE PROPERTY

Any vehicle on private residential property or non-residential property is the responsibility of the property owner or tenant.

Any vehicle left on private residential property or non-residential property by the property owner/tenant in an inoperable condition will be handled by the City's Community Development Code Enforcement Department.

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Inver Grove Heights 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 if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Sergeant.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

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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.

600.4.1 ADA CONSIDERATIONS

If a suspect has a known or suspected disability that may impact their ability to understand or communicate (e.g., hearing impairment, intellectual or developmental disability, cognitive disorder), officers shall follow the ADA Compliance Policy. This includes providing reasonable modifications, ensuring effective communication, and, when applicable, requesting a **qualified interpreter** in accordance with **Minn. Stat. § 611.32–611.33** and **28 CFR 35.160** before beginning any custodial interrogation.

When the suspect is a **juvenile**, officers shall take additional steps to ensure that any waiver of rights and subsequent interrogation is **knowing, intelligent, and voluntary**:

- (a) Officers shall assess the juvenile's ability to comprehend Miranda warnings. If a disability, age, or developmental delay may affect comprehension, officers shall use **simplified language, visual aids, or an appropriate support person** to aid understanding.
- (b) Juveniles with communication-related disabilities (e.g., hearing loss, speech impairment, I/DD) shall not be required to provide their own interpreter. A **qualified interpreter** shall be provided at the earliest reasonable opportunity.
- (c) Officers should make reasonable efforts to notify and allow the presence of a **parent, guardian, or legal advocate**, especially when communication barriers exist.
- (d) All efforts to assess, accommodate, or modify the interview process for a juvenile with a disability shall be thoroughly **documented in the case report**, including:
 1. Interpreter use
 2. Preferred communication method
 3. Steps taken to ensure understanding
 4. Statements or behaviors reflecting comprehension or confusion

600.4.2 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of a person who is suspected of having committed a criminal offense should be electronically recorded (audio/video or both as available) in its entirety, including any information or discussion about the person's rights and any waiver of those rights. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should be given to the recording equipment used to capture the recording. Members should use their department issued recording device and not rely on body-worn camera (BWC) and/or mobile video recording (MVR) devices unless an exception for the use of a BWC and/or MVR is needed.

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Consideration should also be given to recording a non-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. 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.

When obtaining a recorded statement, members shall record their name, employee number, the current date and time, and case number at the beginning and the end of any statement being obtained. See the Portable Audio Recorders Policy for additional guidance.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - (a) In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 - (b) Warnings shall not be given for gross misdemeanor or felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Abuse, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

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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 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.

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600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 ELECTRONIC BENEFIT TRANSFER (EBT) CARDS

Officers shall make a report any time they arrest a person who possesses more than one welfare Electronic Benefit Transfer (EBT) card. The investigating officers shall forward this report to the Minnesota Department of Human Services and the Minnesota Department of Children, Youth, and Families within 30 days of the arrest. The report shall include all of the following (Minn. Stat. § 626.5533):

- (a) The name, address, and driver's license or state identification card number of the suspect
- (b) The number on each EBT card and name, if any
- (c) The date and location of any alleged offense
- (d) Any other information the Minnesota Department of Human Services or the Minnesota Department of Children, Youth, and Families may require on related state forms

600.9 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

Sexual Assault Investigations

601.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department adopts the Investigations of Sexual Assault model policy established and published by the Minnesota Board of Peace Officer Standards and Training (MN POST) (Minn. Stat. § 626.8442).

See attachment: [Model Sexual Assault Investigation Policy 03-03-21.pdf](#)

601.2 COPY OF SUMMARY

The Investigation Unit supervisor shall ensure that the victim of a sexual assault who reports an incident to this department is provided with a copy of the written summary of the allegation. If the incident occurred outside the jurisdiction of the Inver Grove Heights Police Department, a copy of the written summary shall also be provided to the law enforcement agency where the incident occurred. If the Inver Grove Heights Police Department learns that both the victim and the accused are members of the Minnesota National Guard, the Department shall provide a copy of the summary to the Bureau of Criminal Apprehension (Minn. Stat. § 609.3459).

Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with specified designated offenses and controlled substance offenses (Minn. Stat. § 609.531 to Minn. Stat. § 609.5318).

602.2 POLICY

The Inver Grove Heights 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 the due process rights of citizens.

It is the policy of the Inver Grove Heights Police Department that all employees of the agency, all employees assigned to another law enforcement agency's task force and all employees assigned to a task force from an outside law enforcement agency, in which this agency serves as the Fiscal Agent, follow all state and federal laws pertaining to forfeiture.

602.3 DEFINITIONS

Definitions related to this policy include:

Cash - Money in the form of bills or coins, traveler's checks, money orders, checks, or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates, or other negotiable financial instruments.

Conveyance device - A device used for transportation. It includes but is not limited to a motor vehicle, trailer, snowmobile, airplane, and vessel, and any equipment attached to it. The term "conveyance device" does not include property which has been stolen or taken in violation of the law.

Firearms/ammunition/firearm accessories - A device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, firearm optics, suppression devices, and cleaning supplies.

Fiscal Agent - The person designated by the Inver Grove Heights Police Department to be responsible for securing and maintaining seized assets and distributing any proceeds as a result of any forfeiture proceedings. This includes anytime the Inver Grove Heights Police Department seizes property for forfeiture or when the Inver Grove Heights 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.

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Forfeiture Reviewer - The Inver Grove Heights Police Department employee assigned by the Inver Grove Heights Police Department responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the prosecutor's office.

Jewelry/precious metals/precious stones - The term includes items of jewelry, such as rings, necklaces, and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium, and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds, and rubies.

Property subject to administrative forfeiture - The following property is subject to administrative forfeiture under Minnesota Law (Minn. Stat. § 609.5314):

- (a) All cash totaling \$1500 or more, precious metals, and precious stones that there is probable cause to believe represent the proceeds of a controlled substance offense, and all cash found in proximity to controlled substances when there is probable cause to believe that the cash was exchanged for the purchase of a controlled substance.
- (b) All conveyance devices containing controlled substances with a retail value of \$100 or more if there is probable cause to believe that the conveyance device was used in the transportation or exchange of a controlled substance intended for distribution or sale.
- (c) All firearms, ammunition, and firearm accessories found:
 1. In a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance.
 2. On or in proximity to a person from whom a felony amount of controlled substance is seized.
 3. On the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under Minnesota Statutes, Chapter 152.

Seizure - The act of law enforcement officials taking property, including cash and conveyance devices that have been used in connection with or acquired by illegal activities.

602.4 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

602.4.1 PROPERTY SUBJECT TO SEIZURE

The following property is subject to seizure.

- (a) The following property may be seized upon review and approval of a supervisor and in coordination with the Forfeiture Reviewer:
 1. Controlled substances and associated property as described in Minn. Stat. § 609.5311.
 2. Property intended for use to commit or facilitate the commission of a designated offense, as listed in Minn. Stat. § 169A.63, Subd. 6 and limited by Minn. Stat. §

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169A.63, Subd. 7, and as listed in Minn. Stat. § 609.531, Subd. 1(f) and limited by Minn. Stat. § 609.5312.

- (b) Property subject to administrative forfeiture may be seized without prior supervisor approval if the item has a retail value of \$50,000 or less (Minn. Stat. § 609.5314).

602.4.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the prosecuting agency's current minimum forfeiture thresholds.
- (b) Cash totaling less than \$1,500, unless prerecorded buy funds are included in the cash seized.

602.4.3 SEIZURE OF PROPERTY TO BE FORFEITED

An officer may seize property subject to forfeiture based on a court order. An officer may also seize property without a court order under any of the following conditions (Minn. Stat. § 609.531, Subd. 4; Minn. Stat. § 169A.63, Subd. 2):

- (a) The seizure is incident to a lawful arrest or a lawful search.
- (b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.
- (c) The officer has probable cause to believe that a delay to obtain a warrant or other process would result in the removal or destruction of the property and that either of the following apply:
 1. The property was used or is intended to be used in commission of a felony.
 2. The property is dangerous to health or safety.

602.5 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) If the retail value of the asset to be seized is \$50,000 or less, completely and accurately prepare the Notice of Seizure and Intent to Forfeit Property Form (seizure form) and present it to the person from whom the property is to be seized for that person's signature. If the person refuses to sign, the officer shall indicate on the seizure form that the person refused. The seizure form is not used when the value of the seized property exceeds \$50,000.
- (b) Prepare and provide a receipt for the items seized to the person from whom the property is being seized.
 1. If cash or property is seized from more than one person, a separate property inventory receipt must be completed for each person specifying the amount of cash seized. The receipt shall include a detailed description of all property, checks, money orders, traveler's checks or other financial instruments.

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- (c) Complete and submit a report within 24 hours of the seizure if practicable. The report must include, at minimum, the following:
 - 1. A description of the items seized
 - 2. The location where the property was turned in or stored
 - 3. The name of the individual who was served with the seizure form
 - 4. The date that the seizure form was served
 - 5. The name of the officer making the seizure
 - 6. Whether the individual signed the seizure form
- (d) If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the receipt and seizure form must be given to the individual from whom the property was seized.
- (e) When property is seized and no one claims possession of the property, the officer must leave a receipt in the place where the property was found if it is reasonably possible to do so.
- (f) The officer will book seized property into the Evidence Room 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.
- (g) Forward the original and the pink copy of the seizure form, and any seized property processing worksheets, property receipts and reports to the Forfeiture Reviewer within 10 days of seizure.
- (h) Inform the Forfeiture Reviewer of the estimated retail value of drugs found in proximity to the asset seized.

602.5.1 CASH HANDLING

It is the responsibility of the seizing officer to secure and count cash consistent with this policy and the Cash Handling, Security and Management Policy. All cash shall be counted in the presence of another officer and the envelope initialed by both officers. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count, and will initial and date the property documentation and specify any additional security procedures to be used.

- (a) Any unsealing and re-sealing of seized money shall be counted and verified by two officers and documented and included in the chain of custody.
- (b) If any discrepancies are discovered, the Chief of Police or designee shall be immediately notified.

All forfeitable cash seized will be turned over to the Forfeiture Reviewer or property/evidence room as soon as practicable.

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Prior to deposit with the Forfeiture Reviewer, officers shall examine all cash seized to determine whether it contains any prerecorded buy funds. Officers shall document the recovery of all buy funds and deposit those funds with the Forfeiture Reviewer to be returned to the appropriate buy fund account.

602.5.2 JEWELRY/PRECIOUS METALS/PRECIOUS STONES

Officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the property inventory receipt. A copy of the property inventory receipt and any photographs of the jewelry, precious metals and/or precious stones shall be delivered to the Forfeiture Reviewer.

Officers seizing jewelry, precious metals and/or precious stones shall book those items according to current property and evidence procedures as soon as practicable.

602.5.3 VEHICLES

Any conveyance device seized for forfeiture shall be taken to a secure designated area or to a department-approved impound facility as soon as practicable.

Officers shall inventory the conveyance device and its contents in accordance with the Vehicle Towing Policy. Officers shall also complete applicable report forms and distribute them appropriately. A copy of the vehicle storage report shall be included with the seizure documentation that is submitted to the Forfeiture Reviewer.

602.5.4 FIREARMS/AMMUNITION/FIREARM ACCESSORIES

When firearms, ammunition or firearms accessories are seized, they shall be inventoried and delivered to the Evidence Room in accordance with the current booking procedures and the Evidence Room Policy.

602.6 MAINTAINING SEIZED PROPERTY

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition (Minn. Stat. § 609.531 Subd. 5).
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or returned to the claimant or person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

602.7 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the Forfeiture Reviewer. Prior to assuming duties, or as soon as practicable thereafter, the Forfeiture Reviewer should attend a department-approved course on asset forfeiture.

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Asset Forfeiture

The responsibilities of Forfeiture Reviewer include the following:

- (a) Confer regularly with the prosecuting attorney's office to remain familiar with forfeiture laws, particularly Minn. Stat. § 609.531 through Minn. Stat. § 609.5318, Minn. Stat. § 169A.63, and the forfeiture policies of the prosecuting agency.
- (b) Make reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (c) Ensure responsibilities, including designation of a Fiscal Agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (d) Ensure that a seizure form, property inventory receipt, and a forfeited property processing worksheet is available and appropriate for department use. The seizure form will minimally include the following (Minn. Stat. § 609.5314):
 - 1. Space for an itemized list of items seized
 - 2. The location and date of the seizure
 - 3. A place for the name of the individual served with the seizure form
 - 4. The date and signature of the officer conducting the seizure
 - 5. The agency case number
 - 6. A space for the signature of the person from whom property is seized or an appropriate space or check box for the officer to indicate that the person refused to sign
 - 7. At least an original and the pink copy
 - 8. Information in English, Hmong, Somali and Spanish explaining the right to obtain judicial review and the procedure provided by Minn. Stat. § 609.5314.
- (e) Ensure that officers who may be involved in asset forfeiture receive training in the proper use of the seizure form and the forfeiture process. The training should be developed in consultation with the prosecuting attorney and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins, or department directives. The training should be based on this policy and address any relevant statutory changes and court decisions.
- (f) Review each asset forfeiture case to ensure the following:
 - 1. Written documentation of the seizure and items seized is present in the case file.
 - 2. Independent prosecutorial review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. A timely notice of seizure has been given to interest holders of seized property.
 - 4. Property is promptly released to those entitled to its return.
- (g) Forward all changes to forfeiture status to any supervisor who initiates a forfeiture case.
- (h) Deposit any cash received with the Fiscal Agent.

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Asset Forfeiture

- (i) Ensure the current minimum forfeiture thresholds are communicated appropriately to officers.
- (j) Annually review and update this policy and any related policies to reflect current federal and state statutes and case law.
- (k) Prepare a written plan for the Chief of Police to address any extended absence of the Forfeiture Reviewer to ensure that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (l) Ensure the Department disposes of property as provided by law following any forfeiture (Minn. Stat. § 609.5315).
- (m) Ensure that any forfeited property used in an undercover capacity, or that is sold or added to the department inventory is done so according to Minnesota law.
- (n) Ensure that all forfeited property is used or disposed of in a manner consistent with the use and disposition of similar property by this department.
- (o) Upon completion of any forfeiture process, ensure that no property is retained by the Inver Grove Heights Police Department unless the Inver Grove Heights Police Department authorizes in writing the retention of the property for official use.
- (p) Ensure that forfeiture proceeds are maintained in a separate fund or account subject to appropriate accounting control with regular reviews or audits of all deposits and expenditures (Minn. Stat. § 609.5315).
- (q) Ensure that records of forfeiture are retained for a minimum of six years.
- (r) Ensure forfeiture reporting is made to the state auditor in the manner prescribed by the auditor (Minn. Stat. § 609.5315, Subd. 6).

602.8 DISPOSITION OF FORFEITED PROPERTY

Legal disposition may include (Minn. Stat. § 609.5315; Minn. Stat. § 169A.63, Subd. 10):

- (a) Retention by the Department and/or prosecuting agency.
 - 1. If a forfeited motor vehicle is kept for Department use, the Department will make a reasonable effort to ensure the vehicle is available for use and adaptation by officers who participate in the Department's Drug Abuse Resistance Education program (Minn. Stat. §609.5315).
- (b) Destruction.
- (c) Sale performed in a commercially reasonable manner.
- (d) Other disposition pursuant to applicable provisions of Minnesota Statutes.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Inver Grove Heights Police Department has given written authorization to retain the property for official use.

Members of this department or persons related to members of this department by blood or marriage are prohibited from purchasing forfeited items sold by this department (Minn. Stat. § 609.5315, Subd. 1(c)).

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603.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures and protocols that take necessary precautions concerning the recruitment, control and use of confidential informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Confidential Informant (CI): A person who cooperates with the Inver Grove Heights Police Department confidentially in order to protect the person or the agency's intelligence gathering or investigative efforts and;

- (a) seeks to avoid arrest or prosecution for a crime, mitigate punishment for a crime in which a sentence will be or has been imposed, or receive a monetary or other benefit; and
- (b) is able, by reason of the person's familiarity or close association with suspected criminals, to:
 - (a) make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation;
 - (b) supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

Confidential Informant File: means a file maintained to document all information that pertains to a confidential informant.

CRI - Confidential Informant that has proven to provide reliable information in the past that has resulted in arrest and charging of suspects from at least two separate incidents.

Source of Information - A person or organization furnishing information without compensation on an occasional basis. Such as an observer of an event, or company employee who obtains relevant information in the normal course of employment.

603.2 POLICY

The Inver Grove Heights Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. Members who work with informants and other individuals furnishing reliable enforcement information must follow established procedures and protocols that take necessary precautions concerning the recruitment, control and use of confidential informants. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

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603.2.1 POST MODEL POLICY

It is the policy of the Department to follow the requirements of the Confidential Informants Model Policy, established and published by the Minnesota Board of Peace Officer Standards and Training (MN POST) (Minn. Stat. § 626.8476).

See attachment: [Confidential Informants Model Policy.pdf](#)

603.3 USE OF INFORMANTS

603.3.1 INITIAL SUITABILITY DETERMINATION

An initial suitability determination must be conducted on any individual being considered for a role as a CI. The initial suitability determination includes the following:

- (a) An officer requesting use of an individual as a CI must complete an Initial Suitability Report. The report must be submitted to the appropriate individual or entity, as determined by the agency chief executive, to review for potential selection as a CI. The report must include sufficient detail regarding the risks and benefits of using the individual so that a sound determination can be made. The following information must be addressed in the report, where applicable:
 - (a) Age, sex, and residence
 - (b) Employment status or occupation
 - (c) Affiliation with legitimate businesses and illegal or suspicious enterprises
 - (d) Extent to which potential information, associations, or other assistance could benefit a present or future investigation
 - (e) Relationship with the target of an investigation
 - (f) Motivation in providing information or assistance
 - (g) Risk of adversely affecting an existing or future investigation
 - (h) Extent to which provided information can be corroborated
 - (i) Prior record as a witness
 - (j) Criminal history, to include whether he or she is the subject of a pending investigation, is under arrest, or has been charged with a crime
 - (k) Risk to the public or as a flight risk
 - (l) Consultation with the individual's probation, parole, or supervised release agent, if any
 - (m) Consideration and documentation of the individual's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the individual's history of mental illness, substance use disorder, traumatic brain injury or disability
 - (n) Relationship to anyone in law enforcement
 - (o) Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement

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- (p) Prior or current service as a CI with this or another law enforcement organization
- (b) Prior to an individual's use as a CI, a supervisor or other designated authority must review the Initial Suitability Report and determine if the individual is authorized to serve as a CI.
- (c) Any prospective or current CI must be excluded from engaging in a controlled buy or sale of a controlled substance if the prospective or current CI:
 - 1. is receiving in-patient treatment or partial-hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness; or
 - 2. is participating in a treatment-based drug court program or treatment court; except that
 - 3. the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.
- (d) Documentation and special consideration must be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the individual is known, or has reported, to have experienced a drug overdose in the previous 12 months.
- (e) Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided referral to prevention or treatment services.
- (f) Any prospective or current CI that has a physical or mental illness that impairs the ability of the individual to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager/social worker from the county social services agency, or other substance abuse and mental health services.
- (g) Each CI's suitability must be reviewed every 6 months, at a minimum, during which time the CI's overseeing agent must submit a Continuing Suitability Report addressing the foregoing issues in III.A.1.a-p, and III.A.3-6, where applicable. An initial suitability determination must be conducted on a reactivated CI regardless of the length of inactivity.
- (h) Any information that may negatively affect a CI's suitability during the course of their use must be documented in the CI's file and forwarded to the appropriate authorized personnel as soon as possible.
- (i) Supervisors must review informant files regularly with the overseeing agent and must attend debriefings of CIs periodically as part of the informant management process. If a CI is active for more than 12 months, a supervisory meeting with the CI must be conducted without the overseeing agent.
- (j) CI contracts must be terminated, and the CI file placed in inactive status when the CI has not been utilized for 6 months or more.

603.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

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Juveniles under the guardianship of the state may not be used as informants.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

603.3.3 SPECIAL CI APPROVAL REQUIREMENTS

Certain individuals who are being considered for use as a CI require special review and approval. In all instances, the agency's chief executive or their designee and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals as CIs. These individuals include the following:

1. Juveniles
2. Individuals obligated by legal privilege of confidentiality.
3. Government officials.

603.3.4 INFORMANTS OF OPPOSITE SEX

The use of informants of opposite sex of officers is allowed.

In all cases, when working with an informant of opposite sex all members must be adhered to:

- (a) Two members will be present when meeting with informants in a private place and/or an unoccupied public place.
 1. The second member can witness the meet from a distance.

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, Division Commander, Investigations 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 Inver Grove Heights 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.

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2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Investigations Division supervisor.
 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 the Investigations Division supervisor.
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, a voucher 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.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of 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.

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- (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.

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 the informant's 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 and any subsequent overseeing agents
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant
- (m) Emergency contact information
- (n) Criminal history record
- (o) Residential addresses in the last five years
- (p) Social media accounts
- (q) Marital status and number of children
- (r) Gang affiliations or other organizational affiliations

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- (s) Special skills and hobbies
- (t) Special areas of criminal expertise or knowledge

CI files must be maintained in a separate and secured area.

The file supervisor must ensure that information concerning CIs is strictly controlled and distributed only to officers and other authorities who have a need and a right to such information.

603.5.2 DEACTIVATION OF CONFIDENTIAL INFORMANTS

A CI deactivation procedure must be established as follows:

- (a) The overseeing agent must complete a deactivation form that includes, at minimum, the following:
 - (a) The name of the agency.
 - (b) The name of the CI.
 - (c) The control number of the CI, where applicable.
 - (d) The date of deactivation.
 - (e) The reason for deactivation.
 - (f) A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.
 - (g) A notification that the agency will provide and assist the CI with referral to health services for assistance with any substance abuse disorder and/or physical, mental, or emotional health concerns, as requested or accepted by the CI.
 - (h) A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.
 - (i) A signature by the overseeing agent.
- (b) All reasonable efforts must be taken to maintain the safety and anonymity of the CI after deactivation.

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

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The Investigations Division supervisor will discuss the above factors with the Patrol Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Investigations Division buy/expense fund.
 1. The Investigations Division supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the 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 City Administrator 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.
 1. The cash transfer form shall include the following:
 - (a) Date
 - (b) Payment amount
 - (c) Inver Grove Heights Police Department case number
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 2. The cash transfer form shall be signed by the informant.
 3. The cash transfer form will be kept in the informant's file.
 4. At least two officers should be present when payments are made.
 5. Any signature by the informant for receipt of payment should not contain the true identity of the informant but should use the informant's control number.

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

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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 AUDIT OF PAYMENTS

The Investigations 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 once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

603.7 INFORMANT COORDINATOR

The Chief of Police or the authorized designee should designate an informant coordinator responsible for remaining familiar with the requirements and guidelines set forth in Minn. Stat. § 626.8476 and the MN POST Confidential Informants Model Policy.

The coordinator is also responsible for implementing department procedures and protocols concerning the recruitment, control, and use of informants, as adopted by the model policy, including but not limited to:

- (a) Establishing general guidelines related to the oversight of informants such as:
 1. The execution of informant agreements.
 2. The use of informants in exigent circumstances.
 3. Supervisor review of informant files and informant agreements, and attendance at debriefings and meetings.
 4. Communication strategies and plans to address the confidentiality and integrity of the department/informant relationship.
 5. The screening of informants for personal safety or mental health concerns before and after their use.
- (b) Developing procedures for determining initial and continued suitability, and preparing related reports (e.g., Initial Suitability Report, Continuing Suitability Report).
 1. Procedures should include a process for forwarding the results of initial and continuing suitability determinations to appropriate department members.
 2. The local prosecutor's office should be consulted before engaging individuals who require special review and approval (e.g., juveniles, government officials, those individuals obligated by legal privilege of confidentiality).

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- (c) Creating a process for identifying individuals who may be or who may become unsuitable to serve as informants (e.g., individuals receiving in-patient or partial-hospitalization treatment for a substance use disorder or mental illness, participating in a treatment-based drug court program or treatment court, having overdosed in the last 12 months, having a physical or mental illness that impairs the ability to understand instructions and make informed decisions).
- (d) Working with department members to identify informants who should be referred to prevention or treatment services.
- (e) Addressing jurisdictional issues to ensure proper coordination in the use of informants.
- (f) Working with the Investigations Division supervisor to manage the informant file system, including establishing guidelines regarding access, review, and disclosure.
- (g) Establishing deactivation procedures.
- (h) Making any necessary updates to agency procedures.
- (i) Certifying annually to MN POST that the Department has adopted a policy that complies with the requirements of the model policy as required by Minn. Stat. § 626.8476, Subd. 3.

603.8 TRAINING

The Training Manager shall provide in-service training to officers, including part-time officers, in the recruitment, control, and use of confidential informants as required by Minn. Stat. § 626.8476.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Minn. Stat. § 626.8433).

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

Administrator - The law enforcement official conducting the identification procedure.

Blinded Presentation - The administrator may know the identity of the suspect, but does not know which photo array member is being viewed by the eyewitness at any given time.

Confidence Statement - A statement in the witness's own words taken immediately after an identification is made stating his or her level of certainty in the identification.

Filler - A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

Sequential - Presentation of a series of photographs or individuals to a witness one at a time.

Simultaneous - Presentation of a series of photographs or individuals to a witness all at once.

604.2 POLICY

The Inver Grove Heights 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.

604.2.1 POST MODEL POLICY

It is the policy of the Inver Grove Heights Police Department to follow the requirements of the Eyewitness Identification Procedures model policy, established and published by the Minnesota Board of Peace Officer Standards and Training (POST) (Minn. Stat. § 626.8433).

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Eyewitness Identification

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 officer 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 Investigation Unit supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate 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.
- (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 or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.
- (k) Any other direction to meet the requirements of the POST model policy.

The process and related forms should be reviewed at least annually and modified when necessary.

604.4.1 POST REQUIREMENTS

The Investigation Unit supervisor should remain familiar with the requirements contained in the Eyewitness Identification Procedures model policy issued by POST and incorporate these, as necessary, into the eyewitness identification process for use by members when conducting photographic and live lineups.

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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.

604.5.1 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS

When conducting a live lineup, the member presenting the lineup should not be involved in the investigation or know the identity of the suspect (Minn. Stat. § 626.8433).

When conducting a photographic lineup, if 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.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness 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.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating officer should contact the appropriate prosecuting attorney before proceeding.

604.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identification. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain and document a complete description of the suspect from the witness.

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- (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 the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

604.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

604.6.1 DOCUMENTATION RELATED TO RECORDINGS

The member conducting the lineup should document the reason that an audio and/or video recording was not obtained, if applicable.

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Inver Grove Heights Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Inver Grove Heights 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 Inver Grove Heights 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. 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 whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

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605.4 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 shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or City Attorney should then be requested to file a motion in order to initiate an in-camera review by the court.
 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that data ordered released will be copied and released to the parties filing the motion.
 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use and further dissemination of such materials 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 the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

605.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

605.7 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 Administrative Services Division Commander or the authorized designee.

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

- (a) Working with the appropriate prosecutors' offices and the City Attorney'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.

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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.

605.8 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.

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 Inver Grove Heights 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 operational lead, in consultation with the operations director, will have the responsibility of coordinating the 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.

606.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. There is an exception to supervisor authorization: search warrants for DWI blood or urine, officers do not need to receive supervisor authorization. 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 supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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 supervisor and the 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 operational lead in consultation with the operations director or designee. If the warrant is not classified as high risk,

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the operational lead and their 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 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 or no-knock warrant execution.
 - 1. No-knock search warrant applications shall comply with the requirements, including the reporting requirements to the Commissioner of Public Safety, as provided by Minn. Stat. § 626.14.
- (b) A clear explanation of the affiant's training, experience, and relevant education.
- (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, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Material Disclosure Policy).

606.7 HIGH-RISK WARRANT SERVICE

The operational lead or the authorized designee shall coordinate the service of warrants that are categorized as high risk, in consultation with the operations director or designee who has sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

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.

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- (b) The warrant service is audio- and video-recorded (this includes the use of BWCs) 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.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

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 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.

606.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, 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.

606.10 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

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- 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 Inver Grove Heights Police Department are utilized appropriately. Any concerns regarding the requested use of Inver Grove Heights Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Investigation Unit Lieutenant and/or Sergeant should assume this role.

If officers intend to serve a warrant outside Inver Grove Heights 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 Inver Grove Heights Police Department when assisting outside agencies or serving a warrant outside Inver Grove Heights Police Department jurisdiction.

606.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

606.12 TRAINING

The Training Manager should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

606.13 NO-KNOCK ENTRIES

No-knock entries are only authorized if a no-knock warrant has been obtained or if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer or another person.

606.14 DOCUMENTATION

Documentation related to the service of a warrant shall be maintained in accordance with the established records retention schedule.

Operations Planning and Deconfliction

607.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk 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 Inver Grove Heights 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 Investigation Unit Division Commander is designated as the operations director.

The operations director or designee 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 director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

607.4 RISK ASSESSMENT

607.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk 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:

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- (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 their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should 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:

- (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

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8. Canines
 9. Evidence Room 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.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the operational lead and/or a supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

607.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk 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.
- (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,

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- 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.
- (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.

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.

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- (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.
 - 1. It is the responsibility of the operations director to ensure that the Dispatch Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by the Dispatch Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
 - 3. 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 operational lead in consultation with 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 the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.10 OPERATIONS DEBRIEFING

High-risk operations should 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.

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607.11 TRAINING

The Training Manager should ensure officers and SWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Scrap Metal Theft Investigation

608.1 PURPOSE AND SCOPE

This policy provides guidance regarding scrap metal theft investigations.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Scrap vehicle operator or operator - A person described in Minn. Stat. § 168A.1501 who engages in a transaction involving the purchase or acquisition of a scrap vehicle.

Scrap metal dealer or dealer - A person engaged in the business of buying or selling scrap metal, or both, including a scrap metal processor, as defined in Minn. Stat. § 325E.21.

608.2 POLICY

The Inver Grove Heights Police Department recognizes the difficulty in preventing scrap metal theft and may investigate, place holds on or confiscate items as provided in this policy.

608.3 INSPECTIONS AND AUDITS

An officer engaged in scrap metal theft investigations may (Minn. Stat. § 168A.1501; Minn. Stat. § 325E.21):

- (a) Conduct inspections and audits of any purchase and acquisition records maintained by scrap vehicle operators or scrap metal dealers.
- (b) Inspect scrap vehicle or scrap metal received by an operator or dealer at any reasonable time.
- (c) Inspect any video or still camera and any recordings or images required to be maintained by an operator or dealer.

Any refusal to allow such inspections or audits should be referred to the City attorney for criminal prosecution.

608.4 INVESTIGATIVE HOLDS

An officer who has probable cause to believe that a scrap vehicle or motor vehicle parts in the possession of a scrap vehicle operator, or that scrap metal in the possession of a scrap metal dealer, is stolen or is evidence of a crime may verbally order the operator or dealer not to process, sell, remove or allow the removal of the item for 30 days (Minn. Stat. § 168A.1501; Minn. Stat. § 325E.21).

The officer issuing the order is responsible for ensuring that the order to hold the item is confirmed in writing within 72 hours. If the item is identified as evidence in an active criminal case, the officer may extend the hold in writing. This extension must occur within 30 days of the original order and may remain in effect for as long as the investigation or prosecution is active.

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Scrap Metal Theft Investigation

608.5 SEIZING ITEMS

The investigating officer should confer with the prosecuting attorney to determine whether the item should be confiscated. If the item is evidence or otherwise needed for an investigation or prosecution, the officer may issue a written notice to confiscate any time during the investigative hold. The officer shall take custody of the item within 15 days of the notice to confiscate (Minn. Stat. § 168A.1501; Minn. Stat. § 325E.21).

When an item is confiscated, the officer shall:

- (a) Provide the operator or dealer a property receipt that includes at least the following:
 1. The name and telephone number of the Department.
 2. The name and telephone number of the officer.
 3. The case number related to the confiscation.
- (b) Deliver the item to the Evidence Room.

When a confiscated item is no longer needed for an investigation or prosecution, it may be returned to a registered owner only after giving the operator or dealer from whom the item was seized written notice of intent to do so. The written notice should include notice of the right of the operator or dealer to make a written request for return of the item and that if the Department does not return the item within 48 hours of the request, excluding Saturday, Sunday or legal holidays, the operator or dealer may file a petition for the return of the item in the district court in the district in which the property was seized (Minn. Stat. § 626.04).

608.6 TERMINATION OF HOLD OR NOTICE TO CONFISCATE

At the conclusion of any investigation and prosecution, the officer who issued the investigative hold or a notice to confiscate property not yet confiscated shall notify the operator or dealer in writing that the hold or notice is no longer in effect (Minn. Stat. § 168A.1501; Minn. Stat. § 325E.21).

Confidential Fund Management

609.1 POLICY

It is the policy of the Inver Grove Heights Police Department to maintain stringent control over all confidential funds used by the Inver Grove Heights Police Department to ensure that the funds are only used for authorized purpose.

609.2 DEFINITIONS

Confidential Funds: Monies (cash) set aside for undercover purchases of contraband, payment to documented cooperating individuals, and other authorized investigative expenditures necessary to effectively investigate cases. Confidential funds may only be used for the purposes intended.

Flash Money: Dispersed money used by undercover officers to demonstrate the intent and ability to purchase information or illegal goods or services from criminal suspects or informants.

609.3 ACCESS TO CONFIDENTIAL FUNDS

Access to confidential funds is limited to the Strategic Response Group (SRG) Supervisor or Division Commander. Each investigator and/or SRG member may request to have confidential funds dispersed. Requests for funds should include all relevant details of the case and must be approved for use by the SRG Supervisor or Division Commander.

609.4 STORAGE OF CONFIDENTIAL FUNDS

Confidential funds shall be stored in a secure, locked area in the department that is only accessible to the SRG supervisor and/or Division Commander.

609.5 DISBURSEMENT OF OF CONFIDENTIAL FUNDS

Investigators and/or SRG members may be issued confidential funds to be used in furtherance of investigative purposes. Funds may be used for the following purposes:

- (a) Payments made directly to informants.
- (b) Purchases of illegal drugs, contraband, or other evidence of criminal activity.
- (c) Expenditures for authorized undercover operations.
- (d) Payments of investigative expenses (e.g. hotel rooms, food, drinks, and other necessities).
- (e) Flash Money

The SRG Supervisor and Division Commander who have authority over the disbursement of confidential funds may not directly allocate those funds to themselves. Such disbursements would need to be handled in conjunction with the supervisor of the SRG Supervisor or Division Commander.

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609.6 AMOUNT OF CONFIDENTIAL FUNDS

On hand confidential funds monies will generally not exceed \$1,500 at any given time. This amount is intended to cover anticipated operations. When the recovery of confidential funds occurs, those funds will be added back into the on hand monies which will cause the on hand amount to exceed \$1,500. When the on hand monies exceeds the \$1,500 by \$500 or less, the excess monies will remain on hand and used until exhausted. When the on hand monies exceed \$2000, any amount over \$1,500 shall be returned to the City's Finance Department

If there is a specific case need to have more on hand monies made available, the Chief of Police will confer with the Finance Director to authorize an increase up to \$5,000. This increased amount is not permanent, it is case specific. If there is a need to permanently increase the confidential funds amount above the \$1,500 it must be approved by the City Council.

609.7 REPLENISHMENT OF CONFIDENTIAL FUNDS

Confidential Funds will be replenished as needed using resources available in the Police Forfeiture Fund account. Before replenishment, a summary of disbursements made, and therefore the funds needing replenishment, will be forwarded to the Finance Director for review. Such a summary will not include any case specific information that might jeopardize official police business or operations. The Finance Director will complete the applicable Payment Request Form and forward it to Accounts Payable for processing. Once the Finance Department has cashed the payment at the bank, the funds will be delivered to the Police Department.

609.8 RECORDKEEPING OF CONFIDENTIAL FUNDS

All investigators and/or SRG members making payments from confidential funds shall document the transaction in a written expense report, accounting for all money withdrawn from the fund. The investigator and/or SRG members making the payment shall ensure that an appropriate receipt is obtained, unless such an action would jeopardize the transaction or operation.

The Expense Report shall include the following:

- (a) Item or informant control number on which the money was spent.
- (b) Date, time, and location of expense.
- (c) Description of evidence purchased, or intelligence provided by an informant.
- (d) Originals or copies of any supporting documentation (e.g., receipts).
- (e) Type of investigation.
- (f) Investigator and witness names and signatures.
- (g) Case number and/or Z-file number.

The written expense report and supporting documentation shall be forwarded to the SRG Supervisor or Division Commander, for review and final authorization, after which point it will be centrally stored and retained.

Each investigator and/or SRG member shall maintain investigative case records related to confidential fund expenditures. These records may assist with audit verification.

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609.9 SUPERVISOR RESPONSIBILITIES

The SRG Supervisor shall be responsible for the following:

- (a) Maintenance of confidential funds in accordance with all applicable laws, policies, and procedures.
- (b) Proper disbursements and deposits.
- (c) Bookkeeping and monthly internal audits.
- (d) Maintaining file(s) containing copies of relevant fund transaction documents.

The Division Commander shall be responsible for the following:

- (a) Annual review of policy.
- (b) Annual audit of the funds.
- (c) Conducting regular audits of bookkeeping records, SRG Supervisors audits, and all files that are related to the use of funds to ensure department policies are being followed.

609.10 AUDIT OF CONFIDENTIAL FUNDS

The Division Commander shall conduct an annual audit of the funds. A copy of this audit will be forwarded to the Finance Director for review. The Division Commander is encouraged to conduct regular audits of the informant files, confidential funds, and seizure paperwork to ensure all policies have been followed. The SRG Supervisor, should conduct frequent internal audits of these same items. The Finance Director, upon request, may review all bookkeeping records on the disbursements of confidential funds.

609.11 CONFORMANCE WITH APPLICABLE LAWS AND STATUTES

The Confidential Funds Management Policy shall conform to all conditions set forth by state and federal laws. The Finance Director, or Chief of Police, when necessary, may place additional conditions on these procedures to ensure adequate controls are in place over the funds.

609.12 CITY COUNCIL APPROVAL

This policy was approved by the Inver Grove Heights City Council on April 22, 2024. The Chief of Police can revise minor administrative aspects of the policy. Any major revisions including a permanent increase the confidential funds as outlined in section 607.6 must be approved by the City Council.

Unmanned Aerial System

610.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (drone) and for the storage, retrieval, and dissemination of images and data captured by the drone (Minn. Stat. § 626.19).

610.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled without the possibility of direct human intervention from within or on the aircraft (commonly referred to as a drone), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means (Minn. Stat. § 626.19).

610.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a drone will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

610.3 PRIVACY

The use of the drone potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

610.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

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Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.
- Developing protocols for reviewing and approving requests for use of the Department UAS by government entities (Minn. Stat. § 626.19).
- Preparing and submitting the required annual report to the Commissioner of Public Safety (Minn. Stat. § 626.19).
- Posting the Department policies and procedures regarding the use of UAV on the department website, as applicable (Minn. Stat. § 626.19).
- Reviewing the program and UAS use for compliance with Minn. Stat. § 626.19.

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610.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

Members shall not use a UAS without a search warrant, except (Minn. Stat. § 626.19):

- (a) During or in the aftermath of an emergency situation or disaster that involves the risk of death or bodily harm to a person.
- (b) To document evidence that is at imminent risk of destruction.
- (c) Over a public event where there is a heightened risk to the safety of participants or bystanders.
- (d) To counter the risk of a terrorist attack by a specific individual or organization if the agency determines that credible intelligence indicates a risk.
- (e) To prevent the loss of life or property in natural or man-made disasters and to facilitate operation planning, rescue, and recovery operations.
- (f) To conduct a threat assessment in anticipation of a specific event.
- (g) To collect information from a public area if there is reasonable suspicion of criminal activity.
- (h) To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road.
- (i) Over a private area with the written consent of the occupant or a public area, for officer training or public relations purposes.
- (j) For purposes unrelated to law enforcement at the request of a government entity, provided the request is in writing and specifies the reason for the request and a proposed period of use.
- (k) To facilitate the active search for a missing person.

610.5.1 SEARCH WARRANT

As outlined in Minn. Stat. § 626.19 Subd. 11, A warrant authorizing the collection of information with a drone must direct that.

1. The warrant be sealed for a period of 90 days or until the objective of the warrant has been accomplished, whichever is shorter.
2. The warrant be filed with the court administrator within ten days of the expiration of the warrant.

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The prosecutor may request that the warrant, supporting affidavits, and any order granting the request not be filed. An order must be issued granting the request in whole or in part if, from affidavits, sworn testimony, or other evidence, the court finds reasonable grounds exist to believe that filing the warrant may cause the search or a related search to be unsuccessful, create a substantial risk of injury to an innocent person, or severely hamper an ongoing investigation.

The warrant must direct that, following the commencement of any criminal proceeding using evidence obtained in or as a result of the search, the supporting application or affidavit must be filed either immediately or at any other time as the court directs. Until the filing, the documents and materials ordered withheld from filing must be retained by the judge or the judge's designee.

610.5.2 DOCUMENTATION REQUIRED

Each use of a drone should be properly documented by providing the following (Minn. Stat. § 626.19 Subd. 5.):

- (a) A unique case number.
- (b) A factual basis for the use of a drone.
- (c) The applicable exception, unless a warrant was obtained.

610.5.3 PUBLIC NOTIFICATION

The program coordinator is responsible for implementing a system for public notification of a drone deployment.

As outlined in Minn. Stat. § 626.19 Subd. 11, Within a reasonable time but not later than 90 days after the court unseals a warrant, when instructed by the issuing or denying judge the Department shall serve the person(s) named in the warrant and the application an inventory of a notice which includes the following. Within a reasonable time but not later than 90 days after the court unseals a warrant, when instructed by the issuing or denying judge the Department shall serve the person(s) named in the warrant and the application an inventory of a notice which includes the following.

1. The issuance of the warrant or application.
2. The date of issuance and the period of authorized, approved, or disapproved collection of information, or the denial of the application.
3. Whether information was or was not collected during the period.

610.6 PROHIBITED USE

The drone video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

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The drone shall not be weaponized (Minn. Stat. § 626.19).

610.6.1 ADDITIONAL PROHIBITIONS

Unless authorized by a warrant, a drone shall not be deployed with facial recognition or biometric-matching technology (Minn. Stat. § 626.19).

Unless authorized by a warrant or for purposes of a permitted use outlined in this policy, a drone shall not be used to collect data on public protests or demonstrations (Minn. Stat. § 626.19).

610.7 DATA CLASSIFICATION AND RETENTION

The Chief of Police or designee shall ensure that data collected by the drone is disclosed or deleted as required by Minn. Stat. § 626.19, including the deletion of collected data as soon as possible, and in no event later than seven days after collection, unless the data is part of an active criminal investigation (Minn. Stat. § 626.19).

Forensic Genetic Genealogy

611.1 PURPOSE AND SCOPE

This policy provides guidance for the use of forensic genetic genealogy (FGG) to generate investigative leads.

611.1.1 DEFINITIONS

Definitions related to this policy include:

Combined DNA Index System (CODIS) - An FBI computer software program that operates deoxyribonucleic acid (DNA) profile databases for law enforcement use.

DNA typing laboratory - A laboratory that analyzes biological samples, including extracted DNA, in order to provide various DNA profile types. State or local crime labs are generally not equipped to provide single nucleotide polymorphism (SNP) DNA profiles; therefore, the use of private DNA typing laboratories is often necessary for FGG.

Extracted DNA - The DNA isolated from a biological sample remaining after previous DNA testing has been completed.

Forensic genetic genealogy (FGG) - The process of obtaining a SNP DNA profile from a biological sample collected during an investigation; uploading the profile to a genetic genealogy site for comparison to the consumer profiles in the site's database to identify genetic relatives; and using the identified genetic relationships, as well as traditional genealogy research, to generate investigative leads.

Genetic genealogist - A genealogist who uses DNA testing with traditional genealogical research methods to assist law enforcement or private clients in identifying biological relatives of an individual.

Genetic genealogy site - A database of DNA profiles voluntarily submitted by public consumers for the purpose of identifying genetic relatives. The availability of genetic genealogy sites for law enforcement use varies depending on their terms of service.

Short tandem repeat (STR) DNA profile - The results of DNA typing in a format that can be processed through CODIS and state DNA databases. This is the type of DNA used in conventional non-FGG law enforcement investigations.

Single nucleotide polymorphism (SNP) DNA profile - The results of DNA typing in a format that enables an unknown DNA sample to be compared to the DNA profiles maintained by a genetic genealogy site. This is the DNA type used in FGG.

611.2 POLICY

The Inver Grove Heights Police Department's use of FGG will be in coordination with prosecutors, the Medical Examiner, and other appropriate resources only in qualifying cases after reasonable conventional investigative methods have been pursued. Members will take reasonable steps to

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maintain the integrity of the FGG process and safeguard the privacy rights of individuals whose DNA profiles are analyzed.

611.3 CRITERIA FOR FGG USE

Before using FGG, the lead investigator should coordinate with the supervisor to determine whether the case meets the following requirements:

- (a) Biological evidence collected as part of the underlying investigation (or extracted DNA from the biological evidence) is available for additional testing and is reasonably believed to be attributable to:
 - 1. The perpetrator of an unsolved felony.
 - 2. The unidentified human remains of a suspected homicide victim.
- (b) All reasonable conventional investigative methods have been utilized and all reasonable investigative leads have been pursued (e.g., relevant case information entered in the National Missing and Unidentified Persons System (NamUs) and the Violent Criminal Apprehension Program (ViCAP) national database).
- (c) An STR DNA profile has been developed from the biological evidence collected in the case and, absent unusual circumstances, has been uploaded to CODIS and any applicable state DNA database for comparison with negative results.

611.4 COORDINATION

Once a preliminary determination has been made that a case may qualify for the use of FGG, the lead investigating member should consult with the appropriate prosecutor to address current and prospective legal issues and determine if a search warrant is required (Minn. Stat. § 325F.995).

In the case of unidentified human remains, the lead investigator should also consult with the Medical Examiner.

611.5 SUBMISSION OF SAMPLE

The biological evidence or extracted DNA should be submitted to a DNA typing laboratory approved by the Department in order to obtain a SNP DNA profile.

Once a SNP DNA profile has been obtained from the biological evidence or extracted DNA, the lead investigating member should arrange for it to be compared to the SNP DNA profiles contained in one or more genetic genealogy sites to identify possible genetic relatives. The lead investigator should work with a qualified genetic genealogist as needed during this process.

When submitting a SNP DNA profile for comparison, the lead investigator or the authorized designee (e.g., assigned genetic genealogist) shall notify the genetic genealogy site that the request for comparison is from a law enforcement agency and confirm that the site's terms of service permit FGG for the type of case being investigated. The use of the SNP DNA profile and any subsequent comparison shall be limited to the original underlying investigation.

If at any time during the FGG process the case no longer meets the criteria for FGG use, the lead investigator should promptly notify the DNA typing laboratory, genetic genealogy site, and/or

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genetic genealogist to cease any further analysis and to return all evidence, data, and materials to the Department.

611.6 ANALYSIS OF FGG DATA

Once results of a comparison are received from a genetic genealogy site, the information should be evaluated by a genetic genealogist, who will assist the lead investigator in identifying potential investigative leads.

The lead investigator should promptly and diligently pursue each viable lead identified through the FGG process using traditional investigative methods, as appropriate, to:

- (a) Eliminate an individual as a potential suspect in the case.
- (b) Link an individual to the case as a potential suspect.
- (c) Identify human remains.

611.7 COLLECTION OF THIRD-PARTY DNA SAMPLE

If it is determined that a third-party DNA sample (i.e., from a person not likely to be a suspect in the investigation) should be collected and analyzed for FGG, consent from the third party should be obtained prior to collection.

If there is a reasonable belief that the integrity of the investigation would be compromised by seeking consent from the third party prior to collection, the lead investigator should consult with the prosecutor regarding applicable laws and procedures in both the jurisdiction of the investigation and the jurisdiction where the collection will occur, if different.

The use of a third-party DNA sample shall be limited to the original underlying investigation.

611.8 POST-IDENTIFICATION

Members shall not rely solely on FGG identification of a potential suspect for probable cause to make an arrest or obtain an arrest warrant. Unless there is sufficient evidence independent of the FGG data to support an arrest, a potential suspect identified through FGG should not be arrested until the suspect's identity is confirmed.

Members shall not rely solely on FGG to identify human remains unless there is sufficient evidence independent of the FGG data to declare the identification or confirmation testing has been completed.

Confirmatory DNA testing should be conducted by collecting a known DNA sample from the potential suspect or, in the case of unidentified human remains, from a close biological relative. This known DNA sample should be submitted for comparison to the original unknown STR DNA profile through conventional methods (e.g., in CODIS).

The lead investigator should consult with the prosecutor to determine the appropriate method of obtaining a known DNA sample.

Once the identity of a suspect or the identity of unidentified human remains has been confirmed through conventional DNA testing, the lead investigator should:

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- (a) Consult with the prosecutor to evaluate the entire investigative file for consideration of criminal charges or further investigation.
- (b) If applicable, consult with the Medical Examiner for an amendment to a certificate of death.

611.9 PRIVACY CONSIDERATIONS

Members should make reasonable efforts to respect and protect the privacy of non-suspect genetic relatives identified through the FGG process. The names and identifying information of any non-suspect genetic relatives should not be included in official reports, probable cause declarations, or affidavits for search warrants and should not be disclosed unless otherwise required by law or court order.

The lead investigator should formally request that the SNP DNA profile be removed from all genetic genealogy sites upon identity confirmation and should retain a copy of the request for department records. The lead investigator should request that all case-related records and data provided to, or generated by, a genetic genealogist during the FGG process be returned to the Department.

611.10 RETENTION OF DNA SAMPLES AND RELATED RECORDS

Genetic information, including any derivative profiles and genetic genealogy site user information, should be retained in accordance with the established records retention schedule. The lead investigator should coordinate with the property and evidence technician and provide adequate notice to the appropriate prosecutor's office before destroying any profiles or data obtained from the FGG process.

See the Evidence Room Policy for guidelines regarding biological evidence, including DNA samples.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may possess equipment that is personally owned property while performing their assigned duties. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

700.2 DUTY EQUIPMENT

- (a) Issuance and Allowance:
 - 1. The department initially provides uniformed employees, sworn and civilian with equipment at no cost to the employee.
 - 2. No further equipment will be purchased by the City during the one-year orientation period.
- (b) The following department property may be assigned to department employees and when found in an inoperable condition will be repaired or replaced by the department.
 - 1. Department identification card
 - 2. Firearm
 - 3. CEW
 - 4. Radio
 - 5. BWC
 - 6. iPod / iPhone
 - 7. Keys (access x1 / squad x1)
- (c) Repair or replacement of all other duty equipment assigned that is inoperable is available through the uniform allowance provided in the current applicable collective bargaining agreement(s).
 - 1. Duty equipment which has become worn due to normal wear and tear, employees at their discretion should replace that equipment. It will need to be replaced through the allowance provided.
 - (a) If an employee cannot recognize a worn piece of duty equipment needs replacement a supervisor may require that piece of duty equipment no longer be used.
 - 2. Duty equipment damaged due to training, employees at their discretion should replace that equipment. It will need to be replaced through the allowance provided.
 - 3. Duty equipment damaged intentionally by a suspect while an employee was performing official duties, employees at their discretion should document the

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damage to the equipment in the main incident report involving the suspect and issue charges if the intent warrants official charges.

- (a) Replacing the uniform clothing should be replaced through the allowance provided.
 - 1. Officers should seek restitution for the replacement of the intentionally damaged uniform.

APPROVED ACCESSORIES AND DUTY EQUIPMENT

700.3 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Department, all issued equipment shall be returned and documentation of the return signed by a supervisor.

700.3.1 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's 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) Employees shall promptly report through the chain of command, any loss, damage to or unserviceable condition of any department-issued property or equipment assigned for their use with an Incident Report.
 - 1. A supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss, damage or unserviceable condition.
 - 2. A review by Staff to determine whether misconduct or negligence was involved should be completed.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practicable and, if appropriate and approved by staff, replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent 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) No duty equipment should be disposed of in still working condition. If duty equipment is to be disposed of, it must be rendered useless.
- (e) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without approval from the Chief of Police or designee.

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- (f) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.
- (g) The employee must return duty equipment items that have been purchased within the same year of termination of employment.

700.4 USE OF PERSONAL PROPERTY

The carrying of personal equipment on-duty or its use in the performance of duties requires prior written approval by the Chief of Police or appropriate Division Commander. The employee should submit for approval the description of personal property the employee has requested to carry, the reason for its use and the term of its use. Personal property of the type routinely carried by persons not performing law enforcement duties nor comprising a weapon are excluded from this requirement. The Chief of Police or appropriate Division Commander should review the request and approved or deny the request as appropriate.

700.4.1 DEFINITIONS

Department Equipment and/or Property - Means and includes:

- All equipment issued to the employee.
- Accessories and department-owned property contained within department vehicles.
- All other department equipment or property, which comes into the possession of an employee at any time.

Personal Property - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Uniform Regulations Policy.

700.4.2 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the Finance Department.

The Department will not replace or repair costly items (e.g., jewelry, exotic equipment) that are not reasonably required as a part of work.

700.4.3 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

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A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.5 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement function shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as reasonably soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.

700.5.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to personal property or property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as reasonably soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the 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 Inver Grove Heights 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- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or after duty hours for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable data practices laws and rules of civil or criminal procedures.

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. This includes records of all keystrokes or web-browsing history made on the PCD. 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 PCDs or networks (see the Information Technology Use Policy for additional guidance).

Members have no expectation of privacy regarding any communications while using a personally owned PCD for department-related business or when the use reasonably implicates work-related misconduct.

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.

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Department-issued or funded PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief of Police or the authorized designee. 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.

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 except in exigent circumstances (e.g., unavailability of radio communications) or as otherwise authorized by department procedures.
 - 1. Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
 - 2. Use of and data within a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
 - 3. Searches of a personally owned PCD by the Department should be limited to those matters reasonably associated with the work-related business or work-related misconduct.
- (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 the Chief of Police or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings, and other public records created or received on a member's personally owned PCD should be transferred to the Inver Grove Heights 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.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate

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compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from their supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate recordkeeping.

701.5.1 PUBLIC RECORDS

Work related information including data created, received, recorded or stored on a personally owned PCD in the course of department duties is considered government data subject to the requirements of the Minnesota Government Data Practices Act and discovery obligations (Minn. Stat. § 13.01 et seq.).

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 shall not be carried in a manner that allows it to be visible while in uniform unless it is in an approved carrier.
- (b) All PCDs in the workplace should be set to silent or vibrate mode whenever feasible.
- (c) 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.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) 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 requires the express authorization of the Chief of Police or the authorized designee.
- (f) Members will not access social networking sites for any purpose that is not official department business. This restriction does not apply to a personally owned PCD used during authorized break times.
- (g) 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.

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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. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters involving official duties and, where practicable, stop the vehicle at an appropriate location to use the PCD (Minn. Stat. § 169.475).

Except in an emergency, members who are operating non-emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Minn. Stat. § 169.475). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 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.

The following situations are examples of when the use of a PCD may be appropriate:

- (a) Barricaded suspects
- (b) Hostage situations
- (c) Mobile Command Post
- (d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.
- (e) Major political or community events
- (f) Investigative stakeouts
- (g) Emergency contact with an allied agency or allied agency field unit
- (h) When immediate communication is needed and the use of the radio is not available or appropriate and other means are not readily available

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, maintained, refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition. Paperwork, describing the correction needed, shall be forwarded to the Shift Sergeant for vehicle maintenance or repair.

702.2.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspection and repair as soon as practicable.

702.2.2 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 reasonably possible. Such conditions may include rough roadway or extended aggressive off-road driving, hard or extended braking, prolonged pursuits and/or high-speed operation, or pursuit refresher training.

702.2.3 REMOVAL OF WEAPONS

All firearms, weapons, control devices, and magazines shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair not performed by City staff.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all Department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Technology (working)
 - Mobile Digital Computer (MDC)
 - Radio
 - Radar
 - Printer

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- Mobile Video Recorder (MVR)
- Light bar/Pre-Exemption Device (Opticom)
- Siren
- 1 Patrol Rifle and magazines
- Less Lethal device (if applicable)
- 1 Bunker
- 1 Automated External Defibrillator (AED)
- 1 full oxygen tank and associated patient masks
- 1 fire extinguisher
- 1 First Aid bag/kit with appropriate supplies and CPR mask
- 1 Naloxone Rescue Kit
- 1 Preliminary BreathTest device (PBT)
- 1 set keys
- 1 Tire Deflation device (usually referred to as Stop Sticks)
- 1 Assigned Hazmat gear set (masks/suits)
- Emergency road flares
- Chalk or yellow crayon
- 1 roll crime scene barricade tape
- 1 blanket
- 1 blood borne pathogen kit, including protective gloves
- 1 sharps container
- 1 hazardous waste disposal bag
- 1 evidence collection/processing supplies
- 1 Tint meter
- Remote for PD Garage and Public Works gate
- 1 unlock tool and associated equipment

If any of the above equipment is not found the officer performing the inspection should check with the Shift Sergeant to see if the patrol vehicle should be taken out of service.

If equipment is missing or damaged the officer performing the inspection shall document it on a maintenance form and provide it to the Shift Sergeant.

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Employees using a vehicle shall remove any trash or debris at the end of the shift. Not public data should be placed in a designated receptacle provided for the shredding of this matter.

702.3.2 UNMARKED VEHICLES

An employee driving an unmarked department vehicle shall ensure that, at minimum, the equipment listed below is present in the vehicle:

- Emergency road flares
- 1 roll crime scene barricade tape
- 1 first aid kit
- 1 blanket
- 1 blood borne pathogen kit, including protective gloves
- 1 sharps container
- 1 hazardous waste disposal bag
- 1 traffic safety vest

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles should not leave a vehicle at the end of their shift that is not fully fueled. Whenever practicable, vehicles should be fully fueled when placed into service and refueled before the level falls below one-quarter tank.

Vehicles shall only be refueled at an authorized location.

702.5 WASHING OF VEHICLES

All units shall be kept clean and, weather conditions permitting, shall be washed as necessary to enhance their appearance.

702.6 CIVILIAN EMPLOYEE USE

Non-uniform Civilian employees using marked vehicles shall ensure all weapons are removed from the vehicle before going into service. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure 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 City of Inver Grove Heights to provide assigned take-home vehicles.

Additional guidelines for member responsibilities when transporting persons in custody may be found in the Transporting Persons in Custody Policy.

703.2 POLICY

The Inver Grove Heights 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

ALL-TERRAIN VEHICLE OPERATIONS PROCEDURE

703.3.1 SHIFT ASSIGNED VEHICLES

Members who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out, according to current procedures, prior to taking it into service. If for any reason during the shift the vehicle is exchanged, the member shall ensure that the exchanged vehicle is likewise properly checked out.

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 Sergeant. A notation will be made by the member or supervisor indicating the operator's name and vehicle number. This section does not apply to members permanently assigned an individual vehicle who regularly use the vehicle on an unscheduled basis as part of their normal assignment.

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.

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 unauthorized or personal items have not been left in the vehicle.

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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 DIGITAL COMPUTER

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Dispatch Center. Use of the MDC is governed by the Mobile Digital Computer Use 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. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. 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.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Commander approval.

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 two (2) keys as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued a key 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.

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703.3.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

703.3.9 ALCOHOL

Members who have consumed alcohol 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 regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Chief of Police or designee.

703.3.12 CIVILIAN MEMBER USE

Non-Uniform Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. 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 Chief of Police or the authorized designee.

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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 a supervisor 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.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Inver Grove Heights City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the City of Inver Grove Heights is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Inver Grove Heights may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.

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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 Chief of Police or Division Commanders.
 4. When the vehicle is being used by the Chief of Police, Division Commanders or members who are in on-call administrative positions.
 5. When the vehicle is being used by on-call investigators.
- (d) 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.
- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 2. All weapons shall be secured while the vehicle is unattended.
 3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) 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.
- (i) The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Inver Grove Heights 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).

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Officers driving take-home vehicles shall be armed, appropriately attired as outlined in section 703.8 and 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 care of their assigned vehicles. Cleaning 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 inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule provided by the City's Public Works supervisor in charge of vehicle maintenance.
- (c) All scheduled vehicle maintenance shall be performed as necessary at a facility approved by the City's Public Works supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and the member will complete a vehicle maintenance/repair form explaining the service or repair, and notify the Shift Sergeant.
- (e) Supervisors shall ensure all weapons shall be removed from any vehicle left for maintenance at any location not under City control.
- (f) Supervisors at a minimum, shall have monthly inspections done of vehicles used by members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall have that use approved by a supervisor prior to use.

703.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any collision report shall be filed with the agency having jurisdiction (see the Traffic Collisions Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. The damages needs to be documented forwarded to the Shift Sergeant. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 TOLL ROADS

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

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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 City 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, the appropriate Division Commander 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. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Evidence Room and Informants policies.

704.2 POLICY

It is the policy of the Inver Grove Heights Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

704.3 PETTY CASH FUNDS

The Chief of Police shall designate a Support Services staff member as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS

The fund manager shall verify all transactions on the ledger and other appropriate forms. Each person participating in a transaction shall complete the appropriate form with approval from a supervisor. Transactions must include the filing of an appropriate receipt or invoice.

704.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every month. This audit requires that the manager and at least one other Support Services staff member review the ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Chief of Police or designee.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or designee.

704.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Investigations Division supervisor duties shall discharge those duties in accordance with the Evidence Room and Informants policies.

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Cash Handling, Security and Management

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.7 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Evidence Room and Informants policies.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

Personal Protective Equipment

705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards.

705.2 POLICY

The Inver Grove Heights Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Workplace Accident and Injury Reduction Policy to recommend new or improved PPE or additional needs for PPE.

705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed industry standards for use at firing ranges (29 CFR 1910.95; Minn. R. 5205.0010).

705.5 EYE PROTECTION

Approved eye protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

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The Rangemaster shall ensure eye protection meets or exceeds consensus standards set by the American National Standards Institute (29 CFR 1910.133; Minn. R. 5205.0010).

705.6 HEAD PROTECTION

Members who make arrests or control crowds should be provided riot head protection with an attachable face shield.

705.7 HAND PROTECTION

Members shall use appropriate hand protection, the most common is Nitrile gloves, when there is potential their hands will be exposed to hazards such as, bodily fluids from others and those from skin absorption of harmful substances.

705.8 PROTECTIVE GARMENTS

Members shall use appropriate protective garments as a barrier when exposed to hazards such as, certain biological or chemical substances.

705.9 RESPIRATORY PROTECTION

The Administrative Services Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; Minn. R. 5205.0010):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA), and state PPE standards and guidelines.

705.9.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

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Personal Protective Equipment

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; Minn. R. 5205.0010):

- (a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- (b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- (c) The member needs to replace the respirator, filter, cartridge, or canister.

705.9.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators, or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke, or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; Minn. R. 5205.0010):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles, or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.
- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

705.9.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes, or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; Minn. R. 5205.0010).

A scene commander may order the use of gas masks in situations where the use of an SCBA is not necessary. These incidents may include areas where tear gas has or will be used. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

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- (a) They smell, taste, or are irritated by a contaminant.
- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.
- (e) Visible damage, cracks, or deformation to filter.

705.9.4 PARTICULATE-FILTERING MASKS

Particle-filtering masks or filtering face piece respirators (FFRs) commonly referred to as a N95 respirator are masks that seals to the face and uses a filter to remove at least 95% of airborne particles from the user's breathing air for use during any type of exposure to infectious disease, during aerosol generating procedures, and for infectious diseases when airborne precautions. There are other FFRs that are as, or more, protective as the N95, including the N99, N100, P95, P100, R95, R100, KN95, and KN100.

When properly fitted and worn, minimal leakage occurs around the edges of an N95 respirator when the user inhales, ensuring that the user's breathing air is being directed through the filter material.

A scene commander may order the use of particle-filtering masks in situations where the use of a gas mask or a SCBA is not necessary. These incidents may include areas where exposure to infectious disease pathogens is likely.

Members shall ensure they follow three key criteria for their particle-filtering mask to be effective:

- (a) The mask needs to be highly effective at capturing particles that pass through it, N95 or higher.
- (b) The mask must fit the their face snugly (i.e., create a seal) to minimize the number of particles that bypass the filter through gaps between the user's skin and the respirator seal.
- (c) The mask must be put on (donned) and taken off (doffed) correctly before and worn throughout the exposure.

705.9.5 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; Minn. R. 5205.0010).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; Minn. R. 5205.0010):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery, or any other condition that may affect the fit of the facepiece seal).

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All full face respirator fit testing shall be conducted in negative-pressure mode.

705.9.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; Minn. R. 5205.0010):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.
- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

705.10 RECORDS

The Training Manager is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.
 - 1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020, and Minn. R. 5205.0010.

705.11 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove, and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; Minn. R. 5205.0010).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; Minn. R. 5205.0010).

Chapter 8 - Records

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting its tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and probation records
- Computer Aided Dispatch data
- Department of Public Safety - Crime Records Service

800.3 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

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

Records

801.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Inver Grove Heights Police Department Records. The policy addresses department file access and internal requests for case reports.

801.2 POLICY

It is the policy of the Inver Grove Heights Police Department to maintain department records securely, professionally, and efficiently.

801.3 RESPONSIBILITIES

801.3.1 RECORDS MANAGER

The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Administrative Services Division Commander or the authorized designee.

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

- (a) Overseeing the efficient and effective operation of the Records.
- (b) Scheduling and maintaining Records time records.
- (c) Supervising, training, and evaluating Records staff.
- (d) Maintaining and updating a Records procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:
 1. Homicides
 2. Cases involving department members or public officials
 3. Any case where restricted access is prudent

801.3.2 RECORDS

The responsibilities of the Records include but are not limited to:

- (a) Maintaining a records management system for case reports.
 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 1. Modification of case reports shall only be made when authorized by a supervisor.

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- (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) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection), as applicable, for the following types of occurrences:
 - 1. Officer suicides
 - 2. Officer misconduct
 - 3. Uses of force
 - 4. Officer deaths or assaults
 - 5. Crime incidents
 - 6. Deaths in custody
- (h) Transmitting data annually to the superintendent of the Bureau of Criminal Apprehension on the number of mobile tracking device search warrants obtained by the Department as provided in Minn. Stat. § 626A.35.
- (i) Transmitting carjacking information annually to the Commissioner of Public Safety as provided in Minn. Stat. § 626.5535.

801.4 CONFIDENTIALITY

Records staff has access to information that may be confidential or sensitive in nature. Records staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records procedure manual.

801.5 RECORDS MANAGER TRAINING

The Records Manager shall receive training in records management, including proper maintenance, retention and disposal of records and the proper release of records under the Minnesota Government Data Practices Act (MGDPA).

801.6 FILE ACCESS AND SECURITY

The security of files in the Records 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 field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure

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area within the Records, accessible only by authorized members of the Records. Access to case reports or files when Records staff is not available may be obtained through the Shift Sergeant.

The Records will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

801.6.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Manager. All original case reports removed from the Records shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records.

All original case reports to be removed from the Records shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records. The photocopied report shall be shredded upon return of the original report to the file.

Records Maintenance and Release

802.1 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.

802.1.1 DEFINITIONS

Definitions related to this policy include:

Confidential Data on Individuals - Data classified as confidential by state or federal law and that identifies individuals and cannot be disclosed to the public or even to the individual who is the subject of the data (Minn. Stat. § 13.02, Subd. 3).

Corrections and Detention Data - Data on individuals created, collected, used or maintained because of their lawful confinement or detainment in state reformatories, prisons and correctional facilities, municipal or county jails, lockups, work houses, work farms and all other correctional and detention facilities (Minn. Stat. § 13.85, Subd. 1).

Data on Individuals - All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual (Minn. Stat. § 13.02, Subd. 5).

Government Data - Data collected, created, received, maintained or disseminated by this department regardless of its physical form, storage media or conditions of use (Minn. Stat. § 13.02, Subd. 7).

Private Data - Data classified as private by state or federal law and that identifies individuals that are only available to the individual who is the subject of the data or with the individual's consent (Minn. Stat. § 13.02, Subd. 12).

802.2 POLICY

The Inver Grove Heights Police Department is committed to providing public access to records and data in a manner that is consistent with the Minnesota Government Data Practices Act (MGDPA) and Official Records Act (Minn. Stat. § 13.03; Minn. Stat. § 15.17).

802.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to:

- (a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department data (Minn. Stat. § 15.17; Minn. Stat. § 138.17, Subd. 7).
- (b) Maintaining and updating the department records retention schedule, including:
 1. Identifying the minimum length of time the Department must keep data.

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2. Identifying the department division responsible for the original data.
- (c) Establishing rules regarding the inspection and copying of department data as reasonably necessary for the protection of such data.
- (d) Identifying data or portions of data that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of data.
- (f) Ensuring a current schedule of fees for public data as allowed by law is available.
- (g) Ensuring the posting or availability to the public a document that contains the basic rights of a person who requests government data, the responsibilities of the Department, and any associated fees (Minn. Stat. § 13.025).
- (h) Ensuring data created by the Department is inventoried and subject to inspection and release pursuant to lawful requests consistent with the MGDPA requirements (Minn. Stat. § 13.03, Subd. 1).
- (i) Ensuring that the current version of each department policy identified in Minn. R. 6700.1615 is posted on the department's website or otherwise posted in the public area of the Department in accordance with Minn. R. 6700.1615 (Minn. R. 6700.1615, Subd. 2).

802.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for data shall route the request to the Custodian of Records or the authorized designee.

802.4.1 REQUESTS FOR RECORDS

The processing of requests for data is subject to the following:

- (a) A person shall be permitted to inspect and copy public government data upon request at reasonable times and places and shall be informed of the data's meaning if requested (Minn. Stat. § 13.03, Subd. 3).
 1. The Department may not charge or require the requesting person to pay a fee to inspect data. Inspection includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies, unless printing a copy is the only method to provide for inspection of the data (Minn. Stat. § 13.03, Subd. 3(b)).
 2. For data stored and made available in electronic form via remote access, public inspection includes allowing remote access by the public to the data and the ability to print copies or download the data. A fee may be charged for remote access to data where either the data or the access is enhanced at the request of the person seeking access (Minn. Stat. § 13.03, Subd. 3(b)).
- (b) Government data maintained by this department using a computer storage medium shall be provided in that medium in electronic form, if a copy can be reasonably made. The Department is not required to provide the data in an electronic format or program that is different from the format or program in which the data is maintained (Minn. Stat. § 13.03, Subd. 3 (e)).

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- (c) The Department is not required to create records that do not exist.
- (d) The Custodian of Records or designee processing the request shall determine if the requested data is available and, if so, whether the data is restricted from release or denied. The Custodian of Records or designee shall inform the requesting person of the determination either orally at the time of the request or in writing as soon after that time as reasonably possible. The Custodian of Records or designee shall cite the specific statutory section, temporary classification or specific provision of state or federal law on which the determination is based. Upon the request of any person denied access to data, the denial shall be certified in writing (Minn. Stat. § 13.03, Subd. 3 (f)).
- (e) When a record contains data with release restrictions and data that is not subject to release restrictions, the restricted data shall be redacted and the unrestricted data released.
 - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the 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.

802.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic collision 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) Private data on the following individuals (Minn. Stat. § 13.82, Subd. 17):
 - 1. An undercover law enforcement officer
 - 2. A victim or alleged victim of criminal sexual conduct, or sex trafficking, or of a violation of Minn. Stat. § 617.246, Subd. 2
 - 3. A paid or unpaid informant if the Department reasonably believes revealing the identity would threaten the personal safety of the informant
 - 4. A victim of or witness to a crime if the victim or witness specifically requests not to be identified publicly, unless the Department reasonably determines that revealing the identity of the victim or witness would not threaten the personal safety or property of the individual
 - 5. A person who placed a call to a 9-1-1 system or the identity of the person whose phone was used to place a call to the 9-1-1 system when revealing the identity may threaten the personal safety or property of any person or the purpose of

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- the call was to receive help in a mental health emergency. A voice recording of a call placed to the 9-1-1 system is deemed to reveal the identity of the caller
6. A juvenile witness when the subject matter of the investigation justifies protecting the identity of the witness
 7. A mandated reporter
 8. A judicial official as described in Minn. Stat. § 480.40 (Minn. Stat. § 13.991)
- (c) Audio recordings of calls placed to the 9-1-1 system requesting law enforcement, fire, or medical agency response, except that a written transcript of the call is public unless it reveals the identity of protected individuals (Minn. Stat. § 13.82, Subd. 4).
- (d) Criminal investigative data involving active cases and inactive investigative data (Minn. Stat. § 13.82, Subd. 7):
1. If the release of the data would jeopardize another ongoing investigation or would reveal the identity of protected individuals or is otherwise restricted.
 2. Images and recordings, including photographs, video, and audio records that are clearly offensive to common sensibilities. However, the existence of any such image or recording shall be disclosed.
 3. As otherwise restricted by law.
- (e) Juvenile records and data (Minn. Stat. § 260B.171).
- (f) State criminal history data held in the Bureau of Criminal Apprehension (BCA) database, including but not limited to fingerprints, photographs, identification data, arrest data, prosecution data, criminal court data, and custody and supervision data (Minn. Stat. § 13.87).
- (g) Traffic collision reports and related supplemental information (Minn. Stat. § 169.09, Subd. 13).
- (h) Corrections and detention data (Minn. Stat. § 13.85).
- (i) Personnel data except, unless otherwise restricted (Minn. Stat. § 13.43, Subd. 2):
1. Name, employee identification number, and some aspects of compensation
 2. Job title, bargaining unit, job description, education and training background, and previous work experience
 3. Date of first and last employment
 4. Existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action
 5. Final disposition of any disciplinary action together with the specific reasons for the action, and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of this department
 6. Terms of any agreement settling any dispute arising out of an employment relationship

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7. Work location, work telephone number, badge number, and honors and awards received
 8. Time sheets or other comparable data only used to account for an employee's work time for payroll purposes, excluding the use of sick or other medical leave or other nonpublic data
 9. All other personnel data regarding employees of this department are private data and may only be released as authorized by that classification
- (j) Any data that was created under the direction or authority of the City Attorney exclusively in anticipation of potential litigation involving this department shall be classified as protected nonpublic or confidential data while such action is pending (Minn. Stat. § 13.39).
- (k) All data collected by an Automated License Plate Reader (ALPR) on individuals or nonpublic data absent an exception (Minn. Stat. § 13.82; Minn. Stat. § 13.824).
- (l) Response or incident data, so long as the Custodian of Records determines that public access would likely endanger the physical safety of an individual or cause a perpetrator to flee, evade detection, or destroy evidence (Minn. Stat. § 13.82, Subd. 14).
- (m) Any data on individuals receiving peer counseling or critical incident stress management services (Minn. Stat. § 13.02, Subd. 12; Minn. Stat. § 181.9731; Minn. Stat. § 181.9732).

Any other record not addressed in this policy shall not be subject to release where such record is classified as other than public data. All public data shall be released as required by the MGDPA (Minn. Stat. § 13.03, Subd. 1).

802.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for data should promptly contact a supervisor and the Custodian of Records 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 data.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the County Attorney, City Attorney 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.

802.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released shall include the department name and to whom the record was released.

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802.8 EXPUNGEMENT

A petition for expungement and expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records.

802.8.1 PETITION FOR EXPUNGEMENT

When responding to a petition for expungement, the Custodian of Records shall inform the court and the individual seeking expungement that the response contains private or confidential data (Minn. Stat. § 609A.03, Subd. 3).

802.8.2 ORDERS OF EXPUNGEMENT

The Custodian of Records 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.

Upon request by the individual whose records are to be expunged, the Custodian of Records must send a letter at an address provided by the individual confirming the receipt of the expungement order and that the record has been expunged (Minn. Stat. § 609A.03, Subd. 8).

Expunged records may be opened only by court order (Minn. Stat. § 609A.03, Subd. 7).

Expunged records of conviction may be opened for purposes of evaluating a prospective employee of the Department without a court order.

The Custodian of Records shall inform any law enforcement, prosecution or corrections authority, upon request, of the existence of a sealed record and of the right to obtain access to it.

802.8.3 BCA NOTIFICATION OF GRANT OF EXPUNGEMENT

If the Department receives notice from the BCA that its records may be affected by an automatic grant of expungement, the Custodian of Records shall determine if any records requested thereafter were expunged and, if so, treat the records as private data except as provided by law (Minn. Stat. § 609A.015, Subd. 5).

802.9 MAINTENANCE OF CLOSED RECORDS

Records such as offense reports, arrest reports, juvenile records or other sensitive records shall be secured in such a manner as to reasonably protect them from unauthorized disclosure. Closed records shall be kept separate from public records and shall remain confidential.

CJDN Access and Use

803.1 PURPOSE AND SCOPE

To assure proper usage of the Criminal Justice Data Communications Network (CJDN) and adherence to all local, state, and federal regulations that govern the use of the MNJIS computer system, the Inver Grove Heights Police Department adopts the following policies established and published by the Minnesota Bureau of Criminal Apprehension (Minn. Stat. § 299C.46).

1. See section 803.3: CJDN Security Policy.
2. See section 803.4: Misuse of CJDN Policy.
3. See section 803.5: Hit Confirmation Policy.
4. See section 803.6: Second-Party Check Policy.
5. See section 803.7: Property Records Policy.
6. See section 803.8: Missing Person Policy.
7. See section 803.9: Identity Theft Policy.
8. See section 803.10: Validation Policy.

803.2 POLICY

It is the policy of this Inver Grove Heights Police Department that all department members follow the policies below when they are accessing and acquiring information from CJDN through the use of MNJIS during the scope of their duties.

803.3 CJDN SECURITY POLICY

This is the official CJDN Security Policy for the Inver Grove Heights Police Department regarding the physical and personnel security of the CJDN system. All individuals must follow the directives contained within. The policy outlines the use requirements of CJDN access and local, state, and federal systems. The Terminal Agency Coordinator (TAC) for the department is the Records Manager. The TAC manages the local agency operation of the CJDN and is responsible for ensuring that all state and local policies are enforced regarding the use of the CJDN.

803.3.1 ACCESS TO CJDN SYSTEM

Access to the CJDN shall be limited to employees who have been certified by the BCA. Currently, at Inver Grove Heights Police Department, this is limited to (Who Has Access, i.e., TAC, Records Personnel, etc.). All other employees of the department must make their criminal justice inquiries through their CJDN operators.

Employees using the CJDN system, configure or maintain computer systems or networks, or have access to areas where criminal justice information (CJI) is processed must meet the following requirements prior to access:

- (a) Successfully pass a fingerprint-based background check.

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1. If the individual signs a consent form, a local criminal history background check using search reason Criminal Justice Employment- Purpose Code J may be completed.
 2. Agencies must keep the background check result letter on file and available during an audit.
- (b) The TAC shall submit a MyBCA User Access Form to the BCA Service Desk requesting access to the CJDN, indicating what systems the employee requires.
 - (c) The employee must complete Security & Privacy Training and pass a Single Certification exam prior to access. The Employee must recertify annually thereafter.
 - (d) If employees require the Portals system, the TAC shall create a Portals account and assign each employee a unique username and password.

Additional training is available in person at the BCA or online in nexTEST regarding NCIC/MNJIS applications.

803.3.2 SECURITY OF TERMINAL DATA

The department must ensure only authorized devices are connected to the CJDN.

The CJDN terminal(s) and CJI for department must be processed and stored in a secure area. Only authorized individual who have completed the above requirements are allowed unescorted access to the secure area(s) for viewing of CJDN terminals or CJDN data,

All CJDN printouts will be destroyed when no longer needed. These documents will be shredded or degaussed directly at the department or by properly vetted document destruction company.

803.4 MISUSE OF CJDN POLICY

The Criminal Justice Data Communications Network (CJDN) is a secure computer network to access federal, state, and out-of-state files for criminal justice and authorized non-criminal justice purposes.

Queries of the motor vehicle registration, driver's license, criminal history, or any other file in the BCA/FBI systems shall be performed only for authorized criminal justice purposes.

Employees of department shall not run themselves, other employees, family, or others for personal use or gain in the BCA/FBI systems. Any employee misusing information or obtaining information for other than official criminal justice purposes from the CJDN will be subject to disciplinary action.

When performing any file queries or making entries into BCA/FBI systems, employees shall securely store and protect criminal justice information (CJI).

Employees shall also ensure authorized dissemination and use. The employee disseminating the CJI shall ensure that the person requesting the information is authorized to receive the data. Unauthorized request or receipt of BCA or FBI data could result in criminal proceedings.

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When the Chief of Police or the Terminal Agency Coordinator (TAC) becomes aware a department employee has accessed the CJDN or used CJI obtained from the CJDN in violation of agency, state, or FBI policies, the Chief of Police or TAC shall promptly address the violation.

The Chief of Police shall meet with the alleged violator and determine appropriate sanctions according to the department's discipline policy, including but not limited to verbal reprimand, written reprimand, suspension, or termination. The BCA must be notified immediately of misuse. If criminal behavior is believed to have occurred, appropriate agencies shall be notified for further investigation.

Each case of misuse of the CJDN system will be investigated, with all circumstances considered to determine disciplinary actions. Consideration will be given to the extent of loss or injury to the system, agency, or other persons upon releasing or disclosing sensitive or classified information to an unauthorized individual. Misuse also includes activities that result in unauthorized modification or destruction of system data, loss of computer system access, or loss by theft of any computer system media, including chip ROM memory, optical or magnetic storage medium, hardcopy printout, etc.

With the Chief of Police's approval, the TAC may terminate an employee's access to the CJDN system for any violation.

803.5 HIT CONFIRMATION POLICY

The Inver Grove Heights Police Department is unavailable for hit confirmation 24 hours a day, 365 days a year, because of that the department has identified an agency to provide Hit Confirmation services on our behalf. That agency will be placing confirmation instructions in the Miscellaneous (MIS) field of the hot file record.

For all records entry into MNHOT/NCIC and hit confirmations the department has identified Dakota 911 as the agency that provides the hit confirmation service.

803.5.1 DEFINITION

Hit - Is a positive response from MNHOT and/or NCIC in which the person or property queried appears to match the person or property in the response.

803.5.2 HIT CONFIRMATION PROCESS

NCIC policy requires an agency receiving a hit on another agency's record to contact the record-holding agency to confirm that the record is active. If the property or subject is confirmed, a locate shall be entered by the locating agency. For a Wanted Person Records, a Detainer shall be entered by the wanting agency.

803.5.3 HIT CONFIRMATION PROCEDURE

- (a) Retain a copy of the hit, either an electronic or hard copy.
- (b) Ensure the subject or property is still outstanding.

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1. For wanted person, the location of the wanted person is within the extradition limits on the record.
- (c) Confirm the hit with the originating agency using message key YQ.
 1. RNO – Request Number. Enter 1, 2, or 3 to indicate the number of times the request has been sent.
 - (a) For the first request, enter 1.
 - (b) If an agency fails to respond within the specified time (10 minutes or 1 hour), send a second request, entering 2 in the RNO field. A copy of the 2nd request is automatically sent to the BCA.
 - (c) If an agency fails to respond to the second request, a third request shall be sent, entering 3 in the RNO field. A copy of the 3rd request is automatically sent to the BCA, as well as NCIC.
 2. PRI – Priority. The agency requesting confirmation of a hit must determine the appropriate response time.
 - (a) URGENT (10 minute response): when the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation.
 - (b) ROUTINE (1 hour response): when a person is held on local charges, property has been located under circumstance when immediate action is not necessary or an urgency confirmation is not required.
- (d) If the originating agency indicates that the hit is not active, notify the requesting person to not arrest the subject or recover the property.

803.5.4 HIT CONFIRMATION RESPONSE

- (a) Retain a copy of the confirmation request, either electronic or hard copy.
- (b) Confirm the request priority and respond within the corresponding time allowed.
- (c) Check the case file to determine if the person's whereabouts remains unknown or property is still missing.
- (d) Use message key YR to respond.
 1. CON – Confirmation Status. Enter one of the following codes:
 - (a) Y – Yes, entry is valid.
 - (b) N – No, entry is no longer valid
 - (c) P – In process of being confirmed.
 - (d) E – Valid, but awaiting decision on extradition.
- (e) If the originating agency confirms that the hit is still active and the subject was arrested or property recovered, the recovering agency shall enter a locate on the record.
- (f) Retain a hard or electronic copy of the confirmation and the locate documentation.

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803.5.5 DOCUMENTATION OF THE HIT CONFIRMATION PROCESS

All hit confirmations shall be retained in the case file. Documentation of the confirmed hit is essential and may assist in the event that the agency needs to substantiate the action(s) taken pertaining to a hit confirmation.

803.6 SECOND-PARTY CHECK POLICY

A second-party check is required for all hot file record entries and modifications. Second-party check is when someone other than the person entering the record checks the record for accuracy and completeness.

803.6.1 SECOND-PARTY CHECK PROCEDURE

- (a) Ensure all available sources such as DVS, III/CHS criminal history and local records were queried to obtain descriptors. Verify records queried were stored in the case file.
- (b) Query the record to obtain a copy of the active MNHOT/NCIC entry.
- (c) Compare the information from the sources against the active MNHOT/NCIC record to verify the record is accurate and complete.
- (d) Update to the record as needed using either the modify or supplemental message key associated with the record type.
- (e) Document the second party check was completed in the case file. Documentation may be physically initialing in the case file or electronically noting it in the RMS.

803.7 PROPERTY RECORDS POLICY

803.7.1 VEHICLE FILE ENTRY

- (a) Obtain a theft report, which shall include a serial number (SER) or owner applied number (OAN).
- (b) Query the vehicle registration in its registration state and store the response in the case file.
- (c) Enter the record using message key Enter Stolen Vehicle (EV).
- (d) Pack the record with all available information. Store supporting documentation in the case file.
- (e) Complete a second-party check per agency policy.
- (f) Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

803.7.2 ARTICLES, BOATS, GUNS AND SECURITY FILE ENTRY

- (a) Obtain a theft report, which shall include a serial number (SER) or owner applied number (OAN).
- (b) If entering a boat, query the boat's registration in its registration state and store the response in the case file.

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- (c) Enter the record using the appropriate message key. (Boats and securities will only be entered into NCIC.)
- (d) Pack the record with all available information. Store supporting documentation in the case file.
- (e) Complete a second-party check per agency policy.
- (f) Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

803.8 MISSING PERSON POLICY

A law enforcement agency shall accept any report of a missing person without delay. The law enforcement agency shall not refuse to accept a missing person report on any basis stated in Minnesota State Statute § 299C.53. If there is a jurisdiction question, contact the BCA following the entry of the missing person.

803.8.1 CRITERIA FOR ENTRY

The agency must have a missing person report (electronic or hard copy) on file to support the missing person entry. A missing person record may be entered using one of the following categories:

- Disability (MKE/EMD): a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/herself or others to personal and immediate danger.
- Endangered (MKE/EME): a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
- Involuntary (MKE/EMI): a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.
- Juvenile (MKE/EMJ): a person who is missing and not declared emancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria outlined in 1, 2, 3, or 5.
- Catastrophe Victim (MKE/EMV): a person of any age who is missing after a catastrophe.
- Other (MKE/EMO): a person not meeting the criteria for entry in any other category who is missing and 1) for whom there is a reasonable concern for his/her safety or 2) a person who is under age 21 and declared emancipated by the laws of his/her state of residence.

803.8.2 MISSING PERSON RECORD ENTRY

- (a) Missing persons (age 21 and over) shall be entered into NCIC, upon receipt of the report, not to exceed three days.
 - 1. The agency must have a missing person report (electronic or hard copy) on file to support a missing person entry.

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2. The record for a missing person age 21 and over must have a signed document (catastrophe victims are exempt) supporting the stated conditions under which the person is declared missing.
 - (a) Forms of acceptable signatures are:
 1. Digitized signatures (similar to the method used by the United States Postal Service).
 2. Scanned signatures in the RMS.
 3. The case officer's typed or signed name in the report.
 - (b) A person under the age of 21, and individuals determined to be endangered, shall be entered into NCIC within two hours of receipt of the minimum data required. The case file shall document when the two-hour clock began.
 1. The missing person report filed with the agency is sufficient documentation for entering a juvenile in the NCIC Missing Person File.

803.8.3 ENTRY REQUIREMENTS FOR ALL MISSING PERSON RECORDS

- (a) Query DVS, III/CHS criminal history, and local records to obtain additional descriptors and retain a copy in the case file.
 1. Any information entered on the record shall be documented in the case file, including attempts to obtain medical/dental information.
- (b) Enter the record in MNHOT/NCIC using the appropriate message key. Make sure to pack the record with all the information available.
- (c) When applicable, caution the record using the appropriate caution indicator(s).
- (d) Enter Supplemental Data such as additional identifiers, scars, marks and tattoos, aliases, additional dates of birth, etc., to the record.
- (e) The agency may enter an image using the message key EIM if an image is available.
 1. The use of a DVS image is available for this purpose.
- (f) Query MNHOT/NCIC to verify entry and retain a copy in the case file.
- (g) Complete a second-party check per agency policy.
- (h) If a record remains active for more than 30 days and a data field remains blank, a \$.K. Missing Information Notification will be sent to the receiving terminal of the ORI of the record.
 1. Verify and update the record with the additional information, including but not limited to Blood Type (BLT); Dental Characteristics (DCH); Fingerprint Classification (FPC); Jewelry Type (JWT); and Scars, Marks, Tattoos, and Other Characteristics (SMT) within 60 days of entry.
 2. If no medical/dental information can be obtained, document the attempt in the case file.

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- (i) Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.
- (j) Following a confirmed Hit Confirmation, a locate shall be placed on the record using Message Key Locate Missing (LM).
 - 1. Do not enter a locate on a child removed from the United States and located in another country until the child has been returned or the issue of return has been resolved.
 - 2. Completing a locate automatically retires the missing person record.

803.9 IDENTITY THEFT POLICY

Before entry in the Identity Theft File, our law enforcement agency must have received and recorded an official complaint (electronic or hard copy). Our agency may make an NCIC Identity Theft record entry only if the following criteria is met:

- (a) Someone is using a means of identification of the victim.
- (b) The victim's identity is being used without permission from the victim.
- (c) The victim's identity is being used or intended to be used to commit an unlawful activity.
- (d) Before record entry, the victim must sign a consent waiver.
- (e) If the record contains the victim's Social Security Number, the victim must sign the "Notice about Providing Your Social Security Number" form.

Information on deceased persons may be entered into the file if it is deemed by the law enforcement that the victim's information has been stolen. No consent form is required with a deceased person's entry.

803.9.1 FILE ENTRY

- (a) Enter and pack the record with all available information into MNHOT/NCIC using Message Key Enter Identity Theft (EID).
- (b) Query MNHOT/NCIC to verify entry and retain a copy for the case file.
- (c) Complete a second-party check per agency policy.
- (d) Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

803.10 VALIDATION POLICY

Validation requires the record-holding agency to confirm that the hot file record is complete, accurate, and still outstanding or active.

The record-holding agency shall validate all hot file records except for Article File records. Per the NCIC schedule, validations occur 60-90 days from entry and yearly thereafter.

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803.10.1 VALIDATION PROCEDURE

- (a) Contact the complainant, victim, prosecutor, or court to ensure the record should remain active.
- (b) Remove any record from the MNHOT/NCIC that is no longer active.
- (c) Query DVS, III/CHS criminal history, and local records (RMS) to check for additional or updated data.
- (d) Compare the record against the new supporting documentation to ensure:
 - 1. The data is accurate.
 - 2. The record contains all available information in the case files and/or from the data sources.
- (e) Update records as needed when:
 - 1. Agency-related information, such as extradition limits or hit confirmation, and/or contact information, is modified.
 - 2. New or additional information becomes available.

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 Inver Grove Heights Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the government data 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 Inver Grove Heights 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 Inver Grove Heights 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 Chief of Police shall select a member of the Department to coordinate the use of protected information (Minn. Stat. § 13.05, Subd. 13).

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, the National Law Enforcement Telecommunications System (NLETS), Minnesota Division of Driver and Vehicle Services (DVS) records, Minnesota Bureau of Criminal Apprehension (BCA), and the Minnesota Comprehensive Incident-Based Reporting System (CIBRS).
- (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. See the Inver Grove Heights Police Department CJIS Access, Maintenance, and Security Policy for additional guidance.
- (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.

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- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.
- (g) Ensuring a comprehensive security assessment of any personal information maintained by the Inver Grove Heights Police Department is conducted at least annually (Minn. Stat. § 13.055, Subd. 6).
- (h) Ensuring CIBRS is notified within 10 days that an investigation in CIBRS has become inactive (Minn. Stat. § 299C.40).

804.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Inver Grove Heights Police Department policy, or training (Minn. Stat. § 13.09). Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (Minn. Stat. § 13.05; Minn. Stat. § 299C.40).

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. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

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 Manager 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 to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of 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 INFORMATION (CHRI)

Members of this department shall refer individuals seeking access to CHRI to the Minnesota BCA (Minn. Stat. § 13.87, Subd. 1(b)).

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804.5.2 REVIEW OF CIBRS DATA

An individual who is the subject of private data held by CIBRS may request access to the data by making a request to the Records Manager. If the request is to release the data to a third party, the individual who is the subject of private data must appear in person at the Department to give informed consent to the access or release.

Private data provided to the individual must also include the name of the law enforcement agency that submitted the data to CIBRS and the name, telephone number and address of the agency responsible for the data.

A person who is the subject of private data may challenge the data. The Records Manager shall review the challenge and determine whether the data should be completed, corrected or destroyed. The corrected data must be submitted to CIBRS and any future dissemination must be of the corrected data.

The Records Manager must notify BCA as soon as reasonably practicable whenever data held by CIBRS is challenged. The notification must identify the data that was challenged and the subject of the data.

804.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include but are not limited to (see the CJIS Access, Maintenance, and Security Policy for additional guidance):

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the 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 SECURITY BREACHES

In the event of an actual or potential breach of the security or other unauthorized acquisition of private or confidential information, the Chief of Police or designee shall ensure an investigation into

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the breach is made. Upon completion of the investigation and final disposition of any disciplinary action, a report containing the facts and result of the investigation shall be prepared. If the breach was conducted by an employee, contractor or agent of Inver Grove Heights, the report must include a description of the type of data that was breached, the number of individuals whose information was breached, the disposition of any related disciplinary action, and the identity of the employee determined to be responsible for the breach (Minn. Stat. § 13.055).

Written notice shall be given to any individual whose private or confidential data was, or is reasonably believed to have been, acquired by an unauthorized person as soon as reasonably practicable. The notice shall include the following (Minn. Stat. § 13.055):

- (a) Notification that an investigation will be conducted.
- (b) Notification that a report containing the facts and results will be prepared.
- (c) Information on how the person may obtain access to the report, including that he/she may request delivery of the report by mail or email.

The notice may be delayed only so long as necessary to determine the scope of the breach and restore the reasonable security of the data or so long as it will impede an active criminal investigation. Notice shall be made by first class mail, electronic notice or substitute notice as provided in Minn. Stat. § 13.055, Subd. 4. If notification is required to be made to more than 1,000 individuals, notice to all consumer reporting agencies of the timing distribution and content of the notices must also be made (Minn. Stat. § 13.055, Subd. 5).

804.8 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.

Jeanne Clery Campus Safety Act

805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Campus Safety Act (Clery Act).

805.2 POLICY

The Inver Grove Heights Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at the Inver Grove Heights Police Department. Reports can also be accepted anonymously, by phone or via email from the local institution.

It is the policy of the Inver Grove Heights Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Inver Grove Heights Police Department staff and faculty of the local institution.

805.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Enter into agreements as appropriate with local institution to:
 1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
 2. Assist in the monitoring and recording of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, with in the department's jurisdiction (20 USC § 1092(f)(1)(G)).
 3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the institution upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
 4. Notify the local institution of criminal offenses reported to the department to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).
 5. Notify the local institution of criminal offenses reported to the department to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (b) Notify the local institution staff regarding missing student investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

805.4 RECORDS COLLECTION AND RETENTION

The Records Manager is responsible for maintaining Inver Grove Heights Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement

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agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks, and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):
 1. Murder
 2. Sex offenses, forcible or non-forcible
 3. Robbery
 4. Aggravated assault
 5. Burglary
 6. Motor vehicle theft
 7. Manslaughter
 8. Arson
 9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession
 10. Dating violence, domestic abuse, and stalking
 11. Hazing
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of their actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity, or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic abuse, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur (20 USC § 1092(f)(13); 34 CFR 668.46(c)(5)):
 1. On campus.
 2. In or on a non-campus building or property.
 3. On public property.
 4. In dormitories or other on-campus residential or student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the Inver Grove Heights Police Department (34 CFR 668.46(c)(3)).

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- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location in which the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
- (g) The statistics shall not identify by name victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).
- (h) Hazing incident statistics shall be compiled using the definitions in the Stop Campus Hazing Act (20 USC § 1092 (f)(6)(A)(vi)). The statistics shall be compiled for each single incident and as required by 20 USC § 1092(f)(7).

805.4.1 CRIME LOG

The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4) and 34 CFR 668.46(f)):

- (a) The daily crime log will record all crimes reported to the Inver Grove Heights Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.

805.5 INFORMATION DISSEMINATION

It is the responsibility of the Administrative Services Division Commander to ensure that the required Clery Act disclosures are properly forwarded to the local institution. This includes:

- (a) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)).
 1. Crime statistics.
 2. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

CJIS Access, Maintenance, and Security

806.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use, maintenance, and security of department systems that access, process, store, or transmit Criminal Justice Information.

806.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal Justice Information (CJI) - Data provided by FBI Criminal Justice Information Services (CJIS) that is necessary for law enforcement agencies to perform their mission and enforce the laws (e.g., biometric, identity history, person, organization, case/incident history data).

Security incident - Any incident that compromises the security of CJI or systems that access, process, store, or transmit CJI. Examples include but are not limited to unauthorized use of legitimate code or credentials within department systems, email communications that contain malicious code, data breaches, signaling to external systems, and unauthorized exporting of information.

806.2 POLICY

It is the policy of the Inver Grove Heights Police Department to maintain the security, confidentiality, and integrity of its information systems that access, process, store, or transmit CJI by collaborating with appropriate state and federal agencies to implement the applicable established protocols.

806.3 CJIS COORDINATOR

The Chief of Police shall appoint a CJIS coordinator, who shall be responsible for the Inver Grove Heights Police Department's adherence to FBI CJIS Security Policy requirements.

The CJIS coordinator shall establish procedures necessary to govern the department's use, maintenance, and security of systems that access CJI as described in this policy.

806.3.1 CJIS COORDINATOR RESPONSIBILITIES

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

- (a) Coordinating with others, such as the information technology or legal departments, as appropriate, to maintain department compliance with FBI CJIS Security Policy requirements and the Minnesota Bureau of Criminal Apprehension (BCA).
- (b) Managing member accounts with access to CJI, including:
 1. Creating, enabling, modifying, disabling, and removing member accounts in accordance with this policy and the FBI CJIS Security Policy.
 2. Configuring member accounts in accordance with federal and state requirements (e.g., limiting unsuccessful login attempts, validating new passwords against known compromised or commonly used passwords).

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3. Reviewing member accounts for compliance with legal and policy requirements at least annually.
- (c) Overseeing the maintenance, repair, and replacement of CJI systems and system components in accordance with manufacturer or vendor specifications and/or department requirements, including:
1. Maintaining a list of organizations and personnel approved by the Chief of Police to perform maintenance on CJI systems.
 2. Approving, scheduling, documenting, and monitoring all maintenance and diagnostic activities, whether performed on-site, remotely, or off-site, and maintaining records.
 3. Verifying that non-escorted personnel performing maintenance on any CJI system or terminal possess the required access authorizations, and designating members who have the required access authorizations and technical competence to supervise the maintenance activities of personnel who do not possess the required access authorizations.
 4. Maintaining records for all system maintenance and diagnostic activities.
- (d) Configuring remote access systems and devices only with the explicit authorization of the Chief of Police or the authorized designee, including:
1. Routing through authorized and managed access control points (e.g., firewalls, secure gateways).
 2. Mandatory multi-factor authentication for users.
 3. Use of automated mechanisms to monitor and control remote access methods.
 4. Mandatory encryption (e.g., VPN, Transport Layer Security).
 5. Required logging of all remote access activity.
- (e) Monitoring department systems that have access to CJI to ensure compliance with applicable laws and this policy; developing processes to detect, identify, and correct flaws in software and firmware; and conducting security updates as necessary.
- (f) Providing for the security of hardware that includes provisions for the following:
1. How hardware is to be brought into and taken out of department facilities
 2. Physical security of hardware within department facilities
 3. Physical security of areas containing network connections and transmission lines, including monitored access
- (g) Implementing and carrying out the department Incident Response Plan, including:
1. Tracking and documenting all suspected or actual security incidents related to CJI in an appropriate manner.
 2. Directing annual testing of the department's information security incident response capabilities using tabletop or walk-through exercises, simulations, or other types of testing.

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3. Making the appropriate notifications outside of the Department (see the Records Maintenance and Release Policy for additional guidance).
4. Providing information on security incidents to any third-party software developers or vendors as appropriate.
- (h) Protecting digital and non-digital media that contain CJI, including physical security, transportation, destruction/sanitization, and documentation requirements.
- (i) Developing and updating department information security and privacy literacy training and incident response training as required by policy.
- (j) Maintaining audit records in accordance with the established records retention schedule, but in no event for less than one year.
- (k) Managing the development, documentation, and dissemination of applicable policies and procedures for the following:
 1. Access control
 2. Awareness and training
 3. Auditing and accountability
 4. Assessment, authorization, and monitoring
 5. Configuration management
 6. Contingency planning
 7. Identification and authentication
 8. Incident response
 9. Maintenance
 10. Media protection
 11. Physical and environmental protection
 12. Planning
 13. Personnel security
 14. Risk assessment
 15. System and services acquisition
 16. Systems and communications protection
 17. System and information integrity
 18. Supply chain risk management
- (l) Reviewing this policy and related procedures as required by the FBI CJIS Security Policy and proposing updates as needed to the Chief of Police.

806.4 MEMBER RESPONSIBILITIES

All members of the Department shall be committed to detecting information security incidents and making the appropriate notifications.

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Any member who suspects that there may have been unauthorized access, disclosure, or other compromise of CJI shall report their suspicions in accordance with the Incident Response Plan within one hour of the discovery.

Personally owned devices or systems and publicly accessible systems shall not be used to access, process, store, or transmit CJI.

806.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall notify the CJIS coordinator when the account access of a member they supervise needs to be modified, disabled, or removed for any reason, such as resignation, termination, or change of duties.

806.6 MEMBER ACCOUNTS

Department accounts used to access CJI shall only be created upon approval of the Chief of Police or the authorized designee.

Member accounts shall be disabled within one week of any of the following:

- (a) The account has expired.
- (b) The account is no longer associated with a member.
- (c) The account is found to be in violation of this policy.
- (d) The account has been inactive for 90 calendar days.

If any threat to the confidentiality, integrity, or availability of CJI related to a specific member account is detected, the CJIS coordinator or designated member shall disable the account within 30 minutes of the discovery.

806.6.1 ACCESS AUTHORIZATION

Access authorization for systems transmitting, receiving, using, or storing CJI shall be based on the principle of least privilege as follows:

- (a) Members shall only be granted access authorizations that are necessary to accomplish assigned department tasks.
- (b) Accounts with security privileges shall only be authorized for members with an operational need for the privileges. Privileged functions shall be logged as they are executed.
- (c) Non-privileged members shall not be allowed to execute privileged functions.

806.6.2 ACCOUNT REVIEW ACTIVITIES

At least annually, the CJIS coordinator shall review member accounts for compliance with policy and applicable laws. The CJIS coordinator shall validate account privileges and remove or reassign them as necessary to accurately reflect the department mission and law enforcement needs.

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806.7 MEDIA PROTECTION

Access to media containing CJI shall be restricted to authorized members and stored within physically secured locations or controlled areas, in accordance with the FBI CJIS Security Policy.

Digital media (e.g., flash drives, external or removable hard disk drives, compact discs) containing CJI shall be encrypted. Personally owned digital media devices or digital media devices with no identifiable owner shall not be used on department systems that store, process, or transmit CJI.

Non-digital media (e.g., paper files, printed pages, microfilm) containing CJI should be enclosed in an opaque folder or container if they are to be transported outside of physically secure locations or controlled areas. Media containing CJI shall not be left unattended outside of a physically secure location.

Transportation and transfers of media containing CJI shall only be conducted by authorized members and shall be documented.

806.7.1 MEDIA DISPOSAL AND RELEASE

Digital media containing CJI shall be overwritten at least three times or degaussed (i.e., erased) prior to being disposed of, released from department control, or released for reuse. Inoperable digital media devices, such as hard drives or solid-state drives that cannot be accessed to overwrite the data, shall be physically destroyed. When non-digital media is no longer needed for investigative or security purposes, it shall be destroyed by crosscut shredding or incineration.

806.8 SYSTEM AND INFORMATION INTEGRITY

The integrity of department CJI systems shall be protected through the implementation of appropriate controls such as:

- (a) Flaw remediation.
- (b) System monitoring.
- (c) Security alerts, advisories, and directives.
- (d) Software, firmware, and information integrity controls.
- (e) Spam protection.

806.9 INCIDENT RESPONSE PLAN

[Insert your agency's Incident Response Plan consistent with CJIS 5.3 IR-4, IR-7, and IR-8 – see the Guide Sheet for additional guidance.]

806.10 SECURITY AWARENESS TRAINING

Members with physical or electronic access to CJI or CJI systems shall complete security awareness training appropriate to their assigned roles and responsibilities and shall certify their understanding by signing a formal Security Awareness Training Acknowledgement. Training shall include information security and privacy literacy training, security incident response training, and a review of this policy and related procedures.

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Security awareness training shall be completed prior to accessing any CJI data or system and at least annually thereafter. Additional training shall be completed as required following any changes to CJI systems and for any member involved in a security incident within 30 days of the event.

Individual training records shall be maintained in accordance with the established records retention schedule, but in no event for less than three years.

The department's CJIS training shall be reviewed for any necessary updates or changes annually and following any security incident or change in a CJI system or the FBI CJIS Security Policy.

806.11 SANCTIONS

Failure to adhere to policies and procedures pertaining to CJI shall result in disciplinary action, up to and including termination. Misuse of or failure to secure CJI may also result in temporary or permanent restrictions in the use of CJI. Intentional misuse of CJI may also be prosecutable under applicable laws.

Animal Control

835.1 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.

835.2 POLICY

It is the policy of the Inver Grove Heights 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.

835.3 ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of Animal Control. As outline in City ordinance the animal control authority is the Chief of Police or designee.

Some animal control responsibilities include the following:

- (a) Animal-related calls.
- (b) Ongoing or persistent animal nuisance complaints.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

835.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation and 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 and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance. If there is no appropriate assistance, the caller should seek out a private animal control contractor.

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 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.

835.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to (Minn. Stat. § 343.21 et seq.):

- (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 (Minn. Stat. § 343.29).
 1. An officer may remove, shelter and care for any animal that is not properly sheltered from cold, heat or inclement weather, or any animal not properly fed and watered or provided with suitable food and drink, in circumstances that threaten the life of the animal.
 2. An animal taken into care during an animal cruelty investigation may be euthanized following a determination by a doctor of veterinary medicine that the animal is suffering and is beyond cure through reasonable care and treatment.

835.6 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for further follow-up if warranted 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.

835.6.1 ANIMAL BITES TO HUMANS

Members should coordinate with the owner/handler to ensure that animals who have bitten a human are quarantined for rabies observation as required by Minn. R. 1721.0580.

835.7 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted (Minn. Stat. § 343.29), if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

835.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Sergeant will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

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835.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality of life issues.

835.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

- (a) Deceased animals on public property should be removed, and properly disposed of by the appropriate City or County department.
- (b) Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

835.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts shall be made to contact the owner or responsible handler.

If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

835.12 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.

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides adult-specific procedures for persons held in temporary custody by the Inver Grove Heights Police Department. It supplements Policy 904 (Temporary Detention Facility Operations) and applies to adult detainees held in a Class III municipal holding facility for **no more than sixteen (16) hours**.

900.1.1 DEFINITIONS

Pregnant Detainee – An adult detainee who is known or reasonably believed to be pregnant.

All other definitions appear in the Temporary Detention Facility Operations Policy.

900.2 POLICY

Adult detainees shall be managed consistent with Policy 904 and applicable law to ensure safe, humane, and lawful temporary custody. Population-neutral facility requirements (e.g., safety checks, property, sanitation) are governed by the Temporary Detention Facility Operations Policy.

900.3 ADULT TIME LIMITS (16-HOUR MAXIMUM)

Adults shall not be held in temporary custody for longer than sixteen (16) hours from initial confinement in the facility. Members shall monitor detention time and initiate release or transfer in accordance with the Temporary Detention Facility Operations Policy.

900.4 BOOKING: FINGERPRINTING AND PHOTOGRAPHING (ADULTS)

When required under Minn. Stat. § 299C.10 or directed by a supervisor, adult detainees may be fingerprinted and photographed at the department's detention facility prior to release or transfer. These procedures shall be completed in a secure, controlled environment consistent with the Temporary Detention Facility Operations Policy, maintaining safety and sight-and-sound separation standards. Completion shall be documented in the records-management system and detention log.

900.5 ADULT RESTRAINTS

Restraints may be used on adult detainees consistent with the Temporary Detention Facility Operations Policy and the Handcuffing and Restraints Policy. Members shall avoid positions that risk positional asphyxia and shall document the reason for continued restraint beyond placement in a holding cell.

900.6 PREGNANT ADULTS: CARE AND RESTRAINTS

- (a) Members shall handle known or suspected pregnant detainees with heightened care and shall not use restraints except as permitted by law and the Handcuffing and Restraints Policy.
- (b) Restraints are prohibited during labor, delivery, and postpartum recovery except when a supervisor determines that extraordinary circumstances exist (e.g., a substantial

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flight risk or immediate threat), and only the least restrictive means may be used. (Ref: Minn. Stat. § 241.88.)

- (c) Medical concerns or requests shall be addressed without delay in accordance with the Temporary Detention Facility Operations Policy. Any restraint applied to a pregnant detainee shall be documented with the justification and type used.

900.7 RELEASE AND/OR TRANSFERS

Adults shall be released or transferred as soon as practicable and always before exceeding the 16-hour maximum. Release and transfer procedures are governed by the Temporary Detention Facility Operations Policy.

900.8 CROSS-REFERENCES

Facility operations, inspections, sanitation, safety checks, property handling, communication/LEP, consular notification, critical incidents, administrator oversight, and annual policy review are set forth in:

- (a) Temporary Detention Facility Operations Policy
- (b) Property and Evidence Policy
- (c) Limited English Proficiency Policy
- (d) Handcuffing and Restraints Policy

Temporary Custody of Juveniles

901.1 PURPOSE AND SCOPE

This policy establishes procedures for the temporary custody of juveniles held by the Inver Grove Heights Police Department.

It supplements Policy 904 (Temporary Detention Facility Operations) and applies only to juvenile detainees as defined in Minnesota Statutes § 260B.007

The Department shall comply with all federal and state laws governing juvenile detention, including:

- Juvenile Justice and Delinquency Prevention Act (34 U.S.C. § 11133);
- Minnesota Rules 2911 (Municipal Lockup Standards); and
- Minn. Stat. § 260B.171 (handling of juvenile records and data).

901.1.1 DEFINITIONS

Juvenile Offender / Delinquent Offender – A person under 18 alleged to have committed a delinquent act.

Status Offender – A juvenile charged with conduct that would not be a crime if committed by an adult.

Non-Offender – A juvenile under protective custody or a material witness not charged with an offense.

Responsible Adult – A parent, guardian, or other adult authorized to assume custody of a juvenile upon release.

All other definitions appear in the Temporary Detention Facility Operations Policy.

901.2 POLICY

The Department shall provide safe, humane, and lawful temporary custody for juveniles while strictly limiting secure detention to the shortest time necessary for identification, investigation, or transfer.

All members shall protect juveniles from contact with adult detainees and ensure all applicable sight-and-sound separation standards are maintained.

901.3 INDIVIDUALS WHO SHALL NOT BE HELD

Juveniles who are unconscious, severely ill or injured, displaying symptoms of mental-health crisis, or under the influence of alcohol or drugs to a degree requiring medical attention shall not be held in the facility. Such juveniles shall be transported directly to an appropriate medical or juvenile facility.

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901.4 TIME LIMITS FOR JUVENILE DETENTION

- (a) Juveniles shall not be held in secure or non-secure custody for more than six (6) hours from the time of initial confinement.
- (b) Staff shall document arrival and release times and ensure compliance with the time limit.

(Ref: **34 U.S.C. § 11133(a)(11); Minn. R. 2911.0400 Subp. 3.**)

901.5 INTAKE AND SCREENING

- (a) Upon arrival, the arresting or processing officer shall:
 - 1. Screen for medical, mental-health, or behavioral concerns;
 - 2. Verify juvenile status and reason for custody;
 - 3. Ensure parental contact information is obtained; and
 - 4. Complete all required Detention Logs as outlined in Policy 904.4.5.
- (b) Juveniles shall not be fingerprinted or photographed unless authorized under Minn. Stat. § 260B.171, Subd. 5.
- (c) Status offenders and non-offenders shall never be fingerprinted or photographed.
- (d) All screening and notifications shall be documented in the records-management system.

901.6 SECURE AND NON-SECURE CUSTODY STANDARDS

- (a) A juvenile may be placed in non-secure custody (unlocked area under direct supervision) when appropriate.
- (b) Secure custody (locked cell or mechanical restraint) may be used only when the juvenile:
 - 1. Is accused of a delinquent act that would be a crime if committed by an adult;
 - 2. Presents a substantial risk of flight or harm; and
 - 3. Is held for identification, investigation, or awaiting transfer to a juvenile facility.
- (c) Status offenders and non-offenders shall not be placed in secure custody under any circumstances.
- (d) All secure placements must be approved by the Shift Sergeant and documented.
- (e) Juveniles in secure custody shall remain under direct visual observation at all times.

901.7 SIGHT AND SOUND SEPARATION

Juveniles shall be separated from adult detainees by both sight and sound at all times, including during intake, processing, holding, and transfer. Facility design and procedures are governed by the Temporary Detention Facility Operations Policy. Any incidental or accidental contact shall be ended immediately, documented, and reported to the Shift Sergeant.

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901.8 JUVENILE SUPERVISION AND SAFETY CHECKS

Juveniles in custody shall be directly observed by staff at intervals not to exceed 15 minutes, as described in the Temporary Detention Facility Operations Policy. Each observation shall be logged, and any signs of distress shall prompt immediate staff intervention and notification of the Shift Sergeant.

901.9 COMMUNICATION AND PARENTAL NOTIFICATION

- (a) Parents or guardians shall be notified as soon as practicable that a juvenile has been taken into custody.
- (b) If the juvenile is enrolled in school, the appropriate school authority shall be notified as required by Minn. Stat. § 260B.171, Subd. 3.
- (c) Juveniles shall be allowed telephone communication with a parent, guardian, or attorney consistent with the Temporary Detention Facility Operations Policy.
- (d) All notifications shall be documented in the detention log and case report.

901.10 JUVENILE RESTRAINTS

- (a) Mechanical restraints may be used on juveniles only when necessary to prevent escape or injury and must be the least restrictive means available.
- (b) Restraints shall never be used as punishment or for convenience.
- (c) No juvenile shall be restrained to a stationary object or in a manner that prevents safe movement or medical evaluation.
- (d) All restraint use shall follow the Temporary Detention Facility Operations Policy and be documented with supervisory approval.

901.11 PROHIBITION ON FINGERPRINTING AND PHOTOGRAPHING

- (a) Juveniles shall not be fingerprinted or photographed except when required by Minn. Stat. § 260B.171, Subd. 5 (for delinquent acts that would be crimes if committed by an adult).
- (b) Status offenders and non-offenders shall never be fingerprinted or photographed.
- (c) All decisions and approvals for juvenile processing shall be documented in the case report.

901.12 RELEASE AND/OR TRANSFERS

- (a) Juveniles shall be released to a parent, guardian, or other Responsible Adult as soon as practicable and within statutory time limits.
- (b) If a responsible adult cannot be located within six (6) hours, the juvenile shall be transferred to Dakota County Community Corrections or another authorized juvenile facility.
- (c) All releases and transfers shall follow the Temporary Detention Facility Operations Policy.

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- (d) A written acknowledgment of receipt shall be obtained from the person assuming custody.

901.13 CRITICAL INCIDENTS

All suicides, suicide attempts, serious injuries, or deaths involving juveniles in custody shall be handled in accordance with the Temporary Detention Facility Operations Policy.

Required notifications shall include the juvenile's parent or guardian and Dakota County Community Corrections.

901.14 CROSS-REFERENCES

Operations, sanitation, safety checks, property handling, communication, ADA/LEP access, consular notification, and policy review are governed by:

- Temporary Detention Facility Operations Policy
- Property and Evidence Policy
- Limited English Proficiency Policy
- Temporary Custody of Adults Policy
- Handcuffing and Restraints Policy

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 Inver Grove Heights 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.

Guidance for custody searches when transporting a person in custody may be found in the Transporting Persons in Custody Policy.

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 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Inver Grove Heights Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

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902.3.1 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 Room Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Inver Grove Heights Police Department identification number and information regarding how and when the property may be released.

902.3.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

902.4 STRIP SEARCHES

No individual in temporary custody at any Inver Grove Heights 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 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.

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- (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).

902.4.1 STRIP SEARCH PROCEDURES

Strip searches at Inver Grove Heights Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from the Shift Sergeant 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 it 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 Sergeant.
 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 their 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 showering, performing bodily functions, or changing clothes, unless the individual otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to

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ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect the individual's privacy and dignity.

902.4.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Sergeant 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 Sergeant authorization does not need to be in writing.

902.5 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 Sergeant and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary 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 and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Shift Sergeant's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date, and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex, and roles of any department members present.

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8. Any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and shall be provided to the individual who was searched or other authorized representative upon request.

902.6 TRAINING

The Training Manager 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.

902.7 GENDER IDENTITY OR EXPRESSION CONSIDERATIONS

If an individual who is subject to a strip search or physical body cavity search has a gender identity or expression that differs from their sex assigned at birth, the search should be conducted by members of the same gender identity or expression as the individual, unless the individual requests otherwise.

902.8 JUVENILES

No juvenile should be subjected to a strip search or a physical body cavity search at the Department.

The Chief of Police or the authorized designee should establish procedures for the following:

- (a) Safely transporting a juvenile who is suspected of concealing a weapon or contraband, or who may be experiencing a medical issue related to such concealment, to a medical facility or juvenile detention facility as appropriate in the given circumstances.
 1. Procedures should include keeping a juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.
- (b) Providing officers with information identifying appropriate medical and juvenile detention facilities to which a juvenile should be transported for a strip or body cavity search.

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).

Transporting Persons in Custody

903.1 PURPOSE AND SCOPE

This policy provides guidelines for transporting persons who are in the custody of the Inver Grove Heights Police Department.

See the Handcuffing and Restraints Policy for additional guidance.

903.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide safe, secure, and humane transportation for all persons in custody.

903.3 PATROL DIVISION COMMANDER RESPONSIBILITIES

The Patrol Division Commander should establish related procedures for:

- Safely transporting persons who have their legs restrained.
- Seating placement of persons being transported in vehicles with and without safety barriers.

903.4 OFFICER RESPONSIBILITIES

Persons in custody should be transported in a vehicle properly equipped to transport passengers. They should be appropriately restrained and positioned during transport.

Officers transporting a person in custody should:

- (a) Search all areas of the vehicle accessible to a person in custody before and after each transport.
- (b) Immediately search persons in custody after arrest, when receiving the person from the custody of another officer, and before transferring the person. Refer to the Custodial Searches Policy before conducting any search other than a field search.
 1. Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, a witnessing officer should be present during the search.
- (c) Provide the Dispatch Center with any required notifications (e.g., start time, mileage, end time).
- (d) Properly secure all property.
- (e) Use audio/video equipment (when properly equipped) to observe and record any person in custody during transport (see the Mobile Video Recorders and Body-Worn Cameras policies for additional guidance).
- (f) Make a reasonable effort to prevent inappropriate conversations between persons being transported (e.g., demeaning or insulting language) or conversations between a person being transported and someone outside the vehicle.

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- (g) Plan travel times and routes to avoid situations that might impede transportation (e.g., heavy traffic, unfavorable road conditions, extreme weather) when reasonably practicable.
- (h) Make a verbal welfare check with a person in custody at least every 10 minutes. Provide sufficient visual observation and audio communication during the transport of:
 - 1. Individuals in auxiliary restraints.
 - 2. Individuals in leg restraints.
 - 3. Individuals wearing a spit hood.
 - 4. Individuals who are a suspected suicide risk.
- (i) Verify that the vehicle's security devices (e.g., window and rear-door child-safety locks) are activated.
- (j) Assess uncooperative persons who cannot or will not sit upright for a medical condition (see the Medical Aid and Response Policy for additional guidance):
 - 1. If no medical condition exists, alternative transportation should be arranged (e.g., a special transport van).

903.5 TRANSPORT RESTRICTIONS

When transporting multiple persons, officers:

- (a) Should not transport persons in custody together. Persons in custody should be transported individually when practicable, or within their own compartment of a multiple-compartment vehicle, unless supervisor approval is received based on unusual circumstances.
 - 1. Juveniles and adults shall not be transported together.
 - 2. Persons with known hostilities toward each other, such as mutual combatants or rival gang members, shall not be transported together.
 - 3. Persons of different genders should not be transported together.
- (b) If segregating individuals is not possible, transporting officers should be alert to inappropriate physical or verbal contact and take appropriate action.

903.6 TRANSPORTING PERSONS IN CUSTODY WHO HAVE A DISABILITY

When transporting a person in custody who has a disability, a transporting officer should request assistance as necessary to transport the person in a reasonable and safe manner. The transporting officer should ensure that any special equipment (e.g., canes, wheelchairs, prosthetics) is transported to the person's destination in a way that does not threaten the safety or security of the person in custody or the officer.

Officers transporting a person who has a disability should consult with the person in custody and use good judgment in determining what, if any, restraining devices may be appropriate based on the person's disability to ensure the security, safety, and dignity of all persons.

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When a person in custody who has a disability cannot be transported in a safe manner (properly seated and secured), EMS personnel should be called to handle such transportation.

903.7 TRANSPORTING ILL OR INJURED PERSONS IN CUSTODY

Except in exceptional cases where alternatives are not reasonably available, officers should not transport persons in custody who are unconscious, have serious injuries, or who may be seriously ill. EMS personnel should be called to handle such transportation.

Officers shall notify a supervisor as soon as practicable when transporting a person in custody to a hospital.

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 Shift Sergeant.

Any person in custody suspected of having a communicable disease should be transported in compliance with the exposure control plan in the Communicable Diseases Policy.

See the Medical Aid and Response Policy for additional guidance on ill or injured persons in custody.

903.8 TRANSPORTING PREGNANT PERSONS IN CUSTODY

Persons in custody who are known to be pregnant should be restrained during transport in the least restrictive manner that is effective for officer safety. Leg restraints, 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 themselves or others, or damage property.

Absent exceptional circumstances, persons in labor or delivery should not be transported by officers. EMS personnel should be called to handle transportation.

903.9 CIVIL COMMITMENT TRANSPORTS

When transporting any individual for a civil commitment, the transporting officer should request that the Dispatch Center 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.

Should the person require transport in a medical transport vehicle, and the safety of any person, including the person in custody, requires the presence of an officer during the transport, Shift Sergeant approval is required before transport commences.

See the Civil Commitments Policy for additional guidance.

903.9.1 TYPE OF TRANSPORTATION

When transporting any individual on a Minn. Stat. § 253B.051 admission, and if reasonably practicable, officers should not be in uniform and should not use a vehicle visibly marked as a law enforcement vehicle (Minn. Stat. § 253B.051, Subd. 1(e)).

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903.10 INTERRUPTION OF TRANSPORT

Absent extraordinary circumstances, officers should not interrupt a transport to provide emergency assistance without supervisory approval. Officers encountering an emergency should notify the Dispatch Center and request an appropriate response.

903.11 EXTENDED TRANSPORTS

During transports for extended durations, transporting officers may be required to make necessary stops. With supervisory approval and due consideration for security risks and the in-custody person's health and well-being, these stops should be limited to fuel, meals, bathroom breaks, and other purposes reasonably necessary for the continuation of the transport.

903.12 PROHIBITIONS

When transporting a person in custody, officers should not:

- (a) Use transport as a form of punishment or retaliation (e.g., intentionally rough rides, excessive heat or cold, obnoxiously loud music).
- (b) Handcuff a person to any part of a vehicle.
- (c) Leave the vehicle unattended with the person in custody in the vehicle.
- (d) Allow any person who is not in custody (e.g., friend, family member) to have contact with or be in close proximity to the person in custody.
- (e) Allow any food, drink, or other consumables to be given to the person in custody by anyone other than department personnel or receiving agency personnel.
- (f) Stop to conduct any personal activities.
- (g) Engage in a pursuit.

903.13 ESCAPES

In the event that a person in custody escapes while being transported, the transporting officer should immediately advise the Dispatch Center and other units of the escape, provide a description of the escapee, notify the Shift Sergeant, and submit a written report as soon as practicable describing the circumstances of the escape and any recapture.

The Shift Sergeant should notify the Chief of Police or the authorized designee upon learning of an escape.

If the escape occurs outside the jurisdiction of the Inver Grove Heights Police Department, the Shift Sergeant should notify the appropriate agency or agencies within the jurisdiction where the escape occurred.

903.14 DOCUMENTATION

If a person is injured during transportation, officers should document the injury in the appropriate report. Documentation should include the condition of the person prior to transportation and the known or suspected causes of the injury during transportation (e.g., hitting head, struggling with restraints, fighting with other persons in custody). Any visible or reported injuries should be photographed and included with the report.

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903.15 NOTIFICATIONS

Officers should notify a supervisor and any receiving facility of information regarding any circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., uncooperative or violent, prolonged struggle, extreme agitation, medical conditions) that may have occurred prior to, or during, transportation.

903.16 TRAINING

The Training Manager should provide periodic training on this policy and procedures related to transporting persons in custody, restraint systems, and restraint devices.

Temporary Detention Facility Operations

904.1 PURPOSE AND SCOPE

This policy provides guidance and procedures for the safe, humane, and lawful operation of the Inver Grove Heights Police Department's temporary detention facility.

The purpose of this policy is to:

- (a) Establish uniform standards for the intake, supervision, and release of all detainees held in department custody.
- (b) Maintain compliance with federal and state laws governing Class III Municipal Holding Facilities, including:
 1. Minnesota Rules 2911 and 2945;
 2. Juvenile Justice and Delinquency Prevention Act (34 U.S.C. § 11133);
 3. Americans with Disabilities Act Title II (28 C.F.R. Part 35);
 4. Prison Rape Elimination Act (28 C.F.R. Part 115); and
 5. Vienna Convention on Consular Relations (Art. 36)
- (c) Ensure accurate documentation, accountability, and timely reporting required by the Minnesota Department of Corrections.
- (d) Protect the rights and welfare of detainees while safeguarding officer and facility security.

This policy applies to all department members involved in the arrest, transport, supervision, or custody of detainees within department facilities. Population-specific procedures are contained in Policy 900 (Adults) and Policy 901 (Juveniles).

904.1.1 DEFINITIONS

ADA Accommodation / Disability – Any modification or auxiliary aid required under Title II of the Americans with Disabilities Act.

ADA Coordinator – The city official responsible for ensuring reasonable accommodations and effective communication for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (28 C.F.R. Part 35).

Custody Officer – A trained department member assigned to monitor or process individuals in temporary custody and to maintain facility logs, safety checks, and detainee welfare.

Detainee – Any adult or juvenile held in department custody for short-term processing, investigation, or transfer to another facility.

Facility – The secure areas of the department used for temporary custody, including the sally-port, secured vestibules, booking and breath-testing areas, holding cells, and interview rooms.

Facility Administrator – The Chief of Police or designee responsible for overall operation, maintenance, and Minnesota Department of Corrections compliance inspections.

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Holding Cell / Secure Area – Any locked or otherwise restricted enclosure used for temporary detention or where continuous visual supervision is not possible.

Non-Secure Custody – Custody in an unlocked area under constant direct visual supervision where a detainee's movement is not physically restricted.

PREA (Prison Rape Elimination Act) – The federal act establishing standards to prevent, detect, and respond to sexual abuse and harassment in confinement settings (28 C.F.R. Part 115).

Responsible Adult – A parent, guardian, or other adult authorized to assume custody of a juvenile upon release.

Safety Check – A direct visual observation by a department member at irregular intervals (no more than 15 minutes apart) to verify welfare and security.

Secure Custody – Custody in a locked room or by mechanical restraint to a fixed object that restricts movement; for juveniles, limited as described in Policy 901.

Sight and Sound Separation – Physical and operational separation that prevents visual or auditory contact between juveniles and adult detainees, consistent with 34 U.S.C. § 11133 and Minn. R. 2911.

Temporary Custody – The period a detainee remains in department custody before release, transfer, or delivery to another lawful authority.

904.2 POLICY

It is the policy of the Inver Grove Heights Police Department to maintain a secure and professionally operated temporary detention facility that protects the rights, safety, and welfare of every detainee, while ensuring the safety of department members and compliance with all applicable laws and regulations.

All individuals taken into custody shall be treated humanely and without discrimination based on race, color, national origin, religion, sex, gender identity, disability, or any other protected status. Temporary custody will only be used for the period reasonably necessary to accomplish lawful purposes such as investigation, processing, or transfer to another facility.

The Department will:

- (a) Maintain facility operations in accordance with Minnesota Rules 2911 and 2945 governing Class III Municipal Holding Facilities.
- (b) Ensure compliance with federal and state mandates, including the Juvenile Justice and Delinquency Prevention Act (34 U.S.C. § 11133), the Prison Rape Elimination Act (28 C.F.R. Part 115), the Americans with Disabilities Act Title II (28 C.F.R. Part 35), and the Vienna Convention on Consular Relations (Art. 36).
- (c) Provide clear procedures for intake, supervision, and release that promote safety, accountability, and documentation integrity.
- (d) Conduct regular inspections, reviews, and training to maintain operational readiness and continuous improvement.

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Members shall not hold any individual in temporary custody longer than necessary or in violation of statutory limits established under Policy 900 (Adults) and Policy 901 (Juveniles).

904.3 FACILITY CLASSIFICATION AND SECURITY OPERATIONS

904.3.1 FACILITY CLASSIFICATION AND CAPACITY

The Inver Grove Heights Police Department operates a **Class III Municipal Holding Facility** as defined by the Minnesota Department of Corrections (DOC) and Minn. R. 2911.0100.

- (a) The approved maximum capacity of the facility is eleven (11) detainees.
- (b) The facility is intended for short-term custody. Adults shall not be held for more than sixteen (16) hours, and juveniles shall not be held for more than six (6) hours, in accordance with DOC standards and the Juvenile Justice and Delinquency Prevention Act (34 U.S.C. § 11133).
- (c) If the number of persons in custody exceeds approved capacity, or if continued detention would violate statutory time limits, additional detainees shall be transported to an approved alternate facility.
- (d) Facility inspections, maintenance, and documentation shall comply with DOC inspection schedules and reporting requirements.

904.3.2 ENTRY AND ACCESS CONTROL

- (a) Access to any area where detainees are held is limited to:
 - 1. Authorized department members performing official duties;
 - 2. Emergency medical or fire personnel providing necessary services; and
 - 3. Other persons authorized by the Facility Administrator or Shift Sergeant.
- (b) When practicable, two authorized members should be present when entering a secure area occupied by a detainee to ensure safety and accountability.
- (c) No individual in custody shall supervise, control, or exert authority over another detainee.
- (d) Department members shall maintain control of all facility keys and access credentials in accordance with established key-control procedures.

904.3.3 FIREARMS AND OTHER SECURITY MEASURES

- (a) Firearms are not permitted inside the secure areas of the detention facility where detainees are processed or held.
- (b) Prior to entering the secure perimeter, all department members and authorized visitors shall secure their firearm in the designated weapons locker located outside the facility entry point.
- (c) Firearms may only be carried into a secure area in the event of an emergency involving an immediate threat to life and with supervisory authorization when practicable.

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- (d) All perimeter and interior security doors shall remain locked when detainees are present, except during emergency evacuation or when the area has been cleared.
- (e) The Facility Administrator shall ensure that the firearms locker and security doors are inspected and maintained in accordance with departmental procedures.

904.3.4 FACILITY INSPECTIONS AND SANITATION

- (a) The Facility Administrator shall ensure the detention facility is maintained in a safe, clean, and sanitary condition consistent with Minn. R. 2911.1100 and 2911.3300.
- (b) Department members assigned to the facility shall inspect holding areas at the beginning of each shift and after the release of each detainee to verify cleanliness, identify damage, and remove debris or potential hazards.
- (c) Any observed maintenance or safety concerns shall be promptly reported to the Shift Sergeant and documented in the facility log.
- (d) The Facility Administrator or designee shall complete and retain a formal inspection report at least once each month to meet DOC audit requirements.
- (e) Cleaning supplies and sanitation procedures shall be used in accordance with departmental safety and OSHA guidelines.

904.3.5 SIGHT AND SOUND SEPARATION

- (a) Juveniles shall be separated from adult detainees by both sight and sound at all times while in the facility, in compliance with 34 U.S.C. § 11133, Minn. R. 2911, and applicable DOC inspection standards.
- (b) Physical barriers, separate holding rooms, and operational procedures shall prevent visual or auditory contact between juveniles and adults during intake, processing, holding, transport, and release.
- (c) Sight and sound separation shall also be maintained between other vulnerable detainees when necessary to ensure safety, privacy, or compliance with the Prison Rape Elimination Act (PREA).
- (d) If brief or accidental contact occurs, the supervising member shall immediately terminate the contact, take corrective action, and document the incident in the custody log.
- (e) Department members shall ensure that juvenile and adult detainees are not mixed during movement within the facility, and that monitoring devices and video cameras are positioned to preserve the separation requirement.
- (f) For juvenile-specific supervision standards, refer to Policy 901 (Temporary Custody of Juveniles).

904.4 TEMPORARY CUSTODY REQUIREMENTS

904.4.1 HOLDING CELLS

- (a) A thorough inspection of each holding cell shall be conducted before placing a detainee to ensure there are no weapons, contraband, or hazardous items and that the

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cell is clean, sanitary, and secure. A second inspection shall occur after the detainee's release.

- (b) Any damage or irregularity observed during an inspection shall be photographed and documented in the facility log.
- (c) Detainees shall be searched in accordance with the Custodial Searches Policy prior to placement. Items that may pose a security or suicide risk—such as belts, shoes, shoelaces, jackets, or cords—shall be removed.
- (d) Detainees shall be under continuous video and audio monitoring while in the holding cell, with the recording retained for at least twelve (12) months in accordance with department retention standards.
- (e) Each holding cell entry and exit shall be logged, noting the date, time, detainee name, ALPHA number, and inspecting officer's initials.
- (f) Safety checks shall be conducted at **irregular intervals not exceeding 15 minutes**, at varying intervals, to ensure the welfare of each detainee.
- (g) The detainee's requests, complaints, or unusual behavior observed during a safety check shall be documented and reported to the Shift Sergeant.
- (h) Cells shall not be used for the storage of equipment, property, or supplies when detainees are present.

904.4.2 INDIVIDUALS WHO SHOULD NOT BE HELD

- (a) The following individuals shall **not be held** in temporary custody at the Inver Grove Heights Police Department, and shall instead be transported to a jail, medical facility, or other appropriate placement:
 - 1. Anyone who is unconscious, semi-conscious, or who has been rendered unconscious while in police contact.
 - 2. Persons who require medication, ongoing medical treatment, or clinical supervision.
 - 3. Persons who are seriously injured or who exhibit signs of a medical emergency.
 - 4. Persons known or suspected to be at risk for suicide or self-harm. Continuous direct supervision or medical evaluation shall be arranged immediately.
 - 5. Persons in acute behavioral or mental-health crisis.
 - 6. Persons under the influence of alcohol or drugs to the degree that medical attention may be required, or who have ingested any substance creating a health risk.
 - 7. Persons who are violently combative, continuously aggressive, or pose an immediate safety threat that cannot be reasonably managed in the facility.
 - 8. Persons displaying symptoms of a communicable disease posing an unreasonable exposure risk.
 - 9. Any person with an orthopedic or prosthetic device that cannot be safely removed without injury.

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- (b) Officers encountering any of the above conditions shall notify a supervisor and arrange for medical or alternate facility transfer as appropriate.

904.4.3 SAFETY AND SUPERVISION CHECKS

- (a) A custody officer or other trained department member shall remain **alert, awake, and present** whenever any detainee is held in temporary custody.
- (b) Direct visual safety checks shall be conducted at **irregular intervals not exceeding 15 minutes**, in compliance with Minn. R. 2911.5000.
- (c) Each safety check shall be logged, documenting the time, initials of the observing officer, and any noted concerns.
- (d) Individuals who appear to be sleeping shall be awakened to ensure responsiveness and welfare.
- (e) Requests, complaints, or unusual behavior observed during a safety check shall be promptly documented and reported to the Shift Sergeant.
- (f) No detainee shall supervise, control, or exert authority over another detainee at any time.
- (g) If surveillance or recording systems malfunction, staff shall increase the frequency of in-person safety checks until repairs are completed.

904.4.4 FOOD, WATER, HYGIENE, AND SHELTER

- (a) Detainees shall have reasonable access to toilets, wash basins, and drinking water at all times.
- (b) Meals shall be provided consistent with the time a detainee has been in custody, as follows:
 - 1. Adults detained for six (6) continuous hours shall be provided a meal.
 - 2. Juveniles detained for four (4) continuous hours shall be provided a meal.
- (c) Clean blankets shall be available as needed to maintain comfort.
- (d) Adequate lighting, ventilation, and temperature control shall be maintained at all times.
- (e) Detainees shall remain in personal clothing unless the clothing is unsuitable, inadequate, or retained as evidence.
- (f) Detainees shall not be deprived of basic hygiene items or access to sanitation as punishment or neglect.

904.4.5 INTAKE, SCREENING, AND DOCUMENTATION

- (a) Upon arrival, the arresting or processing officer shall screen each detainee for:
 - 1. Medical or mental-health concerns, visible injuries, or indications of distress;
 - 2. Known suicide risk, behavioral instability, or intoxication; and
 - 3. Any condition requiring accommodation under the ADA.

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- (b) The receiving officer shall complete all required Detention and Custody Logs, including:
 - 1. Detainee identifying information and assigned ALPHA number;
 - 2. Date and time of arrival;
 - 3. Charges and associated case number;
 - 4. Times of placement and removal from holding cells;
 - 5. All safety-check times; and
 - 6. Time and method of release or transfer.
 - 7. Fingerprinting and Photographing – When required under Minn. Stat. § 299C.10 or directed by a supervisor, detainees may be fingerprinted and photographed at the Inver Grove Heights Police Department detention facility prior to release or transfer. These procedures shall be conducted in a secure and controlled environment that maintains safety and sight-and-sound separation standards. Completion of fingerprinting and photographing shall be documented in the records-management system and detention log. Juvenile detainees shall not be fingerprinted or photographed except as authorized under the Temporary Custody of Juveniles Policy.
- (c) The **Shift Sergeant** shall conduct a supervisory review of all detention and custody logs following report submission to ensure entries are accurate, complete, and compliant with this policy. Electronic approval in the records management system shall serve as the official verification.
- (d) Detainees shall be informed that they are under continuous observation except when using the toilet or when privacy is otherwise required by law.
- (e) For juveniles, screening and custody documentation shall follow the additional requirements set forth in Policy 901 (Temporary Custody of Juveniles).

904.5 HEALTH CARE AND ADA ACCOMMODATIONS

904.5.1 SCREENING AND PLACEMENT

- (a) The Inver Grove Heights Police Department does not provide on-site medical staff. All medical or mental-health needs beyond basic first aid shall be referred to emergency medical services (EMS) or another appropriate facility.
- (b) A basic first-aid kit shall be maintained in the booking area and inspected at least monthly. Department members receive annual training in basic first aid and emergency medical response through the department's designated medical provider. External certification is not required for compliance.
- (c) When a detainee appears injured, ill, or requests medical attention, the processing officer shall:
 - 1. Immediately notify the Shift Sergeant; and
 - 2. Request EMS response without delay if any medical concern exists.

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- (d) Officers shall cooperate fully with responding EMS personnel and provide access to the detainee and any available information necessary to ensure proper care.
- (e) The detainee's condition, medical request, and actions taken—including EMS contact, treatment, or transport—shall be documented in the detention log and related report.
- (f) Detainees who require medication, medical supervision, or continuous monitoring shall not be kept in the facility and must be transported to an appropriate medical or correctional facility.
- (g) Blood-borne or other biohazard exposures shall be managed in accordance with OSHA 1910.1030 and departmental exposure-control procedures.
- (h) Confidentiality: Medical information regarding a detainee shall be treated as confidential and shared only with personnel who require the information to ensure the detainee's safety or proper medical care.

904.5.2 SPECIAL NEEDS, DEVICES, AND ACCESSIBILITY

- (a) The Department shall comply with the Americans with Disabilities Act (ADA) Title II (28 C.F.R. Part 35) by providing reasonable accommodations and effective communication for detainees with disabilities.
- (b) Wheelchairs, walkers, prosthetic or orthopedic devices, and other medical aids may remain with the detainee unless they create an immediate safety or security hazard. If removal is necessary, the device shall be documented, stored safely, and returned when the risk no longer exists.
- (c) Detainees with limited English proficiency or communication disabilities shall be provided interpreters, auxiliary aids, or other reasonable accommodations consistent with ADA § 35.160 and Title VI of the Civil Rights Act.
- (d) Pregnant detainees shall be managed in accordance with Policy 900 (Temporary Custody of Adults) and the Handcuffing and Restraints Policy to ensure medical safety and statutory compliance.
- (e) Any detainee exhibiting behavior consistent with a mental-health crisis shall be continuously observed and evaluated for EMS transport or referral to a medical facility.
- (f) All accommodations, observations, and actions taken under this section shall be recorded in the detention log.

904.6 RESTRAINT DEVICES AND CONTROL

- (a) Restraint devices shall only be used when necessary to maintain the safety and security of department members, detainees, or others, and in accordance with the Handcuffing and Restraints Policy.
- (b) Individuals in temporary custody should generally have handcuffs removed once they are safely secured in a holding cell or processing area, unless there is a specific, articulable safety concern.
- (c) Restraints other than standard handcuffs—such as leg irons, transport belts, or other mechanical restraints—shall not be used within the detention facility unless the

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detainee presents an elevated risk of escape, self-harm, or violence, and only with approval from the Shift Sergeant.

- (d) Detainees placed in restraints shall be visually checked at regular intervals to ensure proper circulation, position, and safety.
- (e) When a detainee is restrained in a prone position, the officer shall immediately reposition the individual once control is achieved to reduce the risk of positional asphyxia.
- (f) Restraints shall never be used as punishment or discipline, nor as a substitute for proper supervision.
- (g) When a detainee requires continuous restraint (e.g., during transport to another facility), the reason for the restraint and approval authority shall be documented in the detention log and associated report.
- (h) Juveniles may only be restrained in accordance with Policy 901 (Temporary Custody of Juveniles) and may not be secured to a stationary object or confined using mechanical restraints unless specifically authorized by that policy.
- (i) Pregnant detainees shall be restrained only as permitted under Policy 900 (Temporary Custody of Adults) and the Handcuffing and Restraints Policy.

904.7 COMMUNICATION, RELIGIOUS ACCOMMODATION, AND CONSULAR NOTIFICATION

904.7.1 GENERAL COMMUNICATION

- (a) Detainees shall be advised of their right to communicate with an attorney, family member, or responsible party as soon as reasonably practicable after arrival.
- (b) Reasonable access to a telephone shall be provided, subject to facility safety, security, and operational needs. Telephone use may be limited when necessary to prevent escape, preserve evidence, or maintain facility order.
- (c) Calls and conversations between a detainee and their attorney shall be private and shall not be monitored or recorded.
- (d) Telephone calls and conversations in the facility may be audio or video recorded for safety and security purposes, except for attorney communications.
- (e) Detainees being released or transferred are ordinarily not permitted to make additional calls immediately prior to transport unless authorized by the Shift Sergeant.
- (f) Officers shall note the time and purpose of all calls made in the detention log when operationally practical.

904.7.2 LIMITED ENGLISH PROFICIENCY AND DISABILITY COMMUNICATION

- (a) The Department shall ensure effective communication with detainees who have limited English proficiency, hearing loss, or other communication barriers, consistent with Title VI of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act (28 C.F.R. § 35.160).

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- (b) Department members shall follow the procedures outlined in Policy 331 (Limited English Proficiency) for requesting and using interpreters, translated materials, and auxiliary communication aids.
- (c) Bilingual department members, contracted interpreters, or approved translation services may be used to facilitate communication when consistent with the Limited English Proficiency Services Policy.
- (d) Family members, friends, or other detainees shall not be used as interpreters except in exigent circumstances or when authorized by a supervisor.
- (e) The use of any interpreter or auxiliary aid shall be documented in the detention log or related report.

904.7.3 RELIGIOUS ACCOMMODATION

- (a) Detainees shall be permitted to engage in quiet religious observance consistent with facility safety and order.
- (b) Requests for religious accommodation (e.g., head coverings, prayer time, possession of sacred text) shall generally be granted unless they present a clear safety or security risk.
- (c) Religious garments or head coverings shall be searched before being returned to the detainee.
- (d) Detainees requesting access to a sacred book shall be provided one if available. If not available, the detainee shall be advised that such materials are accessible at the Dakota County Jail upon transfer.
- (e) Requests that cannot be accommodated shall be documented, including the reason for denial.

904.7.4 FOREIGN NATIONALS AND CONSULAR NOTIFICATION

- (a) When processing a detainee who is a foreign national, officers shall determine whether the individual's country of citizenship appears on the [U.S. Department of State's mandatory notification list](#).
- (b) Detainees shall be advised, without delay, that they may have their consular office notified of their detention and may communicate with them.
 - 1. [See attachment: Consular Notification Form \(fillable\).pdf](#)
- (c) If the detainee's country is listed as mandatory notification, the officer shall:
 - 1. Notify the country's nearest embassy or consulate as soon as possible by fax, email, or telephone;
 - 2. Inform the detainee that notification has been made;
 - 3. Forward any written or verbal communications from the detainee to their consular officers without delay; and
 - 4. Document the notification in the detention log and retain any confirmation of delivery.

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- (d) If the detainee's country is not on the mandatory notification list, notification shall be made only upon the detainee's request.
- (e) A Foreign Nationals Rights Poster shall be visibly posted in the processing area, and consular notification forms shall be available for completion and inclusion in the case file.
 - 1. [See attachment: Foreign_National_Rights_Poster \(10-2025\).pdf](#)

904.8 PROPERTY HANDLING AND SAFEKEEPING

- (a) All personal property belonging to a detainee shall be inventoried, secured, and documented upon entry into the facility. Property will be handled separately from criminal evidence and processed only for temporary safekeeping during detention.
- (b) The inventory shall list each item individually, including money, keys, identification, jewelry, or other personal effects. Property shall be logged using the approved detention property form or the designated records-management module.
- (c) Detainees shall be offered the opportunity to review and sign the inventory. Refusals to sign shall be noted on the form.
- (d) Property shall be placed in the designated secured storage locker or cabinet within the booking area. The processing officer is responsible for ensuring the property is properly sealed, labeled with the detainee's name and ALPHA number, and logged in the custody record.
- (e) Items of high value or evidentiary significance shall be transferred to the Property and Evidence Section in accordance with Policy 319 (Property and Evidence).
 - 1. Officers shall complete the appropriate property documentation before transfer.
 - 2. Chain-of-custody integrity must be maintained at all times.
- (f) Property that must be released prior to transfer (e.g., car keys, wallet, medication) may be released to a responsible third party only when:
 - 1. Authorized by the detainee in writing;
 - 2. The recipient's identity is verified; and
 - 3. A receipt signature is obtained.
- (g) All property shall remain secured until the detainee is released or transferred. Upon release or transfer, the processing officer shall verify that all inventoried property is returned and obtain the detainee's signature acknowledging receipt.
- (h) Any discrepancies, damage, or missing items shall be immediately reported to the Shift Sergeant and documented in the facility log.
- (i) Unclaimed or abandoned property shall be turned over to the Property and Evidence Section and managed in accordance with Minn. Stat. § 345.38 and the Property and Evidence Policy.
- (j) The Shift Sergeant shall review property logs electronically following case submission to ensure entries are accurate, complete, and compliant with this policy.

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904.9 RELEASE AND/OR TRANSFER PROCEDURES

904.9.1 PREPARATION FOR RELEASE AND/OR TRANSFER

- (a) Prior to release or transfer, the processing officer shall:
 - 1. Confirm the detainee's identity through photo identification, booking information, or case verification.
 - 2. Review all reports and documentation to ensure processing is complete and that no legal holds remain in effect.
 - 3. Verify that all safety checks and welfare observations are up to date.
 - 4. Ensure all property and currency are returned to the detainee and that the detainee signs the property-receipt acknowledgment.
 - 5. Confirm that all facility keys, restraints, or temporary control items have been removed and accounted for.
- (b) If the detainee is to be transferred to another agency or correctional facility:
 - 1. All paperwork, property receipts, and transfer documents shall accompany the detainee.
 - 2. The receiving officer shall verify identity and sign for custody on the transfer form or detention log.
 - 3. Any medical or safety concerns shall be communicated verbally and documented in the transfer notes.

904.9.2 RELEASE TO RESPONSIBLE ADULT OR GUARDIAN (JUVENILES)

- (a) Juveniles shall only be released to a parent, guardian, or other responsible adult as defined in the Temporary Custody of Adults Policy.
- (b) The releasing officer shall verify the adult's identification and relationship to the juvenile before release.
- (c) A written acknowledgment of receipt shall be obtained from the person assuming custody.
- (d) If a parent or guardian cannot be located within the statutory time limit, the juvenile shall be transferred to a juvenile detention center or placement authorized by Dakota County Community Corrections.

904.9.3 DOCUMENTATION OF RELEASE OR TRANSFER

- (a) All releases and transfers shall be documented in the detention log, including:
 - 1. Detainee's full name and ALPHA number;
 - 2. Date and time of release or transfer;
 - 3. Destination or person receiving custody; and
 - 4. Name and badge number of the releasing officer.

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- (b) When a detainee is transferred to another agency, the receiving officer's signature on the transfer or booking form shall serve as the formal receipt of custody.
- (c) The Shift Sergeant shall electronically review all release documentation to verify accuracy and ensure compliance with DOC standards.

904.9.4 SIGHT AND SOUND SEPARATION DURING TRANSFER

- (a) Juveniles shall remain physically and visually separated from adult detainees at all times during transport or transfer in accordance with Section 904.3.5 (Sight and Sound Separation) and the Temporary Custody of Juveniles Policy.
- (b) Separate transport vehicles should be used whenever possible. If a single vehicle is used in exigent circumstances, physical barriers and officer supervision shall ensure sight and sound separation is maintained.
- (c) Any unplanned or accidental contact between juveniles and adults during transport shall be immediately documented and reported to the Shift Sergeant.

904.9.5 MEDICAL OR UNPLANNED RELEASES

- (a) If a detainee is transported to a hospital or other medical facility for evaluation or treatment and is not medically cleared for return to the Inver Grove Heights Police Department holding facility, the detainee shall be released from custody in accordance with established arrest or charging procedures.
- (b) Officers shall:
 - 1. Notify the Shift Sergeant and document the circumstances leading to the release;
 - 2. Provide any required reports or paperwork to the investigating or arresting officer for case disposition; and
 - 3. Ensure that any property retained during booking is returned or transferred in accordance with Section 904.8 (Property Handling and Safekeeping).
- (c) If a detainee is transported to a hospital under arrest and later released from custody while still receiving treatment, officers shall:
 - 1. Obtain the attending physician's confirmation that the detainee remains under medical care;
 - 2. Advise the detainee of their release status, court date (if applicable), and property retrieval procedures; and
 - 3. Record the release details in the detention log and RMS report.
- (d) When a detainee is released to EMS personnel or another agency prior to reaching the facility, the transporting officer shall document:
 - 1. The name of the receiving agency or EMS provider;
 - 2. The location and time of release; and
 - 3. The reason the detainee was not brought into the facility (e.g., medical emergency, safety concern).

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- (e) Any unplanned release or custody transfer occurring outside the facility shall be reported to the Shift Sergeant as soon as practicable and documented in the detention log and incident report.

904.10 CRITICAL INCIDENTS: SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY

Any suicide attempt, death, or serious injury occurring within the detention facility, during transport, or while a detainee is in department custody shall be treated as a critical incident and handled as an immediate emergency.

904.10.1 IMMEDIATE RESPONSE

- (a) The first department member on scene shall:
 1. Call for emergency medical services (EMS) and request additional officers as needed.
 2. Render first aid or CPR consistent with training until relieved by medical personnel.
 3. Notify the Shift Sergeant and preserve the scene for investigation once medical aid is provided.
- (b) The Shift Sergeant shall ensure the detainee area is secured and that all relevant video recordings, logs, and reports are preserved.
- (c) The Facility Administrator shall be notified as soon as practical in any incident involving death or life-threatening injury.

904.10.2 NOTIFICATIONS

- (a) In the event of a detainee death, the following notifications shall be made without delay:
 1. Minnesota Department of Corrections (DOC), in accordance with Minn. R. 2911.5100 Subp. 4;
 2. The Medical Examiner, who will assume jurisdiction and is responsible for making official next-of-kin notification;
 3. The Chief of Police and command staff;
 4. The County Attorney's Office; and
 5. The Minnesota Bureau of Criminal Apprehension (BCA), if a criminal investigation or independent review is required.
- (b) For juveniles, the detainee's parent or guardian and Dakota County Community Corrections shall also be notified as soon as possible.
- (c) The department shall provide any information or assistance requested by the Medical Examiner to facilitate identification and next-of-kin notification.

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904.11 FACILITY ADMINISTRATOR

- (a) The Facility Administrator, designated by the Chief of Police, shall have overall responsibility for the operation, maintenance, and compliance of the Inver Grove Heights Police Department's temporary detention facility.
- (b) The Facility Administrator shall ensure the facility operates in compliance with:
 - 1. Minnesota Rules 2911 (Municipal Lockup Facility Standards);
 - 2. Applicable state and federal laws;
 - 3. Department policies governing temporary custody, ADA accommodations, PREA standards, and data practices.

904.11.1 OVERSIGHT AND INSPECTIONS

- (a) The Facility Administrator shall ensure that:
 - 1. All required DOC inspections are scheduled, completed, and documented.
 - 2. The facility is inspected internally at least monthly for cleanliness, safety, and equipment condition, as outlined in Section 904.3.4 (Facility Inspections and Sanitation).
 - 3. All facility records, logs, and inspection reports are maintained in accordance with Minn. Stat. Ch. 13 (Data Practices Act) and department retention schedules.
- (b) Any identified deficiencies or safety hazards shall be promptly corrected or forwarded to the Chief of Police with a written action plan and resolution timeline.

904.11.2 TRAINING OVERSIGHT AND DOCUMENTATION

- (a) The Facility Administrator shall ensure that all department members who process or supervise detainees have received initial training on facility procedures before performing those duties independently.
- (b) The Facility Administrator shall verify that training records and related competency acknowledgments are maintained within the department's training-records system.
- (c) The Facility Administrator shall coordinate with the Training Coordinator or designee to ensure any changes are incorporated into the next annual policy review described in Section 904.12.

904.11.3 POLICY REVIEW AND DOCUMENTATION

- (a) The Facility Administrator shall review this policy and all related policies at least annually or following any DOC inspection, policy change, or critical incident.
- (b) Updates or revisions shall be submitted to the Chief of Police for approval and dissemination.
- (c) Copies of the current policy, facility floor plan, and emergency procedures shall be maintained and accessible to all department members involved in detainee processing or supervision.

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904.11.4 DOC AND AUDIT COORDINATION

- (a) The Facility Administrator shall serve as the department's point of contact for the Minnesota Department of Corrections and shall coordinate all DOC correspondence, corrective action responses, and audit submissions.
- (b) The Facility Administrator shall ensure all required DOC reports (including annual inspection reports and critical-incident notifications) are submitted within established timeframes.

904.12 TRAINING REQUIREMENTS

- (a) All department members who process, supervise, or transport detainees shall complete initial training on facility procedures before performing those duties independently.
- (b) After initial training, members shall participate in an annual policy review to ensure familiarity with current standards, facility procedures, and any updates required by the Minnesota Department of Corrections or department administration.
- (c) The annual policy review shall include acknowledgment of understanding of:
 1. Facility security and emergency procedures;
 2. Detainee intake, supervision, and release;
 3. Suicide-prevention awareness and medical-response expectations;
 4. Use of restraints and prevention of positional asphyxia;
 5. ADA and Limited English Proficiency (LEP) communication requirements;
 6. PREA awareness and reporting obligations; and
 7. Property handling and documentation procedures.
- (d) The Facility Administrator or designee shall document completion of the annual policy review for each member and retain that record for DOC inspection.
- (e) Members who have not completed initial training or the current policy review shall not independently process or supervise detainees until compliance is verified.

(Ref: Minn. R. 2911.0800 Subp. 2)

904.13 CROSS-REFERENCES

The following related policies and procedures support this policy and provide additional guidance for specific areas of temporary-custody operations:

- Temporary Custody of Adults Policy
- Temporary Custody of Juveniles Policy
- Property and Evidence Policy
- Limited English Proficiency (LEP) Policy
- ADA Compliance Policy

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- Major Incident Notification Policy
- Handcuffing and Restraints Policy

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 Inver Grove Heights 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 Inver Grove Heights 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 Administrative Services Division Commander shall employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy shall include:

- (a) Establishment of a written recruitment plan.
 1. The plan shall include an outline of steps for recruiting candidates who are representative of the community. This should include candidates who live in or are from the community, if appropriate and consistent with applicable laws, memorandum of understandings, or collective bargaining agreements.
- (b) Identification of racially and culturally diverse target markets.
- (c) Use of marketing strategies to target diverse applicant pools.
- (d) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (e) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (f) Employee referral and recruitment incentive programs.
- (g) Consideration of shared or collaborative regional testing processes.

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The Administrative Services Division Commander 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 their 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) Personal and professional reference checks
- (d) Citizenship eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (Minn. R. 6700.0700, Subp. 1). 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
 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment
- (k) Relevant national and state decertification records, if available, including the National Decertification Index

1000.4.1 VETERAN'S PREFERENCE

Veterans who are candidates for job openings shall receive preference recognizing the training and experience, loyalty and sacrifice not otherwise readily assessed by examination pursuant to Minn. Stat. § 197.455. The following preference, credit and requirements shall be applied as applicable (Minn. Stat. § 197.455):

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Nondisabled Veteran's Credit - There shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of 10 points, provided that veteran obtained a passing rating on the examination without the addition of the credit points.

Disabled Veteran's Credit - There shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of 15 points, provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that:

- (a) The veteran obtained a passing rating on the examination without the addition of the credit points.
- (b) The veteran is applying for a first promotion after securing public employment.

For the purpose of the preference to be used in securing appointment from a competitive open examination, "disabled veteran" means a person has a compensable service-connected disability as adjudicated by the U.S. Veterans Administration, or by the retirement board of one of the several branches of the armed forces, that is existing at the time preference is claimed.

For purposes of the preference to be used in securing appointment from a competitive promotional examination, "disabled veteran" means a person who, at the time of election to use a promotional preference, is entitled to disability compensation under laws administered by the Veterans Administration for a permanent service-connected disability rated at 50 percent or more.

Preference for Spouses - A preference available pursuant to Minn. Stat. § 197.455 may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.

Ranking of Veterans - An eligible applicant with a rating augmented by veteran's preference shall be entered on an eligible list ahead of a non-veteran with the same rating. When notifying eligible applicants that they have passed examinations this department shall show the final examination ratings and preference credits and shall notify eligible applicants that they may elect to use veteran's preference to augment passing ratings.

When this department rejects a certified eligible applicant who has received veteran's preference, the appointing authority shall notify the eligible applicant in writing of the reasons for the rejection and file the notice with the Inver Grove Heights Department of Human Resources.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify the candidate's 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 Inver Grove Heights Police Department.

The background investigation must determine whether the candidate meets the standards established by the Minnesota Board of Peace Officer Standards and Training (POST) as well

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as the security standards established to access state and national computerized record and communication systems (Minn. Stat. § 626.87; Minn. R. 6700.0670; Minn. R. 6700.0700).

A background investigation is valid for six months after completion. If the candidate is not hired during the six months, the background investigation must be updated before a final offer of employment to the candidate is made (Minn. R. 6700.0670, Subp. 2).

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and Minnesota law (15 USC § 1681d; Minn. Stat. § 13C.02).

1000.5.2 STATE NOTICES

Upon initiation of a candidate's background investigation, the Chief of Police or the authorized designee shall provide written notice to POST as soon as practicable, but no later than ten days thereafter that includes the candidate's full name and date of birth and the candidate's peace officer license number, if applicable (Minn. Stat. § 626.87; Minn. R. 6700.0670, Subp. 3).

If the background investigation identifies a disqualification under the minimum selection standards in Minn. R. 6700.0700, the Chief of Police or the authorized designee shall provide written notice to POST as soon as practicable, but no later than ten days (Minn. R. 6700.0670, Subp. 3).

1000.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Administrative Services Division Commander should not require candidates to provide passwords, account information, or access to password-protected social media accounts (Minn. R. 6700.0670, Subp. 1).

The Administrative Services Division Commander 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.

Regardless of whether a third party is used, the Administrative Services Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.4 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

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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.

1000.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule (Minn. R. 6700.0670, Subp. 2; Minn. R. 6700.0700, Subp. 2).

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:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity 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

Candidates shall meet the minimum standards established by Minnesota POST (Minn. R. 6700.0700):

- (a) Citizen of, or eligible to work in, the United States (Minn. R. 6700.0700, Subp. 1)

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- (b) Possess a valid driver's license
- (c) Free of any felony conviction
- (d) Not be required to register as a predatory offender under state law
- (e) Free of conviction of any controlled substance law or of any misdemeanor offense listed in Minn. R. 6700.0700
- (f) Have no record of engaging in discriminatory conduct, involvement with a hate or extremist group, or criminal gang
- (g) Fingerprinted for purposes of disclosure of any felony convictions
- (h) Submit to a medical examination and psychological evaluation required by Minn. R. 6700.0675 to ensure that the candidate is free from any physical, emotional, or mental condition which might adversely affect the candidate's performance of peace officer duties
- (i) Successfully complete a physical strength and agility examination
- (j) Successfully complete an oral examination

1000.7.2 NOTIFICATION TO POST

The Chief of Police shall notify the POST Board of any candidate appointed to the position of peace officer before the first day of employment on a form provided by POST. The appointee may not exercise peace officer powers until the notification form is received and approved by POST Board (Minn. R. 6700.0800).

1000.8 PROBATIONARY PERIODS

The Administrative Services Division Commander should coordinate with the Inver Grove Heights Department of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Temporary Duty 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 Inver Grove Heights Police Department.

1001.2 POLICY

The Inver Grove Heights Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1001.3 SPECIAL ASSIGNMENT POSITIONS

The following conditions are considered special assignments and not promotions:

- (a) Special Weapons and Tactics Team member
- (b) Investigator
- (c) Bicycle Patrol officer
- (d) Canine handler
- (e) Field Training Officer
- (f) Training Officer
- (g) School Resource Officer

1001.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Minimum years of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by the Minnesota Board of Peace Officer Standards and Training or law
- (d) 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) Maintains a physical condition that aids in his/her performance.
- (c) Expressed an interest in the assignment.
- (d) Demonstrates the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance

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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 the Chief of Police may include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
 1. The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work.
- (b) Division Commander interview - The Division Commander will schedule interviews with each candidate.
 1. Based on supervisor recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

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 are available at the Inver Grove Heights Department of Human Resources.

Grievance Procedure

1002.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance, whether there is a basis for the grievance. The Department's philosophy is to promote free verbal communication between employees and supervisors.

1002.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or the interpretation or application of any of the following documents:

- The employee collective bargaining agreement.
- This Policy Manual.
- City rules and regulations covering personnel practices or working conditions.

Grievances may be brought by an individual employee or by an employee bargaining group representative.

Specifically outside the category of grievances are:

- (a) Complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy.
- (b) Personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy or federal, state, or local law, as set forth in the Personnel Complaints Policy.

1002.2 PROCEDURE

Except as otherwise required under a collective bargaining agreement, if an employee believes that he/she has a grievance as defined above, the employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable period of time, generally 21 days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Division Commander of the affected division or bureau.
- (c) If a successful resolution is not found with the Division Commander, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, the employee shall submit a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor that includes the following information:

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1. The basis for the grievance (e.g., the facts of the case).
 2. Allegation of the specific wrongful act and the harm done.
 3. The specific policies, rules or regulations that were violated.
 4. The remedy or goal being sought by the grievance.
- (e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
- (f) The Chief of Police will receive the grievance in writing. The Chief of Police and the City Administrator will review and analyze the facts or allegations and respond to the employee within five business days. The response will be in writing and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the Chief of Police and/or City Administrator is considered final.
- (g) An unresolved grievance may be appealed and submitted to arbitration, subject to the provisions of the Public Employment Labor Relations Act of 1971. Arbitrator selection shall be made in accordance with the Rules of Governing the Arbitration of Grievances as established by the Bureau of Mediation Services.

1002.3 EMPLOYEE REPRESENTATION

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

1002.4 PUNITIVE ACTION

At no time will punitive action be taken against a peace officer for exercising any rights during the grievance procedure (see generally Minn. Stat. § 626.89, Subd. 14).

1002.5 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administrative Services for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the City Administrator's office to monitor the grievance process.

1002.6 GRIEVANCE AUDITS

The Administrative Services Division Commander shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Administrative Services Division Commander shall record these findings in a memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Administrative Services Division Commander should promptly notify the Chief of Police.

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1002.7 JUDICIAL RELIEF

Any employee or representative may, after exhausting the internal grievance procedure, and, if applicable, arbitration, apply to the proper court for judicial relief as allowed by contract or law.

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, law, ordinance or collective bargaining agreement.

1003.2 POLICY

The Inver Grove Heights 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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1003.3.1 RETALIATION PROHIBITED FOR INTERVENING OR REPORTING

An officer shall not be retaliated against for intervening or reporting that another law enforcement officer or a member used excessive force (Minn. Stat. § 626.8452).

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, Chief of Police or the City Human Resources Manager.

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, 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.

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- (i) Taking reasonable steps to accommodate requests for assignment or schedule change made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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

The Minnesota Whistleblower Act protects an employee who, in good faith (Minn. Stat. § 181.932):

- (a) Communicates a violation of any law or rule to the Department or to any government body or law enforcement official.
- (b) Participates in an investigation, hearing, or inquiry at the request of a public body or office.
- (c) Refuses an order to perform an act that the employee objectively believes violates a law, rule, or regulation, and informs the employer of the reason.
- (d) Reports a situation where the quality of health care services provided by a health care facility or provider violates a state or federal standard and potentially places the public at risk of harm.
- (e) Communicates the findings of a technical or scientific study that the employee believes, in good faith, to be truthful and accurate.

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 Internal Affairs Unit for investigation pursuant to the Personnel Complaints Policy.

1003.8 RECORDS RETENTION AND RELEASE

The Records Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1003.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Employee Convictions and Court Orders

1004.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1004.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Minnesota and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Minn. Stat. § 518B.01).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.3 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Minnesota. Any license of a peace officer convicted of a felony is automatically revoked (Minn. Stat. § 626.8431).

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this department may prohibit him/her from carrying out law enforcement duties.

Minn. Stat. § 624.713 prohibits ineligible persons from possessing a handgun or semi-automatic assault weapon.

1004.3.1 COURT ORDERS

All employees shall promptly notify the department if they are a party to, or have been served with, any court order from any jurisdiction.

1004.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

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officers) in writing if the member or retiree becomes the subject of a domestic violence restraining court order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1004.5 CHEMICAL DEPENDENCY TREATMENT

If an officer is informally admitted to a treatment facility or program pursuant to Minn. Stat. § 253B.04 for chemical dependency he/she is not eligible to possess a pistol, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility (Minn. Stat. § 624.713 Subd. 1(6)).

Officers in this situation shall promptly notify the department.

Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1005.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Sergeant or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1005.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair the member's abilities, without a written release from the member's physician.

1005.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action.

1005.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1005.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1005.7 SCREENING TESTS

The Department may request or require drug or alcohol testing in the following circumstances (Minn. Stat. § 181.951; Minn. Stat. § 181.952):

- (a) **Reasonable suspicion** - The Shift Sergeant may request or require an employee to undergo drug and alcohol testing if there is a reasonable suspicion of any of the following:
 1. The employee is under the influence of drugs or alcohol.
 2. The employee has violated department rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working, is on department property, or is operating a vehicle owned by the department.
 3. The employee has sustained an injury arising out of and in the course of employment, or has caused another employee to sustain an injury (full definition of personal injury in Minn. Stat. § 176.011, Subd. 16).
 4. The employee has caused a work-related accident, or the employee's use of a vehicle, firearm, or safety equipment involved a work-related accident.
- (b) Following a conditional job offer
- (c) As part of an employee's routine physical examination

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- (d) Under a random testing program of employees
- (e) When the employee has been referred for an evaluation or treatment, or is participating in a treatment program under an employee benefit plan
- (f) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.

1005.7.1 DRUG- AND ALCOHOL-TESTING PROGRAM

The following applies to the department's drug and alcohol testing procedures (Minn. Stat. § 181.951; Minn. Stat. § 181.952; Minn. Stat. § 181.953):

- (a) An employee or applicant has the right to refuse a test but the consequences of a refusal may result in discipline, up to and including termination, or a decision not to hire the applicant.
- (b) Initial screening tests must be verified by a confirmatory test for the purpose of discipline.
- (c) Employees may have an opportunity to participate in an appropriate alcohol or drug program for their first confirmed positive test. The program may be in lieu of other discipline unless the employee fails the program or refuses to participate (Minn. Stat. § 181.953).
- (d) A confirmed positive test may result in discipline, up to and including termination.
- (e) An employee or job applicant will have the opportunity to explain a positive test result and may request and pay for a second confirmatory retest.
- (f) All disciplinary procedural safeguards in this manual apply, including the post-discipline appeal procedures (see the Personnel Complaints Policy).
- (g) Employees and job applicants shall receive required written notice, including posting, of the drug- and alcohol-testing policies and procedures as set forth in Minn. Stat. § 181.952.
- (h) The safeguards of Minn. Stat. § 181.953 will be followed for any testing and any related discipline process.

Notice of the adopted drug and alcohol testing policy shall be posted in an appropriate and conspicuous location and copies shall be available for inspection to all employees and job applicants (Minn. Stat. 181.952).

1005.7.2 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

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1005.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1005.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

Personal and Sick Leave

1006.1 PURPOSE

Employees of this department are provided with a leave benefit that gives them continued compensation during times of absence due to personal or family illness. The number of hours available is detailed in the employee's respective personnel manual or applicable collective bargaining agreement. Employees may also 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 CFR 825.100).

1006.2 DEFINITIONS

Personal Leave - Personal leave may be used as earned for purposes of rest, relaxation or to conduct personal business; provided, that such use shall be requested and approved by the supervisor and/or department head in advance. Personal leave may be used in case of necessity and actual illness, legal quarantine or to receive medical or dental care or other sickness preventive measures. If personal leave is taken for reasons other than rest, relaxation or to conduct personal business that requires advance approval, the employee will report promptly to the immediate supervisor the reason for their absence and shall keep the immediate supervisor informed of the condition (City code section 12-6A-12-2).

Sick Leave - Sick leave may be granted only for absence from duty because of personal illness or disability, legal quarantine, or serious illness in the immediate family. The immediate family is defined as the employee's spouse or the following kin (including "step") of either the employee or the employee's spouse: children, mother, father, sister, brother, grandparents, or grandchildren (as defined in applicable collective bargaining agreement).

Sick Childcare Leave - An employee may use personal leave or sick leave for absences due to the illness of the employee's child. The employee may use personal or sick leave, in the same manner, it could be used for the employee's illness (City code section 12-6A-12-9).

1006.3 EMPLOYEE RESPONSIBILITIES

- (a) Employees are encouraged to notify an immediate supervisor, the shift supervisor, or another appropriate supervisor as soon as they are aware that they will not be able to report to work.
 1. At a minimum, employees shall make such notification no less than two hours before the start of their scheduled shift.
 - (a) The notification needs to occur by phone.
 - (b) Text messages and emails are not acceptable means of notification.
 2. If an employee is unable to contact the supervisor in the case of an emergency, every reasonable effort should be made to have a representative contact the supervisor.

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3. Upon return to work, employees shall complete and submit an electronic leave request describing the type of leave used and the specific amount of time taken.
 - (b) When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever reasonably possible, provide notice to the department as soon as reasonably possible and with no less than a 30-day notice of the intent to take leave.
 - (c) Sick leave is not considered vacation and abuse of sick leave may result in discipline and/or denial of leave benefits. Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, recreational or other activity that may impede recovery from the injury or illness.
 - (d) Personal Leave used for reasons other than rest, relaxation or to conduct personal business that requires advance approval is not considered a vacation. Abuse of personal leave used for reasons other than rest, relaxation or to conduct personal business may result in discipline and/or denial of leave benefits. Employees on personal leave for reasons other than rest, relaxation or to conduct personal business shall not engage in other employment or self-employment or participate in any sport, hobby, recreational or other activity that may impede recovery from the injury or illness.
 - (e) Personal leave may be refused by the department, except in cases of personal illness, if it reduces the effectiveness of the department.

1006.4 EXTENDED ILLNESS

- (a) Employees on extended absences shall, if possible, contact their immediate supervisor at three-day intervals to provide an update on their absence and expected date of return. Employees absent from duty due to personal illness in excess of three consecutive days may be required to furnish a statement from their health care provider supporting the use of sick leave and/or the ability to return to work (City code section 12-6A-12-2-C).
- (b) Nothing in this section precludes a supervisor, based upon reasonable cause, from requiring a physician's statement if three or fewer sick leave days are taken.

1006.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor personal/sick leave usage and regularly review the attendance of employees under their command to ensure that the use of leave is consistent with this policy. Supervisors should address personal/sick leave use in the employee's performance evaluation when it has negatively affected the employee's performance or ability to complete assigned duties and when unusual amounts of personal/sick leave by the employee have a negative impact on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of personal/sick leave and should consider referring the employee to the Employee Assistance Program.

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:

AIDS - Acquired Immune Deficiency Syndrome – This virus attacks a person’s immune system and reduces the ability to fight other diseases. AIDS is the final stage of HIV (Human Immunodeficiency Virus) infection.

Bloodborne Pathogen - Pathogenic microorganisms present in human blood that cause disease. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HBC), and human immunodeficiency virus (HIV).

Body Fluids - Body fluids include but are not limited to blood, semen, vaginal secretions, breast milk, amniotic fluid, urine, saliva, vomit, and stool.H

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 Inver Grove Heights Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

HBV - Hepatitis B Virus – A viral infection that can result in jaundice, cirrhosis, and cancer of the liver. The virus causes HBV and may be found in blood, urine, semen, vaginal secretions, and saliva. It may be transmitted by direct contact with infected persons and through needle sticks or sharps exposures.

HCV - Hepatitis C Virus – A viral infection that can result in chronic infection, cirrhosis, and liver disease. Infection occurs when blood from an infected person enters the body of a person who is not infected. HCV is spread through sharing needles and needle sticks or sharps exposures.

HIV - Human Immunodeficiency Virus – HIV is the virus that causes AIDS (Acquired Immune Deficiency Syndrome). HIV may be transmitted from one person to another primarily through sexual contact or through the sharing of intravenous drug needles. It may also be transmitted by coming into direct contact with an infected person, i.e. an officer with a cut or sore on their hand gets blood on that hand while rendering first aid.

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Influenza - Influenza (the flu) is a contagious respiratory illness caused by influenza viruses. It can cause mild to severe illness and can lead to death. Influenza is transmitted from person to person in respiratory droplets of coughs and sneezes. It may also be spread when a person touches respiratory droplets on another person or an object and then touches their mouth or nose (or someone else's mouth or nose) before washing their hands.

- Infected adults infect others a day before symptoms develop and up to five days after becoming sick. Children may pass the virus for longer than seven days. Symptoms start one to four days after the virus enters the body.

Meningitis - An inflammation of the membranes that envelop the brain and spinal cord. Meningitis may be contracted through direct contact with an infected person's respiratory secretion.

Personal Protective Equipment (PPE) - Personal protective equipment is specialized clothing or equipment used by department members to protect themselves from direct exposure to blood or other potentially infectious materials. It includes, but is not limited to, protective disposable gloves, masks, goggles, boots, gowns, and resuscitation masks.

Significant Exposure - Having sustained a contact which carries a potential for transmission of bloodborne pathogens by one or more of the following means:

- A skin puncture by a needle or sharp object that has had contact with blood or body fluid from another person.
- Blood or bodily fluids of another person in contact with the mucus membranes or eyes.
- Any contamination of open skin (cuts, abrasions, blisters, open dermatitis) by blood or body fluids, or bites that break the skin.
- Blood or blood-containing fluids in contact with skin longer than 5 minutes.
 - Note: Fluids such as urine, saliva, vomit, and stool are considered significant only when they contain visible blood.
- Significant exposure to diseases communicable by airborne transmission (including tuberculosis, chickenpox, measles, and pertussis) will be confirmed and follow-up will be determined with the help of Dakota County Public Health.

Source Individual - An individual, living, or dead, whose blood, tissue, or potentially infectious body fluids may be a source of bloodborne pathogen exposure to another person. Examples include, but are not limited to, a victim of an accident, injury or illness, or a deceased person.

Tuberculosis - Bacterial disease causing swelling and lesions in the tissue of the lung. The most common means of exposure is by inhaling airborne particles from the cough of an infected person. Transmission may occur after being in a non-ventilated area for an extended period of time with an infected person. In rare cases, this bacterial disease can be transmitted through the saliva, urine, blood, and in some cases, other body fluids of infected persons.

Universal Precautions - Precautions designed for infection control. Under Universal Precautions, blood and certain body fluids of all individuals are considered potentially infectious for HIV, HBV,

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and other bloodborne pathogens. Universal Precautions must be posted in a central area at all precincts and division locations.

1007.2 POLICY

The Inver Grove Heights 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

The Chief of Police will assign a person 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) 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. Exposure control mandates in 29 CFR 1910.1030 (Minn. R. 5206.0600).
 3. Reporting cases and suspected cases of communicable diseases to the Department of Public Health (Minn. R. 4605.7070; Minn. Stat. § 144.4804).
 4. Notifying appropriate medical facilities regarding member exposures and providing assistance locating source individuals, as applicable (Minn. Stat. § 144.7414)

The ECO should also act as the liaison with the Minnesota Occupational Safety and Health Administration (MNOSHA) and may request voluntary compliance inspections. The ECO should annually review and update the exposure control plan and review implementation of the plan.

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 (29 CFR 1910.1030; Minn. R. 5206.0600):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

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- (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 and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

GENERAL PRACTICES FOR EXPOSURE AND CONTROL PROCEDURE

WASTE AND MEDICAL DEBRIS PROCEDURE

DISPOSAL OF CONTAMINATED MATERIALS PROCEDURE

1007.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; Minn. R. 5206.0600).

To arrange for obtaining a vaccination, contact the City's Human Resources department or the Administrative Services Commander.

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.

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- (c) Notify a supervisor as soon as practicable.

DECONTAMINATION OF EMPLOYEE AND EQUIPMENT PROCEDURE

DECONTAMINATION OF POLICE VEHICLES PROCEDURE

WHEN A SIGNIFICANT EXPOSURE IS SUSPECTED: ACTIONS OF EMPLOYEE PROCEDURE

SIGNIFICANT EXPOSURE: ACTIONS TAKEN BY MEDICAL FACILITY PROCEDURE

1007.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (29 CFR 1910.1030; Minn. R. 5206.0600):

- (a) Name of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease, Personal Injury and Death Reporting Policy).

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 (29 CFR 1910.1030; Minn. R. 5206.0600):

- (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.

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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 (29 CFR 1910.1030; Minn. R. 5206.0600).

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) Seeking testing through the procedures of Minn. Stat. § 144.7401 to Minn. Stat. § 144.7415 through a licensed hospital or other emergency medical care facility.

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 City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

Per HIPAA laws, medical facility staff will not release confidential patient data. Questions relating to the diagnosis of a patient who may have a potentially contagious disease or infection and with whom department members may have been exposed shall be directed to a department supervisor. The supervisor will liaison with the Infection Control Unit of the medical facility to determine if the patient's medical status poses a risk of significant exposure to the department employee.

[CONSENT FOR BLOOD DRAW INITIATED BY INVER GROVE HEIGHTS POLICE DEPARTMENT PROCEDURE](#)

[SEEKING A COURT ORDERED BLOOD DRAW PROCEDURE](#)

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 (Minn. Stat. § 144.7411).

1007.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; Minn. R. 5206.0700):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

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- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Training on the department's exposure control plan, information regarding Hepatitis B vaccinations, and basic use of Personal Protective Equipment (PPE) shall be provided to all new hires in at-risk assignments within a reasonable period of time of beginning employment.

The department training coordinator can be utilized as a resource for employees seeking additional information/materials regarding Universal Precautions and blood/airborne pathogens in the workplace.

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 Inver Grove Heights Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1008.2 POLICY

The Inver Grove Heights 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, and as is further outlined in this policy (Minn. Stat. § 144.414).

1008.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the 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 City facilities and vehicles.

1008.4 ADDITIONAL PROHIBITIONS

No employee shall smoke, even while out of view of the public or off-duty, in City facilities and property areas properly posted with "No Smoking" notices nor shall any employee use tobacco products on public school property (Minn. Stat. § 609.681; Minn. Stat. § 144.4165). The Chief of Police or the authorized designee should ensure that proper signage is in place for notice of areas where tobacco use is restricted (Minn. R. 4620.0500).

Personnel Complaints

1009.1 PURPOSE AND SCOPE

This policy establishes procedures for the receipt, investigation, documentation, and retention of complaints of employee misconduct, whether administrative or criminal in nature. It also outlines the Department's obligations under the Minnesota Government Data Practices Act (Minn. Stat. Ch. 13) and the Peace Officer Discipline Procedures Act (Minn. Stat. § 626.89).

This policy also governs the collection, classification, and retention of personnel investigative data under the Minnesota Government Data Practices Act (Minn. Stat. §§ 13.04, 13.43, and 13.825).

1009.2 POLICY

It is the policy of the Inver Grove Heights Police Department to accept and investigate all complaints of employee misconduct in a fair, impartial, and timely manner to ensure integrity, accountability, and public confidence in the Department.

All investigative actions and records shall comply with the Minnesota Government Data Practices Act (Minn. Stat. §§ 13.04, 13.43, 13.825) and the Peace Officer Discipline Procedures Act (Minn. Stat. § 626.89). Confidentiality of personnel investigative data shall be maintained at all times, consistent with applicable law and Department policy.

1009.3 OBJECTIVES

Member Protection - Every member has an absolute right to be protected against false allegations of criminal activity or misconduct. This can only be accomplished using a structured, confidential investigation that is thorough and impartial. If a complaint made against a member is knowingly false, the department may seek criminal charges against the person(s) responsible for the false report (Minn. Stat. § MN Statute 609.505 Subd. 2).

Department Protection - The department is evaluated and judged by the conduct of its members. It is imperative that the entire organization not be subjected to public censure because of an individual member.

Public Protection- The public has every right to expect efficient, impartial public service. Any misconduct by the department or its members must be detected, investigated, and appropriate measures are taken to correct the misconduct.

1009.4 DEFINITION

Internal Affairs Investigation – A formal administrative inquiry conducted under the authority of the Chief of Police or designee to determine whether a member has violated Department policy, applicable law, or professional standards. Internal Affairs investigations are distinct from criminal investigations and are conducted under the Peace Officer Discipline Procedures Act (Minn. Stat. § 626.89).

Misconduct - An action or omission by a member that is not in conformance to laws, City/ Department policies, or union contracts.

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1009.5 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public. Anonymous and third-party complaints shall also be accepted and investigated to the extent possible based on the information available.

Any employee receiving a personnel complaint shall document the allegation and forward it through the chain of command to the Chief of Police or designee for review and assignment.

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.

The Department shall handle all complaint information as government data subject to the Minnesota Government Data Practices Act (Minn. Stat. Ch. 13) and will maintain confidentiality consistent with Minn. Stat. § 13.43.

1009.5.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which further action is warranted. Depending on the seriousness and complexity of the investigation, the matter is referred to the Internal Affairs Unit.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1009.5.2 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.

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- (f) The Minnesota Board of Peace Officer Standards and Training (POST) may refer complaints alleging a violation of a statute or rule that the board is empowered to enforce (Minn. Stat. § 214.10, Subd. 10).
- (g) Any person making a complaint may be accompanied by an attorney or other representative, including at the time the complaint is made.
- (h) Any person wishing to file a complaint against the Chief of Police should be referred to the City Administrator for investigation by an outside agency.

1009.6 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1009.6.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1009.6.2 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. It is not the responsibility of the receiving member to gather further details. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

- (a) Members accepting a complaint are prohibited from discussing the matter with anyone other than the individual to whom the complaint is referred to, and the person assigned to investigate the complaint.

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. Under no circumstances will receipt of a complaint be denied due to the unwillingness or inability of the complainant to report in person.

1009.6.3 COMPLAINT COPIES

After a complaint is filed, the accepting member should sign the document, keep a copy for the department and provide a copy to the complainant.

1009.7 DOCUMENTATION

Supervisors shall ensure that all formal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

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All complaints should also be documented in a log that records and tracks complaints. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1009.8 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows (Minn. R. 6700.2200).

Administrative investigations are conducted for alleged non-criminal misconduct and after criminal prosecutions, or there was decision not to prosecute.

1009.8.1 ADMINISTRATIVE REVIEW GUIDELINES

The Chief of Police or designee will review all formal complaints received and will assess whether to initiate a preliminary investigation.

Once the decision has been made to initiate an internal investigation, a determination must be made whether the investigation is criminal or strictly an administrative investigation. An infraction that cannot be handled as a concern yet does not constitute a potential crime requires an administrative investigation. **If a member becomes the subject of a criminal investigation, no administrative investigation will occur until the criminal investigation is finalized.**

The disposition of the investigation depend on its classification. The information gained in an administrative investigation cannot be used in criminal proceedings. Information gathered in a criminal investigation can be used in an administrative investigation. Therefore, the criminal investigation is conducted first, followed by the required administrative investigation.

1009.8.2 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of an informal personnel complaint shall rest with the member's immediate supervisor. The primary responsibility for the investigation of a formal personnel complaint shall rest with the Internal Affairs Unit. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent the 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 Internal Affairs Unit, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
- (b) Responding to all complaints in a courteous and professional manner.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
- (c) Resolving those informal complaints that can be resolved immediately.

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1. If the matter is resolved and no further action is required, the supervisor will note the resolution as a citizen concern in the early intervention software.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the appropriate Division Commander and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the appropriate Division Commander and the Chief of Police for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved formal personnel complaints to the appropriate Division Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

Supervisors shall ensure that employees under investigation are afforded all rights under Minn. Stat. § 626.89 (Peace Officer Discipline Procedures Act), including the right to representation during interviews that may result in discipline, and that any compelled administrative statement is preceded by the appropriate Garrity/Tennessee Advisory. Supervisors shall also take reasonable measures to secure related video, digital, and physical evidence and to maintain confidentiality under Minn. Stat. Ch. 13.

1009.8.3 EXTERNAL INVESTIGATIONS

The Chief of Police may request that an outside agency conduct an investigation anytime the Chief of Police determines an external investigation is appropriate.

This department should not conduct an investigation when the Chief of Police is the subject of the complaint. An external investigation should be requested through the City Administrator.

1009.8.4 MINNESOTA POST INVESTIGATIONS

The Minnesota POST Board may require an administrative investigation based upon a complaint alleging a violation of a statute or rule that the board is empowered to enforce. Any such misconduct allegation or complaint assigned to this department shall be completed and a written summary submitted to the POST executive director within 30 days of the order for inquiry (Minn. Stat. § 214.10, Subd. 10).

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1009.8.5 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or an assigned member of the Internal Affairs Unit, the following shall apply to members covered by the Peace Officer Discipline Procedures Act (Minn. Stat. § 626.89):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty (Minn. Stat. § 626.89, Subd. 7). If the member is off-duty, he/she shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Inver Grove Heights Police Department or at a place agreed upon by the accused member (Minn. Stat. § 626.89, Subd. 4).
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member should be informed of the nature of the investigation.
 - 1. The member shall be given a copy of any written complaint signed by the complainant (Minn. Stat. § 626.89, Subd. 5).
- (e) All interviews should be for a reasonable period and the member's personal needs should be accommodated (Minn. Stat. § 626.89, Subd. 7).
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given their *Garrity/Tennessee* advisory.
 - i. The Garrity portion of the advisory notifies the member that they are required to provide all job-related information requested and that the information from the interview cannot be used in a criminal proceeding. (The statement is not voluntary which prevents it from being used in a criminal proceeding). Following a Garrity Advisory, failure to answer the questions is considered gross insubordination and may result in disciplinary action up to and including termination.
 - ii. The Tennessee portion of the advisory informs the employee of the persons that may have access to the information provided during this compelled interview.
 - 2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
 - i. Rules of evidence generally do not apply to administrative investigations. The member must provide all relevant evidence requested. Refusal to do so constitutes gross insubordination and may result in disciplinary action up to and including termination.

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- (h) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. A complete copy or transcript of the interview must be made available to the member upon written request without charge or undue delay (Minn. Stat. § 626.89, Subd. 8).
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved union representative or attorney present before or during the interview (Minn. Stat. § 626.89, Subd. 9). When a member requests a union representative or attorney, no interview may be taken until a reasonable opportunity is provided for the member to obtain that person's presence. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a union representative or attorney collectively or in groups prior to being interviewed.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.
- (k) No member may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.
- (l) Before a formal statement is taken, the member shall be advised in writing or on the record that admissions made may be used as evidence of misconduct or a basis for discipline (Minn. Stat. § 626.89, Subd. 10).
- (m) A member may not be required to produce financial records (Minn. Stat. § 626.89, Subd. 11).
- (n) A member's photograph will not be released unless allowed by law (Minn. Stat. § 626.89, Subd. 12).
 - (a) Photo lineups may also be used and the member can be ordered to participate in a physical lineup (although not preferred). Other Department employees should not be used in physical or photo lineups, unless necessary.

Evidence access, presentation, and representative viewings shall be conducted in accordance with Sections 1009.8.5.1 and 1009.8.5.2 and documented consistent with Section 1009.16.3 (Viewing Logs and Data-Access Documentation).

1009.8.6 ADMINISTRATIVE INVESTIGATION FORMAT

Administrative investigations of formal personnel complaints shall be thorough, complete, and essentially follow this format:

Purpose and Scope - Statement of determination for merit that a violation occurred for the department policies

Investigation Record - List of investigative documentation to include but not limited to.

- (a) Personnel Complaint (signed)
- (b) Complaint Summary - Include the identity of the members, the identity of the assigned investigators, and the initial date and source of the complaint.
- (c) Applicable policies - List of the applicable policy and/or policies that are alleged to have been violated.

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(d) Summary of Facts - A summary of the facts giving rise to the investigation.

Procedural Background - Procedural list of the formal complaint and the applicable policy and/or policies that are alleged to have been violated

Summary of Allegations - A list of the allegations separately., with a summary of the evidence relevant to each allegation. A separate recommended finding of merit should be provided for each allegation.

Standards of Review - A list of reviewed data and/or record for the factual basis.

Factual Basis for Finding(s) - 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.

Finding(s) - A separate recommended finding of merit should be provided for each allegation.

- (a) Merit - Indicating that a preponderance of the evidence supports an allegation in the complaint.
- (b) No Merit - Indicating that a preponderance of the evidence does not support an allegation in the complaint.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report. Portable recording system data shall be handled consistent with Minn. Stat. § 13.825 and Section 1009.8.5.1.

Deviation from this format may occur with approval from the Chief of Police or their designee.

1009.8.7 DISPOSITIONS

Each formal personnel complaint that had an administrative investigation shall be classified with one of the following dispositions:

Cleared by Exception - The complaint was investigated but a finding is not noted due to a member's separation, death, or other similar circumstances.

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 Failure - The complaint is true, but the member's actions were not inconsistent with the Department policy. The policy is then examined for possible revision.

Sustained - When the investigation discloses by a preponderance of the evidence to establish that the act occurred and that it constituted misconduct. This is 51% or more likely than not. Note that this is much less than the criminal standard of proof beyond a reasonable doubt.

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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.

No Basis for Complaint - When the investigation determines that there is no valid or substantiated reason for the complaint.

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.

The Chief of Police may authorize that any investigation be re-opened any time substantial new evidence is discovered concerning the complaint.

1009.8.8 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 promptly from the date of discovery by an individual authorized to initiate an investigation.

1009.8.9 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation shall provide the complainant with periodic updates on the status of the investigation, as appropriate and consistent with the provisions of the Minnesota Government Data Practices Act (MGDP) (Minn. Stat. § 13.43, Subd. 2; Minn. R. 6700.2200).

1009.9 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police by the Internal Affairs Unit. The Chief of Police may accept or modify any classification or finding.

1009.9.1 DISCIPLINE

Generally, disciplinary action should be progressive; however, depending on the conduct, circumstances, and need for corrective action, one or more of the following courses of action should be taken.

- (a) Disciplinary action taken may be accompanied by appropriate training.

Disciplinary action may include, but is not limited to (Minn. R. 6700.2200):

- (a) Oral reprimand - A formal verbal notice reduced to writing advising the member that an allegation of misconduct has been sustained. The reduced to writing should include a list of the sustained policy violation(s).
- (b) Written reprimand - A formal written notice advising the member that an allegation of misconduct has been sustained. The notice should include a list of the sustained policy violation(s).
- (c) Suspension - The permanent deprivation of wages for a specific period. This is generally imposed up to 30-day-blocks of time equivalent to a member's workday.

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- (d) Demotion - The temporary or permanent reduction in rank or appointment.
- (e) Discharge - The permanent separation of a member from employment with the Inver Grove Heights Police Department.

1009.9.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any formal investigation report, the Chief of Police shall review the report and all accompanying materials. The Chief of Police may return the file to the Internal Affairs Unit Division Commander 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. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1009.9.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., cleared by exception, exonerated, not sustained, policy failure, sustained, unfounded, no basis for complaint) of the complaint. Notice must be consistent with the provisions of the MGD (Minn. Stat. § 13.43, Subd. 2; Minn. R. 6700.2200).

1009.9.4 MINNESOTA POST INVESTIGATIONS

The Minnesota POST Board may require an administrative investigation based upon a complaint alleging a violation of a statute or rule that the board is empowered to enforce.

Any such misconduct allegation or complaint assigned to this department shall be completed and a written summary submitted to the POST executive director within 30 days of the order for inquiry (Minn. Stat. § 214.10, Subd. 10).

The Department shall cooperate with POST's investigation and provide requested information unless (Minn. Stat. § 626.8457):

- (a) There is an active criminal investigation or active criminal proceeding regarding the same incident or misconduct that is being investigated by POST.
- (b) An active internal investigation exists regarding the same incident or misconduct that is being investigated by POST during 45 days from the time the request was made by POST. The Chief of Police or the authorized designee shall comply with the request upon completion of the internal investigation or once 45 days has passed, whichever occurs first.

1009.10 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.

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1009.11 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal any oral reprimand, written reprimand, suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement and/or personnel rules (Minn. R. 6700.2200).

Employees covered by the Veterans Preference Act are entitled to written notice of the right to request a hearing within 30 days of receipt of the notice of intent to terminate, suspend or demote. Failure to request the hearing in the time specified waives the right to the hearing and all other legal remedies. Any hearing shall be held in compliance with law (Minn. Stat. § 197.46).

1009.12 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate preliminary administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police 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.

The Inver Grove Heights 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.

The Chief of Police may postpone making a decision on an administrative investigation until any related criminal charges are resolved. The complainant and involved member should be informed of this decision.

1009.13 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy except for employees covered by the Veterans Preference Act (Minn. Stat. § 197.46). However, any of these individuals released for misconduct should 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 (Minn. R. 6700.2200).

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

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1009.14 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.

1009.15 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1009.16 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1009.16.1 CONFIDENTIALITY OF PERSONNEL FILES

All active investigations of alleged misconduct and personnel complaints shall be considered confidential and maintained separately from peace officer personnel files. The contents of such files shall not be revealed to other than the involved member or authorized personnel, except pursuant to lawful process, such as Minn. R. 6700.2500. Data in closed files shall be treated as private or public data depending on whether discipline was imposed upon the member.

1009.16.2 LETTERS OF DISCIPLINE AND REPRIMANDS

Letters of discipline and reprimands may only be placed in a member's personnel file after they are received by the member (see generally Minn. Stat. § 626.89, Subd. 13).

1009.16.3 VIEWING LOGS AND DATA-ACCESS DOCUMENTATION

Access to Internal Affairs and personnel investigative files shall be restricted to authorized command staff members designated by the Chief of Police.

When Internal Affairs evidence, such as body-worn camera or in-car (fleet) video recordings, is reviewed by a subject officer or the officer's authorized representative, the review shall occur under supervision and be documented on the Department's Internal Affairs Viewing Log for that specific case.

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The completed log, along with any corresponding Authorization and Release – Representative Viewing of BWC / Squad Video form, shall be retained in a designated "Viewing Folder" within the Internal Affairs case file. This folder shall be maintained and retained in accordance with the Department's records-retention schedule and applicable data-classification statutes, including Minn. Stat. §§ 13.05, 13.43, and 13.825.

Documentation of viewings satisfies the Department's obligation to maintain appropriate security safeguards and accountability for access to private personnel and administrative investigative data.

1009.17 DISCIPLINE PROCESS GUIDEBOOK AND MATRIX

For further guidance, see the

[Discipline Process Guidebook and Discipline Manual.pdf](#)

1009.18 REQUIRED REPORTING TO POST

1009.18.1 DEPARTMENT REPORTING RESPONSIBILITIES

The Chief of Police or the authorized designee shall notify POST of certain officer personnel events, including but not limited to:

- (a) A termination or resignation of an officer who is the subject of an internal or criminal investigation due to alleged misconduct regardless of whether the investigation has been initiated or completed, or whether the officer was criminally charged (Minn. Stat. § 626.8457, Subd. 4).
- (b) The violation of a required POST model policy identified in Minn. R. 6700.1615 (Minn. R. 6700.1615, Subd. 2).

1009.18.2 OFFICER SELF-REPORTING REQUIREMENTS

All licensed officers of this department are required to self-report the following to both the POST Board and the Chief Law Enforcement Officer in writing within **10 days** (Minn. R. 6700.1610; Minn. R. 6700.0700; Minn. R. 6700.1600):

- (a) Any arrest, criminal charge, or citation (other than minor traffic violations).
- (b) Any conduct identified as prohibited under POST standards of conduct.
- (c) Any violation of POST standards by themselves or another officer that they are legally required to report.
- (d) Any adverse licensing action in another jurisdiction.

1009.18.3 PROHIBITED CONDUCT

Officers are prohibited from engaging in conduct listed by the POST Board, including but not limited to:

- **Use of Force Misconduct:** Unreasonable or excessive force; failure to intervene in unlawful force; failure to report force violations (Minn. Stat. § 626.8475).

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- **Misuse of Authority:** Using position for personal benefit or harm; unlawful data access; improper inducements to witnesses; misconduct under Minn. Stat. § 609.43.
- **Dishonesty and Cooperation Failures:** Falsifying or providing false information; mishandling evidence; failure to cooperate with investigations.
- **Criminal and Personal Misconduct:** Conduct that constitutes a felony, gross misdemeanor, or enumerated misdemeanor offenses (domestic assault, bias crimes, controlled substances, sexual misconduct, harassment/stalking, mistreatment of vulnerable adults or animals, DUI, etc.) regardless of conviction.
- **Discriminatory or Extremist Conduct:** Discriminatory behavior; joining, supporting, or advocating for hate groups or criminal gangs.
- **Other Misconduct:** Any prohibited conduct identified by POST rules or Minnesota statutes.

1009.18.4 CONSEQUENCES OF FAILURE TO REPORT

Failure by an officer to make the required self-report within the specified timeframe, or engaging in prohibited conduct, shall be considered misconduct and subject the officer to discipline up to and including termination, in addition to POST Board action on licensure.

Seat Belts

1010.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Minn. Stat. § 169.686).

Guidance for transporting persons in custody may be found in the Transporting Persons in Custody and Handcuffing and Restraints policies.

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 (Minn. Stat. § 169.685).

1010.2 POLICY

It is the policy of the Inver Grove Heights Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

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 owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained (Minn. Stat. § 169.686).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1010.4 TRANSPORTING CHILDREN

All children younger than 8 years of age and shorter than 4 feet 9 inches tall shall be restrained in a child passenger safety seat system (Minn. Stat. § 169.685, Subd. 5(b)).

However, if a child passenger restraint is not available, an officer may transport the child using the standard seat belt (Minn. Stat. § 169.685 Subd. 6 (a) (2)).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

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1010.5 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the 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.

1010.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1010.7 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 law enforcement officers with guidelines for the proper use of body armor.

1011.2 POLICY

It is the policy of the Inver Grove Heights 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 OF BODY ARMOR

The Administrative Services supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Inver Grove Heights Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administrative Services supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1011.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
- (f) All soft body armor shall be worn under the uniform shirt of the day unless wearing an approved Outer Vest Carrier.

1. See the Uniform Regulations Policy for Outer Vest Carrier rules.

1011.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body

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armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

1011.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

If soft body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised before the scheduled replacement, officers will need to replace it based on uniform allowance amounts in the current applicable collective bargaining agreement(s).

1011.3.4 SOFT BODY ARMOR REPLACEMENT

- (a) The Department follows the soft body armor reimbursement program, as outlined in MN Statute 299A.38.
 1. Soft body armor that is at least 60 months old qualify for replacement reimbursement.
 - (a) The new soft body armor date of receipt must be at least 60 months from the previous date of purchase.
 2. Soft body armor pieces that qualify for replacement reimbursement are:
 - (a) One (1) front ballistic panel
 - (b) One (1) back ballistic panel
 - (c) One (1) soft trauma plate
 - (d) One (1) hard trauma plate
 - (e) Two (2) concealable carriers
 1. Sworn personnel assigned to investigations or a specialty assignment may elect to purchase one (1) concealable carrier and (1) outer vest carrier. The outer vest carrier must come from the vest manufacturer only, not custom made.
 2. Custom outer vest carriers DO NOT qualify for reimbursement.

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3. As outlined in MN Statute 299A.38 the State of Minnesota will reimburse sworn personnel on the annual adjusted rate up to one-half of the complete soft-body armor purchase.
4. As outlined in MN Statute 299A.38 the department will reimburse sworn personnel on the annual adjusted rate up to one-half of the complete soft-body armor purchase.
5. The Department will not reimburse sworn personnel for soft body armor charges related to embroidery, tactical ballistic items, unauthorized carriers, alterations, shipping, and sales tax.
6. Sworn personnel should refer to the Minnesota Department of Public Safety's soft body armor reimbursement program for soft body armor charges the State of Minnesota will not issue reimbursement for.
7. The invoice for replacement soft body armor must be itemized to show each purchased item along with the purchase price.

1011.4 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

Personnel Records

1012.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel data. Personnel data includes any file maintained under an individual member's name.

Without regard to where and how stored, all data about a current or former employee or applicant for employment shall be defined and classified as personnel data consistent with Minn. Stat. § 13.43. All data relating to a criminal investigation of a current or former employee or applicant shall be defined and classified as criminal data consistent with Minn. Stat. § 13.82.

1012.2 POLICY

It is the policy of this department to maintain personnel data and preserve the confidentiality of personnel data pursuant to the Constitution and the laws of Minnesota (Minn. Stat. § 13.43).

1012.3 DEPARTMENT FILE

The department maintains an file as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (c) Original performance evaluations. These should be permanently maintained.
- (d) Discipline records, including copies of sustained personnel complaints.
- (e) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read the document.
 - (a) Once a member has had an opportunity to read any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
 - (b) Any member response shall be attached to and retained with the original adverse comment.
- (f) Commendations and awards.
- (g) Supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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1012.4 TRAINING FILE

An individual training file shall be maintained by the Training Manager for each member. Training files will contain records of all training; scanned copies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications.

Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for uploading to their training file evidence of completed training/education in a timely manner.
- (b) The Training Manager or supervisor shall ensure and/or verify that copies of such training records are placed in the member's training file.

1012.5 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Internal Affairs Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Internal Affairs Unit supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

1012.6 MEDICAL FILE

The City Human Resources Department maintains a private medical file separately from all other personnel data. It contains all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

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1012.7 EMPLOYEE ASSISTANCE PROGRAMS

Employee assistance records must be kept separate from personnel records and shall not become part of an employee's personnel file (Minn. Stat. § 181.980, Subd. 3).

1012.8 SECURITY

Personnel data should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel data maintained in an electronic format should have adequate password protection.

Any personnel data not deemed public data is private and shall not be subject to disclosure except as provided in this policy, the Records Maintenance and Release Policy, according to applicable discovery procedures or with the member's written consent (Minn. Stat. § 13.43; Minn. Stat. § 181.967, Subd. 4).

Nothing in this policy is intended to preclude review of personnel data by the City Administrator, City Attorney or other attorneys or representatives of the City in connection with official business.

1012.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for personnel data shall promptly notify a supervisor, who will work with the person charged with the maintenance of such data.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel data shall be logged in the corresponding file.

1012.8.2 RELEASE OF PRIVATE DATA

Except as provided by this policy, pursuant to lawful process, pursuant to state law or court order, no private data shall be disclosed without the written consent of the employee or written authorization of the Chief of Police or designee (Minn. Stat. § 13.43; Minn. Stat. § 181.967, Subd. 4).

1012.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Upon request, any member may request access to his/her own personnel file as set forth in Minn. Stat. § 181.961.

Any member seeking the removal of any item from his/her personnel files shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel file. If the contested item is ultimately removed, the written

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responses shall also be removed (Minn. Stat. § 181.962, Subd. 1). An employee not satisfied with this resolution may seek such other remedies as are authorized by the MGDPA.

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (d) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (e) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (f) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (g) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1012.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel data shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

Commendations and Awards

1013.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Inver Grove Heights Police Department and individuals from the community.

1013.2 POLICY

It is the policy of the Inver Grove Heights 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 the 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.
- (c) The signature of the person submitting the documentation.

1013.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Division Commander who oversees the Awards committee for their review.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the appropriate Division Commander who oversees the Awards committee for their review.

- An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1013.4.4 REVIEW OF DOCUMENTATION

The Awards Committee consists of [five (5) Department personnel; four (4) sworn personnel, one (1) shall be a supervisor, deemed the committee Chairperson, and one (1) civilian personnel] who thoroughly examine all aspects of the nomination they receive and may either approve the nomination or reject it. The Committee's approval will include a recommendation to the Final Reviewing Authority specifying the most appropriate award for the action in question. If the action cited in the nomination fails to meet the criteria for an award, the Committee may, in lieu thereof, recommend a Letter of Recognition.

- The Final Reviewing Authority is the Chief of Police or designee. In the event the award nomination is for the Chief of Police, the City Administrator may become the Final Reviewing Authority.

The Awards Committee shall meet whenever it becomes necessary to consider recommendations.

Any award a member of the Department may have been nominated for or received will be reviewed accordingly for potential external award recognition.

1013.4.5 RECOMMENDATION

The Awards Committee Chairperson shall prepare and submit a report to the Final Reviewing Authority containing all relevant information of determination for a Department award. The final report shall be organized into the following four sections:

1. Conditions: A chronological review of the written statement, and if applicable, the case file and interview(s) of Department personnel and community member(s). The conditions can also include an itemization of the relevant policies, procedures, tactics, training, and equipment involved.

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2. **Evaluation:** An assessment of the conduct and performance of the nominee with regard to the determination of an award.
3. **Findings:** A written statement drawing reasonable conclusions from the condition and evaluation recommending the appropriate outcome award.
4. **Recommendation:** A statement recommending an award.

The Final Reviewing Authority shall review all nominations or recommendations approved by the Committee and may approve or amend the award as deemed proper. The Final Reviewing Authority reserves the right to commend a member without the approval of the Committee. The actions of the Committee, when approved by the Final Reviewing Authority, are final.

1013.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- **Medal of Valor:** Awarded for an extraordinary act of bravery above and beyond the call of duty that exhibits exceptional courage, extraordinary decisiveness, and presence of mind, and unusual swiftness of action. This award is given for action taken understanding the risk to the member's personal safety in an attempt to save or protect the life of another in furtherance of the guardian values of the sanctity of life.
- **Medal of Commendation:** Awarded for the outstanding initiative, exceptional actions or activities determination and ability in the performance of police duties. May also be awarded for participation in a significant Department accomplishment or for individual actions that significantly build community support or bring public acclaim to the Department or the police profession. May also be awarded for a highly credible and unusual police accomplishment. This event or action(s) is unique and specialized in nature and would be considered an outstanding act or achievement not seen or performed frequently.
- **Lifesaving Award:** Awarded to any employee of the Department who in disregard of personal safety or by prompt or alert through their direct actions, while on-duty was instrumental in saving the life of another person.
- **Chief's Award of Merit:** Awarded to any employee of the Department who demonstrates exceptional skill and service in policing and/or dedication to community service which significantly promotes the mission and professional image of the Inver Grove Heights Police Department.
- **Citizen's Award:** Awarded to a non-department civilian who renders valuable or courageous assistance to public safety; particularly in cases where his or her prompt action, without regard to his or her safety, aided persons in imminent peril, or in cases where a criminal is seized and detained until the arrival of the police.
- **Letter of Recognition:** Awarded for outstanding performance, by a member or unit of the Department, which merits recognition by the Department, but which does not meet the criteria for one of the above awards. When a Letter of Recognition is given to a member of the Department, a copy of that letter shall be placed in the member's personnel file.

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1013.5.1 AWARD PRESENTATION

When an award is given, the Chief of Police or designee shall present the recipient with the appropriate award, accompanying certificate, and if applicable a commendation bar.

If the recipient is the Chief of Police, the City Administrator shall present the Chief of Police with the appropriate award, accompanying certificate, and if applicable commendation bar.

If the recipient is an employee, a copy of the award certificate shall be placed in the member's personnel file.

If the recipient is sworn but employed outside the Department, notification of the award will be made to the recipient's employer in advance of the presentation, in order to allow the employer to be present at the award.

Awards may be presented by the Chief of Police or designee at a time deemed appropriate by them.

At the Chief of Police's discretion, a notice of pending presentation will be sent to local media to allow them to cover the presentation.

1013.5.2 AWARD DISPLAY

Duty wear

- (a) All issued commendation bars can be worn during normal duty wear.
- (b) All approved specialty position bars can be worn during normal duty wear for those currently serving in those specialty assignments.
- (c) All issued military service bars can be worn during normal duty wear.
- (d) All issued years of service bars can be worn during normal duty wear.

Class-A wear

- (a) All issued commendation bars are mandatory for Class-A wear.
- (b) All issued years of service bars are mandatory for Class-A wear.
- (c) American flag bar is mandatory for Class-A wear.
- (d) All approved specialty position bars can be worn during Class-A wear for
 - (a) All department members currently serving in a specialty assignment.
 - (b) All department members that previously served in a specialty assignment.
- (e) All issued military service bars can be worn during Class-A wear.

1013.6 EXTERNAL RECOGNITION

External recognition of quality service by Department personnel from other criminal justice agencies and the public are important measures of excellence. Any time an award, letter of recognition, expression of gratitude, or thank you is received, a copy will be given to the employee(s) named and included in their Department personnel file. Copies may be posted within the Police Department.

Fitness for Duty

1014.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional or mental condition that might adversely affect the exercise of peace officer duties, impair the officer's ability to perform the essential functions of the job or pose a health or safety risk to the officer, the officer's coworkers or the public. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1014.2 EMPLOYEE RESPONSIBILITIES

Each member of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.

During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.

Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1014.3 SUPERVISOR RESPONSIBILITIES

A supervisor observing an employee, or receiving a report of an employee, who is perceived to be unable to safely perform his/her duties due to a physical, medical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.

Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made to determine the level of inability of the employee to perform his/her duties.

In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

In conjunction with the Shift Sergeant or the employee's available Division Commander, a determination should be made whether the employee should be temporarily relieved from his/her duties.

The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1014.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

1014.5 WORK RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

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Fitness for Duty

Upon the recommendation of the Shift Sergeant or unit supervisor and concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and law.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1014.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Department of Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, list any functional limitations that limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.

To facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's private medical file.

Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and may subject the employee to discipline up to and including termination.

Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

If an employee is deemed unfit for duty by the Department, the employee may submit a report from the employee's personal physician, psychiatrist, psychologist or other health care provider that will be taken into consideration.

1014.7 LIMITATION ON HOURS WORKED

Absent emergency operations members should not work more than:

- 16 hours in one day (24 hour) period or

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- 30 hours in any two day (48 hour) period or
- 84 hours in any seven day (168 hour) period

Except in very limited 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 to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, contract work, general overtime and any other work assignments.

1014.8 APPEALS

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievance Procedure Policy or the applicable collective bargaining agreement.

1014.9 RETURN TO DUTY CLEARANCE

A supervisor may temporarily relieve an employee from duty when the employee's conduct, performance, or condition indicates the employee is unable or unwilling to perform assigned duties safely, effectively, or in compliance with department policy.

- (a) The relieving supervisor shall immediately notify the Division Lieutenant and document the circumstances in a memo.
- (b) The employee shall be directed to leave department facilities and remain in an off-duty status until further notice.
 1. The employee shall be notified that their remaining work time will be recorded as leave with pay.
- (c) The Chief of Police shall determine whether the employee will be placed on administrative leave, ordered to undergo a fitness-for-duty evaluation, or subject to disciplinary review.

1014.9.1 RETURN TO DUTY CLEARANCE

Any employee who is temporarily relieved from duty under this policy shall not return to work until authorized by the Chief of Police or designee.

The Chief's review may include, but is not limited to, consideration of:

- (a) The circumstances that led to the relief from duty.
- (b) Any follow-up evaluation, counseling, or fitness-for-duty examination.
- (c) Input from the employee's Division Commander, Human Resources, or other relevant authority.

The Chief of Police will determine whether the employee may resume full duties, return under modified conditions, or be placed on administrative leave pending further review.

Failure to comply with a directive to meet with the Chief of Police or to participate in the return-to-duty process may be deemed insubordination and may result in disciplinary action up to and including termination.

Meal Periods and Breaks

1015.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the availability of meal periods and breaks.

1015.1.1 RESPONSIBILITIES

Officers are required to enter a sub-status on their MDC, or phone the Communications Center whenever stopping for a break, whether at a restaurant or private home. The Communications Center is notified upon completion of breaks.

While on any break:

1. On duty uniformed officers, outside of the police facility shall maintain radio contact with the Communications Center.
2. Plainclothes officers outside of the police facility need to be in possession of a portable radio.

Off-duty employees appearing in court are encouraged, but not required, to carry all their duty gear, for safety reasons. Due to delays in court appearances off-duty officers may have occasion to be outside the court house for a break and are strongly encouraged to have a portable radio and all their duty gear at that time.

1015.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide meal periods and breaks to members of this department in accordance with Minn. Stat. § 177.253, Minn. Stat. § 177.254, and Minn. R. § 5200.0120, any applicable collective bargaining agreement, and the City personnel manual.

1015.3 MEAL PERIODS

Each employee who works for six or more consecutive hours is entitled to at least 30 minutes to eat a meal (Minn. Stat. § 177.254). Officers and dispatchers 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 request clearance from the dispatcher prior to taking a meal period. Uniformed officers shall take their meal periods within the City limits and shall monitor the police radio, unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed.

1015.4 BREAKS

Each employee is allowed a break of at least 15 minutes or enough time to use the nearest convenient restroom, whichever is longer, within each four-hour consecutive hours of work (Minn. Stat. § 177.253). Only one break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

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Meal Periods and Breaks

Employees normally assigned to the police facility shall remain at the police facility for their breaks. This does not prohibit them from taking a break away from the facility if they are on official business.

Employees assigned to field duties will take their breaks in their assigned areas, subject to call, and shall monitor the police radio. When such employees take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of the dispatcher.

Lactation Breaks

1016.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding reasonable accommodations for lactating members.

1016.2 POLICY

It is the policy of the Inver Grove Heights Police Department to provide, in compliance with federal and state law, reasonable accommodations for lactating members. This includes break time and appropriate facilities to accommodate any member desiring to express breast milk (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; Minn. Stat. § 181.939).

1016.3 LACTATION BREAK TIME

A rest period should be permitted each time the member requires a lactation break (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3). 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 may be taken at the same time as the member's regularly scheduled rest or meal periods (Minn. Stat. § 181.939).

Members desiring to take a lactation break shall notify the dispatcher or supervisor prior to taking such a break.

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, free from intrusion from coworkers and the public, and otherwise satisfy the requirements of federal and state law (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; Minn. Stat. § 181.939).

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.

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 Inver Grove Heights 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.

Command Staff 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 Administrative Services as established by the City payroll procedures.

1017.5 RECORDS

The Administrative Services Division Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation Requests

1018.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate nonexempt employees who work authorized overtime either by payment of wages as agreed and in effect through the collective bargaining agreement, or by the allowance of accrual of compensatory time off. In order to qualify for either the employee must complete and complete a schedule change on the scheduling software as soon as practicable after overtime is worked.

1018.1.1 DEPARTMENT POLICY

Because of the nature of law enforcement work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

All requests to work overtime shall be approved by a supervisor. When circumstances do not permit prior approval, such as a call for service extending past a normal duty day, approval shall be sought as soon as practicable and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to document the request for such a period, the employee shall comply.

The employee may not exceed the number of hours identified in the collective bargaining agreement.

1018.2 REQUEST FOR OVERTIME COMPENSATION

Employees are responsible for submitting all overtime compensation requests to their immediate supervisors as soon as practicable for verification and approval.

Failure to submit a request for overtime compensation in a timely manner may result in no approval and/or the overtime not being added to the proper pay period.

1018.2.1 SUPERVISOR RESPONSIBILITIES

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the schedule change entry.

1018.2.2 DIVISION COMMANDER RESPONSIBILITIES

Division Commanders have final review and approval for payment.

1018.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the collective bargaining agreement provides that a minimum number of hours will be paid, (e.g., two hours

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for court, three hours for outside overtime). The supervisor will review the record entered for the actual time worked.

1018.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1.0 hour

1018.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case or court trial and the amount of time for which payment is requested varies from that reported by the other employee, the Shift Sergeant or other approving supervisor may require each employee to include the reason for the variation before approving the overtime.

Outside Employment

1019.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall initially obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1019.1.1 DEFINITIONS

Conflict of Interest - Situation or circumstance in which a member of the department stands to personally profit from a decision made by that member as part of their official position.

Outside Employment - The employment of any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered. Outside employment is also regulated by section 1-6A-21, of the City of Inver Grove Heights code which states it is the policy of the city to place certain limitations on types of outside employment in which an employee may engage in (refer to city code for further).

Outside Overtime - Overtime involving any member of this department who performs duties or services on behalf of an outside organization, company or individual within this jurisdiction on behalf of the Department. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1019.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

- (a) Nothing in this policy should restrict the ability of a department member to be engaged in gainful self-employment.

To obtain approval for outside employment, the employee must complete an Outside Employment Application that shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Chief of Police for consideration.

If approved, the employee will be provided with written notice. Unless otherwise indicated in writing on the approval, permission will be valid through the end of employment in which it is approved.

- (a) Any department member seeking different outside employment shall submit a new outside employment request in a timely manner.

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Any employee seeking approval of outside employment whose request has been denied shall be provided with a written reason for the denial of the application at the time of the denial and within 30 days of the application.

1019.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or rescinded by the Department, the employee may file a written notice of appeal to the Chief of Police within 10 days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current collective bargaining agreement.

1019.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended after the employee has received written notification of the reasons for revocation or suspension. Revocation will be implemented after the employee has exhausted the appeal process.

The outside employment may be revoked:

- (a) If an employee's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency and the outside employment may be related to the employee's performance. The Chief of Police may, at his/her discretion, notify the employee of the intent to revoke any previously approved outside employment permit(s). After the appeal process has concluded, the revocation will remain in force until the employee's performance directly related to the outside employment has been reestablished to the minimum level of acceptable competency.
- (b) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of Department policy, or any law.
- (c) The outside employment creates an actual or apparent conflict of interest with the Department or City.

The outside employment may be suspended:

- (a) If a department member is on probation, sick leave, injured on duty, suspension, or administrative leave.
- (b) If there is excessive sick leave related to the outside employment activities.

1019.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity that:

- (a) Involves the employee's use of Department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

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- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act that the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department below minimum standards or would render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours.
- (e) Being employed where police authority could be used to collect money or merchandise for private purposes such as a process server, reposessor, or bill collector, the towing vehicles.
- (f) Being employed with personal investigations for the private sector or any employment which might require the employee to have access to law enforcement information, files, records, or services as a condition of employment.
- (g) Being employed with case preparation for a non-government lawyer in any criminal or civil action or proceeding (unless authorized by the Chief of Police).
- (h) Being employed with a business or labor group that is on strike or potential of a strike exists.
- (i) Being employed at on-sale and off-sale licensed liquor establishments (unless authorized by the Chief of Police).
- (j) Being employed at establishments that sell pornographic books, magazines, sexual devices, or videos; or that otherwise provide entertainment or services of a sexual nature.
- (k) Being employed with any gambling or gaming establishment not exempted by law.

1019.3.1 OUTSIDE SECURITY EMPLOYMENT

Due to the potential conflict of interest no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside overtime will be monitored by the patrol supervisor.

- (a) The applicant will be required to enter into a written indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

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- (c) If such a request is approved, any employee working outside overtime shall be subject to the following conditions:
1. The officer(s) shall wear the Department uniform/identification.
 2. The officer(s) shall be subject to all the rules and regulations of this department.
 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute.
 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
 5. Outside security services, outside employment or outside overtime shall not be subject to the collective bargaining process.
 6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1019.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official law enforcement action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to Department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1019.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity that might reasonably disclose the officer's law enforcement status.

1019.4 OUTSIDE SECONDARY LAW ENFORCEMENT EMPLOYMENT

- (a) No officer may engage in outside employment as a peace officer for any other public agency without the prior written authorization of the Chief of Police.
- (b) Officers working for an outside agency as a peace officer are subject to the maximum scheduled hour requirements of this policy. It is recognized that emergencies may arise during an authorized shift, leading the officer to work more hours in a defined period than otherwise allowed. Should such a circumstance occur the affected officer(s) will report the occurrence to the police chief or designee within 72 hours.
- (c) The Department recognizes that officers working as peace officers for outside agencies will be scheduled through the employing agency and be required to abide by the policies and procedures of the respective employing law enforcement agencies while working in that capacity.
- (d) Liability and indemnification agreements for secondary law enforcement employment.
1. Department members may be required to sign a defense and indemnification agreement for the City of Inver Grove Heights.

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2. Department members are prohibited from signing any defense and indemnification agreements with off-duty law enforcement employers.
- (e) Department equipment shall not be used for secondary law enforcement employment without the prior permission of the Chief of Police or designee.

1019.5 OUTSIDE EMPLOYMENT HOURS OF WORK

- (a) Outside employment must be scheduled so that it does not conflict with, or adversely affect, a department member's regularly scheduled on-duty shift.
- (b) Department members must not work in any capacity more than 84 hours total (on-duty, overtime, off-duty, and outside employment) within seven (7) consecutive days; and no more than sixteen (16) hours in any twenty-four (24) hour period.
1. A department member may work outside employment before an on-duty shift as long as it follows the no more than sixteen (16) consecutive hours in 24 hours.
 2. A department member should provide a sufficient amount of time between outside employment and the start of an on-duty shift to allow ample rest and relaxation.
- (c) A department member engaged in outside employment is subject to a call-out in case of an emergency and may be expected to leave their outside employment in such situations.

1019.6 DEPARTMENT RESOURCES

Employees are 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 of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

1019.7 CHANGES IN OUTSIDE EMPLOYMENT STATUS

In the event, a department member incurs an injury during the hours for which the department member was receiving remuneration from an employer as salary, wages, commission, or other things of value, the department member will not be classified by the Inver Grove Heights Police Department as injured on-duty.

If an employee terminates his/her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through the appropriate chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material shall report the change.

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1019.8 OUTSIDE EMPLOYMENT WHILE ON DISABILITY OR ADMINISTRATIVE LEAVE

Department members engaged in outside employment who are placed on disability or administrative leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether they intend to continue to engage in outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any work-related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue or be suspended or revoked.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding the work permit, a notice of intent to revoke the employee's permit will be forwarded to the involved employee and a copy attached to the original work permit. The revocation process outlined in this policy shall be followed.

Criteria for revoking or suspending the outside employment permit while on disability status or administrative leave include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.
- (c) The employee's failure to make timely notice of his/her intentions to their supervisor.
- (d) The outside employment is not compatible with the reason the employee is on administrative leave.

Off-Duty/Overtime Employment

1020.1 PURPOSE

To provide department members with information related to the policy rules and regulations for off-duty/overtime employment.

1020.2 POLICY

It is the policy of the Inver Grove Heights Police Department that all sworn department members be permitted to work off-duty/overtime employment while subject to the rules, regulations, ordinances, and the policies and procedures of the City of Inver Grove Heights and the Inver Grove Heights Police Department.

1020.3 DEFINITION

Off-Duty/Overtime Employment - Non-scheduled work time involving any member of this department who performs duties or services on behalf of an outside organization, company, or individual on behalf of the department. Such outside overtime shall be requested and scheduled directly through this department so that the department may be reimbursed for the cost of wages and benefits.

1020.4 ELIGIBILITY

- (a) Officers are eligible for off-duty/overtime employment provided they comply with all of the following:
 - 1. Completion of probationary period (entry-level positions only), except with prior approval of the Chief of Police or designee.
 - 2. Not be on light duty assignment, leave of absence, sick leave, administrative leave, long term disability, or disciplinary leave.
 - 3. Current with ALL mandatory department-wide training.
 - 4. Must not be involved in a performance improvement plan.
- (b) Officers are responsible for monitoring their eligibility for off-duty/overtime employment.

1020.5 HOURS OF WORK

Off-duty/overtime employment must be scheduled so that it does not conflict with, or adversely affect, a department member's regularly scheduled on-duty shift.

Department members must not work in any capacity more than 84 hours total (on-duty, overtime, and off-duty) within seven (7) consecutive days; and no more than sixteen (16) hours in any twenty-four (24) hour period.

- (a) A department member may work off-duty/overtime before an on-duty shift as long as it follows the no more than sixteen (16) consecutive hours in 24 hours.

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- (b) A department member should provide a sufficient amount of time between off-duty/overtime employment and the start of an on-duty shift to allow ample rest and relaxation.

A department member engaged in off-duty/overtime employment is subject to a call-out in case of an emergency and may be expected to leave their off-duty/overtime employment in such situations.

Off-duty/overtime employment compensation shall be paid on an hour for hour basis at the rate specified in the respective Labor Agreement. However, the call-back minimum provisions of the respective Labor Agreement shall not apply.

1020.6 OFF-DUTY COORDINATOR

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police or designee in advance of the desired service. Such off-duty/overtime employment will be coordinated by the assigned department supervisor.

The coordinator will distribute the off-duty/overtime employment as fair as possible amongst the eligible department members as outline in respective Labor Agreements.

The coordinator will ensure a process is in place to document the following data associated with off-duty/overtime employment.

- (a) Submission by department members for specific off-duty/overtime employment
- (b) Date, time, and location of off-duty/overtime employment
- (c) The off-duty/overtime employment check-in process
- (d) Incidents that involved the use of law enforcement powers
- (e) Incidents of injury to a department member or another
- (f) Complaints received as a result of a department member's involvement with off-duty/overtime employment
 - 1. If a complaint is received about an off-duty department member working in this capacity, the Shift Sergeant who received the complaint will follow the Inver Grove Heights Police Department Personnel Complaints policy.

The coordinator and/or Shift Sergeant may do periodic inspections of off-duty/overtime employment locations to verify department members are adhering to policy.

1020.7 OFF-DUTY RESPONSIBILITIES

In all cases of off-duty/overtime employment, the primary duty, obligation, and responsibility of a department member is to the City of Inver Grove Heights and the department.

If a department member is selected for an off-duty/overtime employment assignment, the department member shall be subject to the following conditions:

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- (a) All rules, regulations, ordinances, and the policies and procedures of the City of Inver Grove Heights and the department.
- (b) Wear the required department uniform and equipment.
 - 1. Including conditions outlined in the department's body-worn camera policy.
- (c) Use the assigned department vehicle

Department members working off-duty/overtime employment will handle police calls that are brought to their attention while working off duty, as they would if they were working on-duty.

Department members engaged in a reportable action, making an arrest, or taking other official law enforcement action while working off-duty/overtime employment shall be required to complete a report in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the off-duty/overtime employment.

- (a) If an arrest occurs while working off-duty/overtime employment, the off-duty department member will complete the primary incident report and request support from on-duty department members.
- (b) The responding on-duty department member who will be assisting will process the arrest according to policy and/or procedure.
- (c) Compensation for arrests or extension of an off-duty/overtime shift as a result of the work occurring from the off-duty/overtime shift, including all travel time, shall be paid for by the off-duty employer.
 - 1. As such department members will neither request nor be credited with overtime covered by the City for report writing or arrests as a consequence of their off-duty/overtime employment.

1020.8 VIOLATIONS

When a department member is scheduled for off-duty/overtime employment, it is their responsibility to show up on time and fulfill that obligation. If a situation arises and the department member is not able to make it to their off-duty/overtime employment, it is their responsibility to find a replacement.

- (a) Once a replacement is found, the original department member shall communicate with the off-duty coordinator of the change so the replacement department member can be added to the schedule to ensure all others are aware of the change to the off-duty assignment.
- (b) If there is an emergency and the department member is unable to attend their off-duty/overtime employment and unable to find a replacement, they will need to contact the on-duty shift supervisor and inform them as soon as possible.

The following are consequences for failure to comply:

- (a) Arriving late for an off-duty/overtime assignment
 - 1. First offense
 - (a) Warning letter documenting the incident

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2. Second offense
 - (a) No scheduled off-duty/overtime for the next month
3. Third offense
 - (a) No scheduled off-duty/overtime for the next twelve months
- (b) Missed off-duty assignment
 1. First offense
 - (a) No scheduled off-duty/overtime for next month
 2. Second offense
 - (a) No scheduled off-duty/overtime for the next twelve months
 3. Subsequent offenses:
 - (a) No scheduled off-duty/overtime for the next twelve months from the date of the subsequent absence.

1020.9 OFF-DUTY EMPLOYMENT SUSPENSION/REVOCAION

Any off-duty/overtime employment authorization may be suspended or revoked. When there is cause for suspension or revocation of off-duty/overtime employment, the department member shall receive written notification of the reason.

- (a) The off-duty/overtime employment may be suspended including but not limited to the following:
 1. If a department member is on FMLA, sick leave, injured on duty, suspension, or administrative leave.
 2. If there is excessive sick leave related to off-duty activities.
 3. If there are two or more late arrivals for off-duty.
 4. If there is one or more missed off-duty.
 5. During the duration of a labor dispute.
 - (a) A department member shall immediately send written notice to the Chief of Police if a labor dispute should occur.
- (b) The off-duty/overtime employment may be revoked including but not limited to the following:
 1. If a department member's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency and the off-duty/overtime employment may be related to the employee's performance.
 2. The Chief of Police may, at their discretion, revoke any previously approved off-duty/overtime employment. The revocation will remain in force until the department member's performance directly related to the off-duty/overtime

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Off-Duty/Overtime Employment

employment has been reestablished to the minimum level of acceptable competency.

3. If, at any time during the term of off-duty/overtime employment, a department member's conduct, or off-duty/overtime employment conflicts with the provisions of department policy, or any law.
4. The off-duty/overtime employment creates an actual or apparent conflict of interest with the department or City.

Occupational Disease, Personal Injury and Death Reporting

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, personal injuries and deaths.

1021.1.1 DEFINITIONS

Definitions related to this policy include (Minn. Stat. § 176.011):

Occupational disease – A mental impairment or physical disease arising out of and in the course of employment peculiar to the occupation in which the member is engaged and due to causes in excess of the hazards ordinary of employment. The term includes diagnosis of post-traumatic stress disorder (PTSD) by a psychiatrist or psychologist; however, mental impairment is not considered a disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement or similar action taken in good faith by the Department.

Personal injury – Any mental impairment or physical injury arising out of and in the course of employment, including personal injury caused by occupational disease, while engaged in, on or about the premises where the member's services require the member's presence as part of that service at the time of the injury and during the hours of that service. Personal injury does not include an injury caused by the act of a third person or fellow department member who intended to injure the member because of personal reasons, and not directed against the member as a member of the Inver Grove Heights Police Department, or because of the employment with the Inver Grove Heights Police Department. Mental impairment is not considered a personal injury if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement or similar action taken in good faith by the Department.

1021.2 POLICY

The Inver Grove Heights Police Department will address occupational diseases, personal injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (Minn. Stat. § 176.231).

1021.3 RESPONSIBILITIES

1021.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or personal injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

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Occupational Disease, Personal Injury and Death Reporting

1021.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or personal injury 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 Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Workplace Accident and Injury Reduction policies apply and take additional action as required.

1021.3.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease, personal injury or death should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's risk management entity and the Administrative Services Division Commander to ensure any required Minnesota Occupational Safety and Health Administration (MNOSHA) reporting is made as required in the illness and injury prevention plan identified in the Workplace Accident and Injury Reduction Policy.

1021.3.4 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.

1021.4 OTHER DISEASE OR INJURY

Diseases, injuries or deaths caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administrative Services Division Commander.

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.

1021.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or personal injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1021.5.1 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 personal 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

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accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City 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 City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1022.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department has a tradition of a purposeful uniform appearance to project uniformity and neutrality toward the public and other members of the Department. Employees shall maintain their personal hygiene and appearance not only for the safety of the officers, but also to project a professional and positive image to the public. Employees shall be well-groomed and exhibit a business appearance while conducting and performing official duties. project a professional image appropriate for this department and for their assignment, but also to project a professional and positive image to the public.

1022.2 POLICY

Inver Grove Heights 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.

1022.3 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer health safety issues, the following appearance standards shall apply to all employees, with the exception of those engaged in actual, ongoing undercover work and authorized by their division , and where the Chief of Police has granted exception.

Officers must be in compliance with the Personal Appearance policy during any off-duty or overtime employment, regardless of their primary assignment.

1022.3.1 HAIR STYLE AND GROOMING STANDARDS

Hair cuts and styles of all employees shall be neat in appearance and shall always present a professional image. All employees will keep their hair clean, neatly trimmed, and well-groomed. Hair (including facial hair) shall not interfere with any specialized equipment or employee safety and effectiveness.

For all licensed members and uniformed civilian members, hairstyles shall styled in a manner to prevent it from extending or hanging in front of their face. The bulk or length of hair must not interfere with officer safety or with the normal wear of standard police headgear. Haircuts or styles presenting an "unusual appearance" such as Mohawks, mullets, etc... that detracts from a professional and business image are prohibited.

- (a) For male licensed members and uniformed civilian members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.
- (b) For female licensed members and uniformed civilian members, hair must be no longer than the horizontal level of the bottom of the uniform patch.

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Hair coloring (dyed, tinted, bleached) must be within a naturally occurring color range (this would not include colors such as pink, blue, purple, or green) and must be professional in appearance.

Wigs or hairpieces may be worn as long as they conform to established grooming standards. Wigs and hairpiece maybe worn and the coloring must also be within a naturally occurring range of hair colors(this would not include colors such as pink, blue, purple, or green) and must be professional in appearance.

Employees may be temporarily excused from these hair and grooming regulations while assigned to a special detail or assignment. However, such employees will again comply with these regulations once the special detail or assignment is completed or whenever wearing the official uniform.

1022.3.2 HAIR ACCESSORIES - SWORN AND UNIFORMED EMPLOYEES

Hair accessories may only be worn by female employees.

Hair accessories for female licensed members and uniformed civilian members while in uniform:

- (a) Shall be concealed as much as possible and not overt in color or design, they shall be navy blue, brown, black, gold, or silver colored.
- (b) No bows, headbands, beaded decorations or ornaments or other decorative items may be worn in hair.

Hair accessories for female licensed members and civilian members not in uniform:

- (a) Shall not be overt in color or design.
- (b) No decorations or ornaments may be worn in the hair unless approved by the Chief or designee for a special event or circumstance.

1022.3.3 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

Handlebar mustaches are prohibited.

Refer to section 1022.3.6 Facial Hair Figure 2.

1022.3.4 SIDEBURNS

Department members may wear sideburns at any time. Sideburns shall be neatly trimmed and equal in width and length and shall not extend below the ear lobe. Sideburns shall not be flared.

1022.3.5 FACIAL HAIR

Members can be clean-shaven. Refer to section 1022.3.6 Facial Hair Figure 1.

Members may present/wear a beard.

- (a) A neatly groomed beard with a mustache shall cover the complete jawline. A beard must be worn "full" and must include hair on the chin area.
- (b) Cheeks shall be shaved on and above the cheekbone.

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- (c) The neck shall be clean shaved on and below the Adam's apple.
- (d) The total length must not extend beyond 1/4 inch in length and must be uniform in length and appearance.
- (e) No portion of the beard or mustache may be noticeably longer than the rest, and it may not be unusual in appearance.
- (f) Sworn members must still be able to pass the gas mask fit testing, which may require adjusting or shaving facial hair.

Refer to section 1022.3.6 Facial Hair Figure 4.

Members may present/wear a goatee.

- (a) A neatly groomed goatee shall be worn with a mustache.
- (b) The cheeks, jaw line, and shall be clean shaven.
- (c) The neck shall be clean shaven.
- (d) The total length must not extend beyond 1/4 inch in length and must be uniform in length and appearance.
- (e) No portion of the goatee or mustache may be noticeably longer than the rest, and it may not be unusual in appearance.
- (f) Sworn members must still be able to pass the gas mask fit testing, which may require adjusting or shaving facial hair.

Refer to section 1022.3.6 Facial Hair Figure 3.

The Chief of Police or their designee may also prohibit beards/goatees from special events and under special temporary circumstances. Officers are required to keep a means to shave (shave kit, razor, etc.) available in their workplace should the need arise; or an order be given for the purposes of responding to a civil disturbance, MFF call out, or other departmental priority.

1022.3.6 FACIAL HAIR FIGURES



Fig 1: Clean Shaven



Fig 3: Goatee



Fig 2: Mustache



Fig 4: Natural Beard

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1022.3.7 FINGERNAILS

Fingernails shall be cleaned and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

1022.3.8 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 the Chief of Police.

1022.4 APPEARANCE

1022.4.1 TATTOOS

While on-duty or representing the Inver Grove Heights Police Department in any official capacity, members are permitted to have visible tattoos and body art. 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.

Tattoos and body art a supervisor deems inappropriate shall be covered unless approved by the Chief of Police.

Visible tattoos and body art on the ears, head, face, neck, and hands (from the bend of the wrist to fingers) are prohibited.

Visible tattoos on the hands may receive an exception if approved by the Chief of Police before being allowed to be visible. The only current exception regarding hand tattoos are tattooed wedding rings.

1022.4.2 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) Earrings for uniformed members must be studded and no more than 2 earrings [meaning one (1) set/pair].
 - 1. For non-uniformed members multiple sets of earrings may be worn and should not interfere with the member's performance on-duty.
- (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

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or others during a physical altercation, if the member is assigned to a position where that may occur.

- (d) Bracelets may be worn and should not interfere with the member's performance on-duty.
- (e) Wristwatches and/or fitness trackers 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.

NOTE: Any other jewelry not listed must be approved by the Chief of Police before it is to be worn. The Chief of Police or designee reserve the authority to direct a department member to cease wearing certain items of jewelry while on duty.

1022.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body visible while on-duty or while representing the Inver Grove Heights Police Department in any official capacity that is a deviation from normal anatomical features and 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.

1022.4.4 DENTAL ORNAMENTATION

Dental ornamentation for decorative purposes that is not medically required is prohibited while on-duty or while representing the Inver Grove Heights 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.

1022.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and/or sunglasses frames should be conservative in color (black, blue, silver, tan, brown, gold, etc.. No bright or neon colored frames) and size and must not detract from the professional appearance of the uniform. Eyewear restraints are only authorized when required for safety purposes. Eyewear restraints including but not limited to chains, bands, or ribbons will not be attached to the eyewear.

Contact Lenses that have designs on them that change the natural appearance or color of the iris are not authorized to be worn unless the lenses are for certified medical reasons.

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1022.4.6 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.

1022.4.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

1022.5 RELIGIOUS ACCOMMODATION

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles, or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

1022.6 EXEMPTIONS

Members who seek an exemption to this policy protected by law (e.g., culturally protective hairstyles) should generally be accommodated (Minn. Stat. § 363A.03). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with an exemption is denied an assignment based on a safety or security risk.

Uniform Regulations

1023.1 PURPOSE AND SCOPE

The uniform policy of the Inver Grove Heights Police Department is established to ensure that uniformed officers, special assignment personnel and non-licensed employees will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated policies:

- Firearms
- Department Owned and Personal Property
- Body Armor
- Personal Appearance Standards

The uniform and equipment specifications manual is maintained and periodically updated by the Chief of Police or the authorized designee. The manual, and associated procedures, should be consulted regarding authorized equipment and uniform specifications.

The Inver Grove Heights Police Department will provide 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 uniforms for officers of this department shall be a consistent color pursuant to Minn. Stat. § 626.88 Subd. 2.

1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) Employees are responsible for the condition, care, and maintenance of their uniform clothing.
- (c) When a uniform is unserviceable or time worn the employee should replace it accordingly.
- (d) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (e) Personnel shall wear only the uniform specified for their rank and assignment. The Chief, Commanders, and Lieutenant have the option of uniform or plainclothes attire.
- (f) The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications and procedures which are maintained separately from this policy.

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- (g) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (h) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (i) Uniforms are only to be worn while on-duty, while in transit to or from work, for court or at other official Department functions or events.
- (j) If the uniform is worn while in transit while driving a personal vehicle an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while off-duty.
- (k) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform, including the uniform pants.
- (l) Mirrored sunglasses will not be worn with any Department uniform
- (m) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or designee.
 - 1. Wrist watch.
 - 2. Wedding ring(s), class ring or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 - 3. Medical alert bracelet.
- (n) Uniform color shall be dark navy pursuant to MN Statute 626.88 Subd. 2.
- (o) All uniformed sworn and civilian employees assigned to, or working in, the Patrol Division will wear the authorized uniform when on duty unless specific permission has been given by a supervisor for an optional dress.
- (p) The employee must return uniform items that have been purchased within the same year of termination of employment.

1023.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee two official Department identification cards bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their Department-issued identification card at all times while on-duty or when carrying a concealed weapon.

- (a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their Department issued identification in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1023.2.2 UNIFORM-WEARING FOR OFF-DUTY DETAILS

The department uniform can be worn by a member of this department, in an off-duty capacity, only if the location of the off-duty employment is approved by the Chief of Police. All applicable rules for the wearing of the uniform shall apply.

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1023.2.3 UNIFORM-WEARING FOR EDUCATIONAL AND TRAINING FUNCTIONS

Uniform-wearing for educational and training functions:

- (a) The following regulations apply to all department members attending training and educational functions conducted by the department or any outside agency.
 - 1. Training function(s) hosted by the department:
 - (a) Uniformed members: attending training hosted by the department will wear the Class "C" uniform or the uniform of the day.
 - (b) Department members assigned to temporary assignments or specialized units: will wear appropriate daytime business casual attire.
 - (b) Training function(s) hosted at an outside agency:
 - 1. Uniformed members attending training hosted by an outside agency will wear appropriate daytime business casual attire, the Class "C" uniform, or the uniform of the day.
 - 2. Department members assigned to temporary assignments or specialized units: will wear appropriate daytime business casual attire.
- (c) Educational function(s):
 - 1. Uniformed member teaching and/or speaking at an educational function(s) [i.e., citizen academy, child safety seat demonstration, SFST, etc....] will wear the uniform of the day.
- (d) Department members assigned to specialized units may choose to wear casual civilian attire.
 - 1. Male members shall be dressed in appropriate daytime business attire.
 - 2. Female members shall be dressed in appropriate daytime business attire.
 - 3. The Chief of Police or designee may make modifications to the training dress code. Any modification(s) will be specified in individual training notices.
 - 4. No jeans, shorts, or t-shirts shall be worn without approval from the Chief of Police or designee.
 - 5. Members not in proper attire upon reporting for training function(s) and/or educational function(s) maybe denied and subject to disciplinary action.

1023.2.4 UNIFORM CLEANING, REPAIR, ALTERATIONS, REPLACEMENT, AND DISPOSAL

- (a) Cleaning and Repair:
 - 1. The cost incurred is eligible for reimbursement under the uniform allowance upkeep requirements.
- (b) Replacement:
 - 1. Uniform clothing may suffer from a breakdown in the material due to frequent wear or damage while employees are performing their assigned duties. Certain procedures are required depending on the wear or damage.

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2. Replacement of worn uniform clothing is available through the uniform allowance provided in the current applicable collective bargaining agreement(s).
 - (a) Uniform clothing which has become worn due to normal wear and tear, employees at their discretion should replace the uniform clothing. It will need to be replaced through the allowance provided.
 1. If an employee cannot recognize a worn piece of uniform clothing needs replacement a supervisor may require that piece of uniform clothing no longer be worn.
 - (b) Uniform clothing damaged due to training, employees at their discretion should replace the uniform clothing. It will need to be replaced through the allowance provided.
 - (c) Uniform clothing damaged intentionally by a suspect while an employee was performing official duties, employees at their discretion should document the damage to the uniform in the main incident report involving the suspect and issue charges if the intent warrants official charges.
 1. Replacing the uniform clothing should be replaced through the allowance provided.
 - (a) Officers should seek restitution for the replacement of the intentionally damaged uniform.
- (c) Alterations and Repairs:
 1. All uniformed employees, sworn and civilian, regardless of assignment, are required to have a well-fitting uniform. Any employee, whose physical size and body weight has changed, thereby necessitating re-measuring of the uniform, will need to do so through the allowance provided. Repairs to uniforms may be made by a competent tailor, but such repairs must conform to the specifications prescribed.
- (d) No uniforms shall be disposed of with any identifiable part of the department uniform visible i.e. department patch or badge patch. If patches are to be disposed of, patches must be marked up to render them useless.

1023.3 UNIFORM ISSUE AND ALLOWANCE

- (a) The department initially provides uniformed employees, sworn and civilian with uniforms at no cost to the employee.
 1. No further clothing will be purchased by the City during the one-year orientation period.
- (b) All probationary uniformed employees, sworn and civilian whose probationary period occurs after the annual distribution of the uniform allowance, will receive a pro-rated uniform allowance based on uniform allowance amounts in the current applicable collective bargaining agreement(s).

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- (c) All non-probationary uniform employees, sworn and civilian will receive an annual uniform allowance based on uniform allowance amounts in the current applicable collective bargaining agreement(s).

1023.4 UNIFORM CLASSES

Approved uniform brands include Blauer and Elbeco.

1023.4.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, promotions, ceremonies or as directed. The Class A uniform is required for all licensed personnel. The Class A uniform includes the standard issue uniform with:

- (a) Long sleeve shirt with tie.
- (b) Polished shoes.

The service hat may be worn for events held outdoors. Boots with pointed toes are not permitted.

[Inver Grove Heights PD Procedures Manual: 1001.2 CLASS "A" UNIFORM](#)

[Inver Grove Heights PD Procedures Manual: 1001.5 SPECIFIC UNIFORM CLOTHING AND ACCESSORY REQUIREMENTS](#)

1023.4.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times. The Class "B" dress uniform is the departments uniform of the day for police officers, cadets, and reserves.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
- (b) A white, navy blue or black crew neck t-shirt must be worn with the uniform.
- (c) All shirt buttons must remain buttoned except for the last button at the neck.
- (d) Polished shoes.
- (e) Approved all black unpolished shoes may be worn.
- (f) Boots with pointed toes are not permitted.

[Inver Grove Heights PD Procedures Manual: 1001.3 CLASS "B" UNIFORM](#)

[Inver Grove Heights PD Procedures Manual: 1001.5 SPECIFIC UNIFORM CLOTHING AND ACCESSORY REQUIREMENTS](#)

1023.4.3 CLASS C UNIFORM

The Class C uniform may be established to allow field personnel cooler clothing during the summer months or for special duty assignments. The Chief of Police will establish the regulations and conditions for wearing the Class C Uniform and the specifications for the Class C Uniform.

[Inver Grove Heights PD Procedures Manual: 1001.4 CLASS "C" UNIFORM](#)

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Inver Grove Heights PD Procedures Manual: 1001.5 SPECIFIC UNIFORM CLOTHING AND ACCESSORY REQUIREMENTS

1023.4.4 SUPPLEMENTAL UNIFORMS

- (a) The supplemental uniform is for officers assigned to temporary duty assignments and specialized units. It is worn as designated by the Chief of Police.
 - 1. School Resource Officer is permitted to wear a modified Class “B” uniform, which consists of a polo shirt in place of a uniform shirt.
 - 2. Sworn personnel assigned to external sections/units are permitted to wear a suitable uniform or attire according to the commanding officer or officer supervisor.
 - 3. All training instructors are permitted to wear a modified Class “C” uniform, which consists of a department-issued instructor polo shirt.

1023.4.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

- (a) All-weather gear can consist of waterproof, windproof outerwear that may be worn during inclement weather.
- (b) Approved face covers (half or full-face) and scarves are solid color black or dark blue and are to be worn only during intense cold, windy, and/or inclement weather.
- (c) Frisk and/or cold weather gloves may be worn at any time. Gloves must be black or blue in color.
- (d) Approved boots, galoshes, and rubbers shall be black and may be worn during rainy periods or flooding conditions.

1023.4.6 HEADGEAR

The department has authorized four styles of headgear for different use. However, officers are not restricted from wearing the service hat on a year-round basis.

- (a) Service hat: The approved service hat is a dark blue air force style (round) hat. During inclement weather, the hat may be covered with an optional black, navy blue, high vis yellow, or clear plastic cover to protect it from the elements. The grommets should not be removed from the hat.
 - 1. Hat band:
 - (a) Gold hatband for the rank of sergeant and above.
 - (b) Silver hatband for all below the rank of sergeant.
 - 2. Supervisors may require the service hat to be worn during such occasions where the time would present a more professional image (i.e., special meetings, meetings with elected officials or dignitaries, or other special events.)
- (b) Inclement weather hat: The wearing of a winter and/or inclement weather hat is optional. There are two (2) hats allowed for winter and/or inclement weather.

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1. Trooper (peaked hat badge may be affixed to the front of the hat)
 2. Knit (these shall not have any emblems, markings, lettering on them unless it is department issued).
- (c) Baseball cap: The wearing of a baseball cap is optional. Baseball caps may be worn during outdoor duties, provided they do not interfere with the officer's visibility or uniform appearance.
1. Baseball caps should be clean, in good condition, and must be department approved.
 2. Baseball caps should be worn as a part of the uniform only during non-formal settings (e.g., patrol, community events) and when authorized by the department.
 3. Baseball caps shall not be worn with formal uniforms, when performing ceremonial duties, during indoor work, during indoor training, or when attending court.
 4. Baseball caps should not be worn with helmets or gas masks.
 5. Baseball caps should only be worn straight with the brim forward facing.

All authorized department headgear shall not be worn inside the Department for any reason unless approved by a supervisor.

1023.4.7 COURT ATTIRE

All employees representing the Department in court shall be clean and neat in appearance.

- (a) Male employees shall wear their uniform, a business suit or a sport coat, tie and slacks.
- (b) Female employees shall wear their uniform, a business suit, dress, or slacks and shirt consistent with business attire.

1023.5 INSIGNIA AND PATCHES

- (a) Shoulder patches - The authorized shoulder patch supplied by the Department shall be machine stitched to both sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve. Reserve Officer must have Reserve Officer Patch above department Patch on both sleeves. Cadets must have Cadet Patch above department Patch on both sleeves.
- (b) Service stripes and stars - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- (c) The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first and last name. If an employee's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of

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Police. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.

1. Uniformed department members are to maintain one (1) nameplate and service tag for Class "A" Uniform.
 2. Supervisor nameplate and service tag shall be gold in color.
 3. Patrol nameplate and service tag shall be silver in color.
 4. Reserve Officer nameplate and service tag shall be silver in color
- (d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
- (e) Assignment Insignias - Assignment insignias, (e.g., SWAT, FTO or similar) may be worn as designated by the Chief of Police.
- (f) Flag pin -A flag pin may be worn, centered above the nameplate.
- (g) An American flag patch shall be worn over the right pocket one inch (1") above the top seam of uniform shirts and outer vest carriers. If there is not pocket, the Flag shall be made even with the badge patch or badge tab. The flag patch is optional for all jackets.
- (h) Badge - Uniformed personnel will at all times wear their badges on the uniform shirt or vest carrier whichever is the outermost garment. If in a plainclothes assignment, personnel will at all times wear their badges visible on their person. Badge patch may be sewn onto any jacket or outer vest carrier instead of pinning of issued badge (except leather jacket, when wearing a leather jacket, a metal badge is to be worn). The following badges are issued by the Chief of Police:
1. Chest badges
 2. Service hat badge
- (i) Rank insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.
1. Collar rank insignia shall be evenly spaced on both collars of all uniform shirts and jackets (except fleece and leather jackets, no collar insignia is needed).
 2. Sleeve rank insignia will be sewn onto both sleeves of each uniform shirt or jacket beneath the bottom of the uniform patch.

1023.5.1 MOURNING BADGE

- (a) The mourning band will fit tightly around the badge. The mourning band should be worn straight across the center of the badge.
- (b) The width of the mourning band should not exceed a ½ inch. The mourning band shall be worn in the following circumstances:
1. Upon the line of duty death of an active Inver Grove Heights officer. The mourning band should be worn for thirty days from the date of death.

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2. Upon the line of duty death of an active Minnesota officer. The mourning band will be worn from the date of death and removed after the day of burial.
3. By all department members, uniformed or in civilian clothing while displaying a badge when attending the funeral of an active officer. Upon the completion of the funeral, the mourning band shall be removed.
4. National Peace Officers Memorial Day (May 15th).
5. On the day of any memorial service, the department has to honor the department's officers who have died in the line of duty.
6. At the direction of the Chief of Police, when special circumstances dictate that a department display of official mourning is appropriate.

1023.5.2 COMMENDATION RIBBON

- (a) Department members who have received a commendation bar or pin may choose to wear it on their duty jacket, uniform shirt, or outer vest carrier. The bar and/or pin are to be worn centered above the right pocket under the embroidered name.
- (b) If dressed in Class "A" uniform the commendation bar or pin is to be worn centered on the right pocket at the upper seam above the nameplate.
- (c) No other ribbon or pin is to be worn on the duty jacket or uniform shirt unless authorized by the Chief of Police or their designee.

1023.6 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains and not damaged or excessively worn.
- (b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear collared shirts, sweaters, slacks or suits that are moderate in style.
- (c) All female administrative, investigative and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses or suits that are moderate in style.
- (d) The following items shall not be worn on-duty:
 1. T-shirt alone.
 2. Tank tops or muscle shirts shall not be worn unless worn under another shirt.
 3. Open-toed sandals, beach-style flip-flops, bedroom slippers, and other shoes that are not professional in appearance..
 4. Swimsuit and tube tops.

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5. Strapless, halter, spaghetti strap, and low-cut shirts or dresses shall not be worn unless worn under another blouse, shirt, jacket, or dress.
 6. Clothing that does not cover the midriff and back.
 7. Spandex type pants or see-through clothing.
 8. Distasteful printed slogans, buttons or pins.
 9. Denim pants of any color.
 10. Shorts.
 11. Sweat shirts, bib overalls, lounge pants, sweat pants or similar exercise clothing.
- (e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to wearing such clothing.
- (f) No item of civilian attire may be worn on-duty that would adversely affect the reputation of the Inver Grove Heights Police Department or the morale of the employees.
- (g) Licensed employees carrying firearms while wearing civilian attire should wear clothing that effectively conceals the firearm when outside a controlled law enforcement facility or work area.
- (h) Clothing shall not be excessively loose or tight-fitting and must not impede work or pose safety hazards when people are doing the work required.
- (i) Clothing, buttons, badges, or pins shall not have political or potentially offensive words, terms, logos, pictures, cartoons, or slogans. United States Flag pins are allowed that are no larger than one square inch.
- (j) Undergarments other than undershirts shall not be visible.
- (k) Headgear shall be appropriate for the circumstances and surroundings of the particular work environment the person is engaged in at the time. Scarves are allowed, as are headcovers that are required for religious or medical purposes, with approval by the Chief of Police.

1023.7 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM

Unless specifically authorized by the Chief of Police, Inver Grove Heights Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a badge, patch or other official insignia of the Department, or cause to be posted, published or displayed, the image of another employee, or identify him/herself as an employee of the Inver Grove Heights Police Department to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose, any product, service, company or other commercial entity.

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- (d) Appear in any commercial, social or nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction.

1023.8 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased at the expense of the employee.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).
- (c) Replacement of items listed in this order as optional shall be done as follows:
 - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 - 2. When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced following the procedures for the replacement of damaged personal property in the Department-Owned and Personal Property Policy.

1023.8.1 OUTER VEST CARRIER (OVC)

Wearing of an OVC is optional. OVC's allows the vest to be removed from under the uniform shirt of the day for heating, cooling, weight, and pressure comfort. The OVC also allows uniform personnel to evenly distribute equipment from their duty belt to help with relief.

At all times uniform personnel must have a class "B" or "C" uniform (depending on assignment) and internal carrier readily available if the OVC becomes unwearable.

[Inver Grove Heights PD Procedures Manual: 1001.6 OUTER VEST CARRIER \(OVC\) REQUIREMENTS](#)

1023.9 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Inver Grove Heights Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Inver Grove Heights Police Department employees may not use or carry any tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Police Cadets

1024.1 PURPOSE AND SCOPE

Cadets work under direct supervision and perform a variety of routine and progressively advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1024.2 EDUCATION REQUIREMENTS

Cadets as are required to be enrolled in a law enforcement accredited program.

1024.3 PROGRAM COORDINATOR

An assigned Sergeant will serve as the Program Coordinator. The Program Coordinator will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout the Department. The Program Coordinator will also monitor the training provided for all cadets and review all decisions affecting job assignments, status for compensation and performance evaluations.

1024.4 ORIENTATION AND TRAINING

Newly appointed cadets will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted in compliance with the Cadet Training Manual. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully in the police officer selection process. All training will focus on improving job performance, as well as preparation to become police officers. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

1024.5 CADET UNIFORMS

Each cadet will be provided initial uniforms.

1024.6 ROTATION OF ASSIGNMENTS

Rotating job assignments should occur on a regular basis to enhance the career development for each cadet. Department needs and concerns will take precedence over individual cadet considerations, with the final decision resting with the Sergeant.

1024.7 RIDE-ALONG PROCEDURES

All cadets are authorized to participate in the Ride-Along Program, provided Ride-Along standards are met, and approved by their immediate supervisor and the appropriate Shift Sergeant. Applicable waivers must be signed in advance of the ride-along. Cadets can choose to wear their uniform while participating in a ride-along.

1024.8 PERFORMANCE EVALUATIONS

Performance evaluations for all cadets will occur quarterly (3, 6, and 9-months), and annually to assess their current job performance and their potential as police officers.

Nepotism and Conflicting Relationships

1025.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1025.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a Department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation, or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1025.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following restrictions apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

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1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
 - (c) Whenever reasonably possible Field Training Officers (FTOs) and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
 - (d) To avoid actual or perceived conflicts of interest members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
 - (e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, or registered predatory offender or who engages in intentional violations of state or federal laws.

1025.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance that the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide other official information or services to any relative or other individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

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1025.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever reasonably possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

Department Badges

1026.1 PURPOSE AND SCOPE

The Inver Grove Heights Police Department badge and uniform patch as well as the likeness of these items and the name of the Inver Grove Heights Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1026.2 POLICY

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1026.2.1 FLAT BADGE

Licensed officers, with the written approval of the Chief of Police, may purchase at their own expense a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of Department policy as the uniform badge.

- (a) An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Inver Grove Heights Police Department with the written approval of the Chief of Police.
- (b) Should the flat badge become lost, damaged or otherwise removed from the officer's control he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.
- (c) An honorably retired officer may keep his/her flat badge upon retirement.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-licensed personnel.

1026.2.2 CIVILIAN PERSONNEL

Badges and Department identification cards issued to non- licensed personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Office Support, Cadet, Reserve Officer).

- (a) Non-licensed personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.
- (b) Non-licensed personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a licensed officer.

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1026.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

1026.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all licensed employees and civilian uniformed employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Department name for all material (e.g., printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1026.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the Department badge shall not be used without the express authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the Department badge for merchandise and official association business provided it is used in a clear representation of the association and not the Inver Grove Heights Police Department. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the Department badge for endorsement of political candidates shall not be used without the express approval of the Chief of Police.

Temporary Modified-Duty Assignments

1027.1 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, City rules, or current memorandums of understanding or 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. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or designee.

1027.2 POLICY

Subject to operational considerations, the Inver Grove Heights 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.

1027.2.1 DEFINITIONS

Modified-duty - A temporary limited-term assignment not requiring the performance of the full range of duties associated with the regular job classification. Modified-duty also may be termed as light-duty assignments.

1027.3 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 Minnesota Human Rights Act (Minn. Stat. § 363A.01 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Inver Grove Heights 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.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

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Temporary Modified-Duty Assignments

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1027.4 TEMPORARY MODIFIED-DUTY POSITIONS

An injured employee may be assigned to a modified-duty position outside of their normal assignment or duties if it becomes available. If the injury or illness is not duty-related the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or other leave accounts as applicable.

- (a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.
- (b) The lack of department need or a change in priorities may result in the employee's removal from or modification of a modified-duty assignment.
- (c) The department may place conditions as deemed appropriate upon any modified-duty assignment.

1027.5 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Shift Sergeant or Division Commander, with notice to the Chief of Police.

1027.6 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

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Temporary Modified-Duty Assignments

assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

1027.6.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors to appropriately account for any duty time taken. Doctor visits and appointments for the treatment of injuries or illnesses that are not work-related shall be arranged during off-duty time or otherwise charged to the employee's sick leave..
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Division Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1027.6.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty. Modified-duty assignments that extend beyond 60 days will require a written status report and a request for an extension to the Division Commander, with an update of the employee's current status and anticipated date of return to regular duty. Extensions require the approval of the Chief of Police.
- (b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.
- (d) coordinating efforts to ensure proper time accountability.

1027.7 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.

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Temporary Modified-Duty Assignments

1027.8 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.

If notified by an employee or the employee's representative regarding limitations related to pregnancy, childbirth, or related medical conditions, the Department should make reasonable efforts to provide an accommodation for the employee in accordance with federal and state law. The accommodation should be provided without unnecessary delay, as appropriate (42 USC § 2000gg-1; 29 CFR 1636.3; 29 CFR 1636.4; Minn. Stat. § 181.939; Minn. Stat. § 363A.08).

1027.8.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1027.9 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

1027.10 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

All training and certification necessary for return to duty shall be reviewed and updated, as necessary.

Speech, Expression, and Social Networking

1028.1 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 Inver Grove Heights Police Department.

This policy applies to all forms of communication including but not limited to digital media, 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, 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.

1028.2 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 Inver Grove Heights 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.

1028.3 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 Inver Grove Heights Police Department members, such as posting personal information in a public forum or posting a photograph taken with a Global Positioning System (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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Speech, Expression, and Social Networking

- Otherwise disclosing where another officer can be located off-duty.

1028.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the safety, performance, and public-trust needs of the Inver Grove Heights Police Department, the following are prohibited unless the speech is otherwise protected (e.g., 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.
- (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 members 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, digital media, 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, digital media or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Inver Grove Heights 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).

1028.4.1 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 Inver Grove Heights 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 a member, acting in their 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 Inver Grove Heights 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 member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

1028.5 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, including social media, that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

1028.6 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 their 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.

1028.7 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.

POST Licensing

1029.1 PURPOSE AND SCOPE

Maintaining a valid POST license is a critical element of an officer's ability to continue their employment and is their sole professional responsibility. Every officer is required to complete the continuing education requirements to maintain a valid license every three years (Minn. R. § 6700.0900; Minn. R. 6700.1000).

1029.2 RENEWAL SCHEDULE

Any officer whose license expires is not authorized to work as a peace officer until the license status is valid. Officers renew their POST licenses according to a schedule established by Administrative Rule (Minn. R. 6700.1000).

1029.2.1 LICENSE RENEWAL CREDITS

A peace officer license may be renewed only upon the licensee or the licensee's appointing authority providing the POST board proof the licensee has successfully completed board-approved continuing education and posting of fees on or before June 30 of the year a license is due for renewal. Licensee required hours of continuing credit are (Minn. R. 6700.1000, Subd. 3):

- 16 hours for a peace officer or a part-time peace officer who has been licensed for at least six months but less than 18 months.
- 32 hours for a peace officer or a part-time peace officer who has been licensed for at least 18 months but less than 30 months.
- 48 hours for a peace officer or a part-time peace officer who has been licensed for at least 30 months.

1029.3 LICENSE PROCESS

A general schedule for the license renewal process is:

- February - The Department or officer will receive employment verification.
- March - The Department or officers are sent a license renewal application.
- June - A final notice will be sent from POST for those who have not renewed.
- June 30 - The deadline date for license renewal after which officers whose license expires will no longer be authorized to practice law enforcement or carry a firearm.

1029.4 INACTIVE LICENSE

Officers who fail to complete the requirements will have their license placed in the "Inactive" status. The employee may then be placed in a temporary administrative assignment until their license is "Valid". Those employees may also face administrative discipline up to and including termination.

Workplace Accident and Injury Reduction

1030.1 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 Inver Grove Heights Police Department, in accordance with the requirements of Minn. Stat. § 182.653.

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 Citywide safety efforts.

1030.2 POLICY

The Inver Grove Heights Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The City will establish and maintain a Workplace Accident and Injury Reduction (AWAIR) program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1030.3 A WORKPLACE ACCIDENT AND INJURY REDUCTION PROGRAM

The City is responsible for developing an AWAIR program that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will (Minn. Stat. § 182.676; Minn. R. 5208.0010 et seq.):
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

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- (f) Establishing a process to ensure illnesses and injuries are reported as required under Minnesota Occupational Safety and Health Administration (MNOSHA) (29 CFR 1904.39; Minn. Stat. § 182.674; Minn. R. 5205.0010).
- (g) Descriptions of the following (Minn. Stat. § 182.653):
 1. How managers, supervisors and members are responsible for implementing the program and how continued participation of management will be established, measured and maintained
 2. The methods used to identify, analyze and control new or existing hazards, conditions and operations
 3. How the plan will be communicated to all affected members so that they are informed of work-related hazards and controls
 4. How workplace accidents will be investigated and corrective action implemented
 5. How safe work practices and rules will be enforced

The City must conduct and document a review of the AWAIR program at least annually and document how the program procedures are applied (Minn. Stat. § 182.653).

1030.3.1 SAFETY AND HEALTH COMMITTEE

The City will facilitate the safety and health committee and ensure applicable rules are addressed (Minn. R. 5208.0010 et seq.). The committee's purpose is to assist in the implementation of the AWAIR program and to bring workplace safety concerns or complaints to the attention of the department administration. Members of the committee must be selected by department members (Minn. Stat. § 182.676).

Duties of the committee should, at a minimum, include (Minn. R. 5208.0050):

- (a) Reviewing and making recommendations related to AWAIR.
- (b) Coordinating safety inspections.
- (c) Training members about AWAIR and safe working procedures.
- (d) Identifying the hazards associated with a particular task or job.
- (e) Providing input regarding new workplace safety rules.
- (f) Preparing AWAIR presentations for staff meetings.
- (g) Assisting in workplace accident investigations.
- (h) Reviewing and making recommendations for incidents involving work-related deaths, injuries and illnesses.

1030.4 ADMINISTRATIVE SERVICES DIVISION COMMANDER RESPONSIBILITIES

The responsibilities of the Administrative Services Division Commander include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.

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- (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 AWAIR program.
- (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 AWAIR 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 standards regarding the following:
 - (a) Bloodborne pathogen precautions (29 CFR 1910.1030; Minn. Stat. § 182.6555; Minn. R. 5206.0600)
 - (b) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy) (29 CFR 1910.134; Minn. R. 5205.0010)
 - (c) Appropriate barriers in law enforcement vehicles (Minn. R. 5205.0755)
 - (d) Emergency Action Plan (29 CFR 1910.38(a); Minn. R. 5205.0010)
 - (e) Walk-Working Surfaces (Minn. R. 5205.0010; 29 CFR 1910.21 et seq.)
 - (f) Personal Fall Protection Systems (Minn. R. 5205.0010; 29 CFR 1910.140)
- (e) Making available a form to document inspections, unsafe conditions, or 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.

1030.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with AWAIR 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.

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- (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 Administrative Services Division Commander.
- (e) Notifying the Administrative Services Division Commander 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. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 5. Workplace conditions warrant an inspection.

1030.6 HAZARDS

All members should 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 Administrative Services Division Commander via the chain of command.

The Administrative Services Division Commander will take appropriate action to ensure the AWAIR program addresses potential hazards upon such notification.

1030.7 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 Administrative Services Division Commander shall ensure that the appropriate documentation is completed for each inspection.

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1030.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

1030.7.2 FREQUENCY OF INSPECTIONS

Safety inspections shall be conducted by the safety and health committee at a frequency decided by the committee, but at least quarterly (Minn. R. 5208.0040).

1030.8 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.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease, Personal Injury and Death Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1030.9 TRAINING

The Administrative Services Division Commander should work with the Training Manager 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.

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- (f) Annually for training related to infectious agents and hazardous substances as required by MNOSHA (Minn. Stat. § 182.653).

1030.9.1 TRAINING TOPICS

The Training Manager shall 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) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) 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)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

1030.10 RECORDS

Records and training documentation relating to the AWAIR program will be maintained in accordance with the established records retention schedule.

All safety and health committee recommendations and reports shall be kept for two years. The reports shall be made available to the Minnesota Department of Labor and Industry upon request (Minn. R. 5208.0050).

Line-of-Duty Deaths

1031.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Inver Grove Heights 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 in situations where members are injured in the line of duty and the injuries are life-threatening.

1031.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

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.

1031.2 POLICY

It is the policy of the Inver Grove Heights 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.

1031.3 MEMBER INFORMATION

All department members are required to complete the emergency and confidential information packets as they see fit. Members shall have on file at the Inver Grove Heights Police Department, their residential address and the names and addresses of individuals who they want the initial contact made ce phone number, and address. If a change in residence or phone number occurs, members shall immediately notify the Chief of Police or designee in writing.

1031.3.1 EMERGENCY CONTACT INFORMATION

A listing of emergency contact information and instructions specific prepared by a member to help guide the department in notifying survivors in case of serious injury or death.

[See attachment: Emergency Contact packet](#)

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1031.3.2 CONFIDENTIAL INFORMATION

A confidential compilation of information, preferences/wishes, and instructions prepared by a member to help guide survivors with; memorial and funeral services, estate planning, and other information to be unsealed only in the case of the member's death.

See attachment: [Confidential Information packet](#)

1031.4 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's Shift Sergeant should provide all reasonably available information to the Chief of Police or the authorized designee.
 - 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) When applicable the Shift Sergeant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Sergeant 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).

1031.5 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 Sergeant 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.

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- (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.
- (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 childcare 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 Inver Grove Heights Police Department members may be apprised that survivor notifications are complete.

1031.5.1 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.

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- (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.

1031.6 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 shift. Members reporting for duty from their residence should be instructed to contact their supervisor 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.

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 group, 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.

The Chief of Police or designee will directly notify the City Administrator of the line-of-duty death as soon as possible after survivor notification is made. The City Administrator will coordinate with the notification of other city officials.

1031.7 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.

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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.

1031.7.1 DEPARTMENT LIAISON

The Department Liaison should be a Division Commander 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 (NIMS).
- (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.
- (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-mast.
- (g) Ensuring that department members are reminded 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.

1031.7.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) 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.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Inver Grove Heights Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.

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- (d) 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.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are 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.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1031.7.3 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 Division Commander. 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.
- If the survivors have no preference, 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.

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- (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.
 - 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 to ensure that survivors 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, 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.

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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.

1031.7.4 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.
 - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive wellness support.
- (c) Ensuring that wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware 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.

1031.7.5 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

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- (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.

1031.7.6 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 Inver Grove Heights Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

1031.7.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and 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 Occupational Disease, Personal Injury and Death Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 - 1. Public Safety Officers' Benefits (PSOB) Programs.
 - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 - 3. Social Security Administration.
 - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Survivor benefits (Minn. Stat. § 353.657).
 - 2. Disability survivor benefits (Minn. Stat. § 353.656).

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3. Continued health insurance coverage benefit (Minn. Stat. § 299A.465).
 4. Death benefit (Minn. Stat. § 299A.44).
 5. Education benefit (Minn. Stat. § 299A.45).
- (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.
- (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.

1031.7.8 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.

1031.8 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:

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- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 2. Ensure that important public information is disseminated, 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.
- (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 has 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 ensure that media are notified when survivor notifications have been made.

1031.9 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

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1031.10 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly 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.

1031.11 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1031.12 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Managing Performance and Early Intervention

1032.1 PURPOSE

Establish rules and guidelines to ensure the performance of all police department employees is properly documented.

1032.2 POLICY

This department recognizes its responsibility to manage employee performance. The department is committed to recognizing employee performance deserving of merit and identifying and addressing employee performance deficiencies. This policy will assist supervisors in documenting and monitoring employee performance via the department's performance tracking software program.

Nothing in this policy shall be interpreted to diminish any supervisory member of this department's responsibility as outlined in other departments and or city written policies and/or directives addressing evaluations, inspections, performance management, or reporting requirements.

1032.3 DEFINITIONS

Action Item -Performance tracking software system feature which allows employees and supervisors to mark entry for review by command-level personnel.

Intervention Review - A predetermined number of entries that will require a supervisor to review the officer/employees' record for appropriate action.

Performance File - Documentation that is placed in an officer/employee file that is used for yearly evaluations. This is typically for the preceding 12-18 months unless directed by other evaluation policies.

Performance tracking software program - Software that will enable all members of the police department to be notified of any entries into their supervisory Performance File. This program allows for documented tracking of performance that will assist supervisors in annual evaluations. This also assists in creating a supervisory performance file that is readily available to the officer/employee and easily transferred between supervisors. This system also allows for officers/employees to comment on entries made.

Personnel File - Permanent documentation file that is maintained by Human Resources.

1032.4 PROCEDURE

1032.4.1 GENERAL

- (a) The performance tracking software program will assist the department in performance documenting and tracking. It will assist supervisors in streamlining employee documentation and evaluation. Additionally, it will create entries into the Performance File that is readily available to the officer/employee and easily transferred between supervisors.

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- (b) The system permits officers/employees to precisely monitor their progress in meeting established performance standards.
- (c) This system IS NOT a substitute for face-to-face, supervisor to subordinate, discussions.
- (d) Entries are viewable by the employee, their direct supervisor, and command-level personnel.
- (e) Employees are required to log into the performance tracking software program and review their Performance File monthly to ensure the accuracy of entries.
- (f) Supervisors are required to log into the performance tracking software program monthly review their Performance File and the Performance Files of their subordinate personnel to ensure the accuracy of entries. The performance tracking software program has email notifications that may indicate an Action Item requiring a response within a specified period of time.
- (g) The retention period for entries for the Performance File shall be maintained for the duration in accordance with the City's Records Retention Schedule if one does not exist it shall follow the City's Records Retention Schedule for the Personnel File.
- (h) All Department employees shall complete training in accordance with the performance tracking software program.

1032.4.2 SYSTEM MANAGEMENT

- (a) All employees of the department shall be entered into the performance tracking software program. Personnel will be classified within their respective chain of command system according to reporting requirements. It shall be the responsibility of command-level personnel to update personnel accounts within the performance tracking software program.
- (b) The Department's Technology Coordinator shall provide system administration, technology support, and coordinate vendor support.

1032.4.3 INCIDENT CATEGORIES

- (a) The Staff Employee Performance Appraisal classifications for all personnel, (+ = Incident of Positive Comment, C/C = Incident of Concern or Counseling)
 - 1. + / C/C: Adaptability: (Flexibility/Adaptability) Adapting to changing needs and circumstances; recognizing the merits of new or different approaches; showing a willingness to adopt new methods.
 - 2. + / C/C: Communications: Exchanging ideas, messages, and information in a clear, concise manner using appropriate format, spelling, and grammar. How well does the employee present and receive ideas, concepts, and course of action?
 - 3. + / C/C: Customer Service: Understanding and meeting the needs of internal and external clients and building client satisfaction. How effectively does the employee interact with customers in serving their needs? "Customer" is defined as anyone (either internal or external to the campus community) requiring

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information or service related to the employee's job duties, knowledge, and experiences.

4. + / C/C: Dependability: (Punctuality/Attendance/Dependability) Arrives to work on time, punctual for meetings and appointments, and adheres to work schedule. Follows procedures regarding supervisor pre-approval of leave and does not abuse sick leave.
5. + / C/C: Initiative: Does things without being told; finds out what they need to know; they keep going when things get tough, and they spot and take advantage of opportunities that others pass by. They act, instead of reacting, at work.
6. + / C/C: Job Knowledge: Understands essential skills and job procedures, policies, resources, laws, customer service, technical information, responsibilities, the relationship of work to the department's mission. Acting as a resource person on whom others rely for assistance.
7. + / C/C: Judgment: (Problem Solving & Decision Making) Identifying problems and analyzing causes; taking or recommending actions after evaluating alternative solutions; following up to ensure problems are corrected.
8. + / C/C: Leads by Example: Contributes and leads by inspiration and instills a sense of confidence in coworkers, raises team spirit by constantly appreciating contributions made by members of the team that has enabled the Dept to achieve better objectives.
9. + / C/C: Other: For use when no other classification fits.
10. + / C/C: Productivity: Quality of Work, Quantity of Work, and Timeliness
 - (a) Quality of Work – Completing assignments thoroughly and accurately
 - (b) Quantity of Work – Producing a high volume of work; responding to work situations by making self-available for additional assignments as changing priorities and time pressure demand
 - (c) Timeliness – Completing assignments by scheduled time; allocating time to various tasks and assignments in accordance with priorities; informing supervisor when schedule problems occur; working well under time pressure
 - (d) To what degree do the employee's work efforts result in the desired outcomes to include quality, quantity, and timeliness?
11. + / C/C: Teamwork: (Cooperation & Teamwork) Putting the department or group's success ahead of personal goals; sharing information and resources with others; giving timely responses to requests made by others; promoting teamwork. How well does the employee work effectively with others and display an appropriate balance between individual and group efforts?
12. + / C/C: Work Habits: Keeps work area neat, returns equipment, routes paperwork, and returns files to the proper place, keeps colleagues informed of the status of assignments in case of emergency. Dresses appropriately and consistent with department standards. How well does the employee organize

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and execute assignments? To what degree is ongoing supervision/monitoring required to ensure that work is properly completed? How well does the employee demonstrate self-discipline and reliability relative to work to be performed?

(b) Additional classifications for Supervisor Performance Factors, (+ = Incident of Positive Comment, C = Incident of Concern or Counseling,)

1. + / C/C: Day-to-Day Effectiveness: Effectively performs essential job duties to achieve the daily desired goal and objective, manages their teams time well, communicates clearly to their team and coworkers, has a good attitude.
2. + / C/C: Leadership: Promoting a productive, creative environment where people strive for quality of service; fostering a commitment in colleagues for achieving organizational goals; setting an example for others to follow. How well is the employee attuned to the importance of accomplishing goals and objectives?
3. + / C/C: Managing Others: Works through other people to accomplish the department's goals and objectives. Encourages performance through motivation and feedback and also holds people accountable.
4. + / C/C: People Development: Provides employees with frequent performance feedback and coaching; providing recognition for areas of high or improved performance; working with employees to correct performance problems. How effectively does the employee recognize the need for, plan, and achieve professional development of subordinate employees?
5. + / C/C: Planning and Organizing: Identifies resources required to complete an assignment. Prepares an effective work plan either formally or informally. Makes efficient use of all resources available. Monitors plan execution effectively and follows up to make sure assignment is accomplished as scheduled. Grasps all details of a project while maintaining a comprehensive overview of the "big picture."

(c) Recognition Classifications (positive entries)

1. Recognition-Award (external): Documents job-relevant external awards and scholarships received by the employee.
2. Recognition-by Supervisor: Positive recognition of any Department employee, by a Department supervisor. Entries are visible to the person who entered the recognition, the person receiving the recognition, supervisors, and command-level personnel.
3. Recognition-by Citizen: Entry shall be made for employees who receive compliments from the community.
4. Recognition-of Peer: Positive recognition of any Department employee, by a fellow Department employee. Entries are visible to the person who entered the recognition, the person receiving the recognition, supervisors, and command-level personnel.
5. Recognition-of Supervisor: Positive recognition of any Department supervisor, by a Department employee. Entries are visible to the person who entered the recognition, the person receiving the recognition, and his/her superiors.

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- (d) Documentation for file purposes, (neutral entries). Entered by a supervisor or other designated personnel within the department:
 - 1. File-Career Development: Professional Development Survey, resumé, and documented mentoring.
 - 2. File-Early Intervention/Merit Review: Documentation by the employee's direct supervisor or management of action(s) taken as a result of an Early Intervention/Merit Flag.
 - 3. File-Performance Evaluation: Records of the probationary and annual performance evaluations
 - 4. File-Performance Improvement Plans: Documents the instances where an employee has been placed on a Performance Improvement Plan, the effectiveness of the plan, and accompanying documentation and documentation of remedial training.
 - 5. File-Sick Time: Supervisory use for monitoring subordinate use of sick time.
 - 6. File-Formal Letters: Includes letters of resignation, transfer requests, grievance, or others submitted by the employee to their supervisor or the Department.
 - 7. File-Personnel Forms: City and Department forms for documenting personnel action, transfers, on-boarding, and off-boarding of employees.
 - 8. File-IA Determination: Does not include the Internal Affairs Complaint Investigation File and is limited solely to the Determination Letter closing the investigation. (Entered by the Internal Affairs Representative).
 - 9. File-First Report of Injury: City form submitted for risk management compliance.
 - 10. File-Training Request Form: Department Training Request Form after final approval or declination and processing by the Training Coordinator.

1032.4.4 INTERVENTION FLAGS

- (a) The performance tracking software program is capable of monitoring the number of incidents entered for any given employee. A pre-specified number of incidents, within a pre-specified amount of time, will trigger a "flag" in the system. When a "flag" is generated, it notifies the employee's direct supervisor and command-level personnel in the direct chain of command.
- (b) The employee's direct supervisor is responsible for reviewing the performance tracking software program entries that trigger an intervention flag. Any action taken by the supervisor, as a result of an investigation into a flag, shall be documented in the respective Early Intervention/Merit Review Response category.
 - 1. Supervisors may require remedial action (training) to correct identified performance deficiencies.
 - 2. Supervisors have a responsibility to provide employees with information on access to confidential use of the Employee Assistance Program.
- (c) Command-level personnel shall review supervisors' actions electronically in the performance tracking software program. Command-level personnel will only enter

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comments to the supervisor's actions if they are found to be outside of departmental standards/practices.

- (d) The following areas have been identified by the department as indicators of the need for specific attention by command-level personnel:
 - 1. **Early Intervention:** Certain number of occurrences in 365 days. Contributing instances in this category include:
 - (a) Accident (2)
 - (b) Attendance (3)
 - (c) Citizen Concern/Complaint (2)
 - (d) C/C Early Intervention (3)
 - 2. **Merit Review:** Certain number of occurrences in 365 days. Contributing instances in this category include:
 - (a) Awards Issued
 - (b) Recognition (1)
 - (c) + (Positive) Notification
- (e) **Transparency and Action Items**
 - 1. Entries are viewable by the employee for their Performance File.
 - 2. The system will send an email notification to the employee for any entry made into their Performance File.
 - 3. The system will send an email notification to the supervisor for any direct subordinate for any entry made into the subordinate's Performance File.
 - 4. The system will maintain an audit trail for entries and actions.
 - 5. Employees may create an "Action Item" on an entry to generate further review by the chain of command. The system will send an email notification to the Chief of Police or designee for any Action Item submitted.
 - 6. The Chief of Police or designee must enter a response (viewable to the employee) in the system to the Action Item within seven (7) days of receipt.

Wellness Program

1033.1 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:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1033.1.1 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.

Critical Incident Stress Management (CISM) Team Member - A critical incident stress management team member is an individual who is designated by the Department and trained to provide critical incident stress management services (Minn. Stat. § 181.9732).

Defusing - A discussion to stabilize people affected by the critical incident so that they can return to their normal routine without unusual stress. A defusing is best conducted within one to four hours after a critical incident but no more than twelve hours.

Employee Assistance Program (EAP) - A work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.

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 Counselor (PSC)-a colleague who is specially trained to provide day-to-day emotional support for departmental members and to participate in the department's comprehensive response to critical incidents as designated in Minnesota statute§181.9731. PSC's are trained to recognize and refer members that require professional intervention or support beyond their scope of training to a licensed mental health professional.

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Peer Support Program - A peer support program is a worker-centric resource that can augment, but not replace, existing programs such as Employee Assistance Programs (EAPs), and/or internal or external professional psychological services.

Peer Support Team Consortium-The Peer Support Team Consortium consists of the Farmington Police Department, Inver Grove Heights Police Department, South St Paul Police Department, and the West St Paul Police Department.

1033.2 POLICY

It is the policy of the Inver Grove Heights Police Department to prioritize member wellness and support a healthy quality of life for department members and consortium agencies employees. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1033.3 PEER SUPPORT COORDINATOR

The Chief of Police should appoint a trained peer support coordinator. The coordinator should report directly to the Chief of Police or the authorized designee 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., board certified Ph.D. Psychologist, Psychiatrist or Licensed Independent Clinical Social Worker, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 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 Counselor selection and retention.
 2. Training and applicable certification requirements.
 3. Deployment.
- (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.

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- (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.

1033.4 PEER SUPPORT TEAM CLINICAL LEAD

The Peer Support Team Clinical Lead is a contracted mental health provider who services as the clinical expert for the team.

The Peer Support Team Clinical Lead should report directly to the Chief of Police or the authorized designee 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) Developing management and operational procedures for department PSC's, such as:
 - 1. Managing potential conflicts between PSC's and those seeking service.
 - 2. Monitoring and mitigating PSC's emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
 - 3. Program and policy development.
 - 4. Available for consultation with PSC's.
 - 5. Available to PSC's for debriefing.
 - 6. Available for debriefing with PSC's.
 - 7. Ability to provide customized peer support training and education.

1033.4.1 TRAINING

The coordinator or the authorized designee should collaborate with the Peer Support Team Clinical Lead 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.

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- 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 Training Manager as appropriate for inclusion in training records.

1033.5 DEPARTMENT PEER SUPPORT PROGRAM

The purpose of our peer support program is to promote resiliency and recovery by providing supportive interactions from skilled team members to take on the day-to-day demands of the job and following critical incidents. The peer support program is also a resource available to any employee to assist him/her through times of personal stress and help him/her continue to be a productive employee.

What peer support provides:

- A shared experience.
- Listening.
- Trusted communication.
- Support and encouragement.
- Basic psychological first aid.
- Increased understanding of critical incidents and traumatic events.
- Resources and a referral to a higher level of support.
- Conduct a debriefing or defusing.

1033.5.1 PEER SUPPORT COMPOSITION

The Peer Support Team will consist of a Peer Support Coordinator, Peer Support Counselors (PSC's), and a Peer Support Team Clinical Lead. The Clinical Lead and Peer Support Coordinator are both designated by the Chief of Police. The Peer Support Coordinator and Peer Support Clinical Lead will work together to provide oversight and support to the team.

1033.5.2 PEER SUPPORT COUNSELOR (PSC) SELECTION CRITERIA

The selection of a PSC will be at the discretion of the Chief of Police or designee. Selection should be based on the member's:

- Desire to be a peer support member.

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- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by clinical lead and any current peer support members.

The selection screening and interview process:

- Submit a Peer Support Counselor application and two letters of recommendation
 - Examples of times you've helped others.
 - Observations of your peer support skills.
 - Reasons why they would come to you when in need of peer support.
- Complete a screening process with the team's Peer Support Coordinator to include follow up with references and current supervisor.
- Complete an interview with the Clinical Lead and receive a letter of support from him/her.

[See attachment: Peer Support Team Application](#)

1033.5.3 PEER SUPPORT PRINCIPLES

The following are the principles and qualities required of a peer support counselor:

Be a peer: A PSC should be viewed as a peer within the organization. They should publicly commit to serving as a peer team member while protecting their coworker's privacy.

Be trustworthy: A PSC should be committed to building and maintaining trust.

Be responsive: A PSC should recognize when they are being called to act as a peer, respond earnestly and reflect on and assess their effectiveness.

Be skilled and knowledgeable: A PSC should be trained and practiced in core skills and knowledge. This includes knowing the limits of their role, being knowledgeable about organization and regional resources, and referring as appropriate to a higher level of support, intervention, or care.

Be healthy: A PSC should possess, prioritize, and attend to their own health and wellbeing.

1033.5.4 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of a PSC include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic presentations on wellness topics, including but not limited to:
 1. Stress management.
 2. Suicide prevention.
 3. How to access support resources.

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- (c) Providing referrals to board certified Ph.D. Psychologist, Psychiatrist or Licensed Independent Clinical Social Worker, external peer support providers 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.

1033.5.5 LIMITS TO PRIVACY, CONFIDENTIALITY, AND PRIVILEGE

The acceptance and success of the Peer Support Program will be largely dependent upon the observance of strict confidentiality. It is imperative that peer support members maintain confidentiality of all information learned about an individual within the guidelines of this program.

Limits to confidentiality must be consistent with state and federal laws as well as Department policy. It is essential that PSC's advise those seeking support, prior to any discussion:

- PSC's are mandated reporters
- What the limitations and exceptions are regarding information revealed.

Recipients of peer support should be advised that there is no confidentiality for the following:

- Threats to self
- Threats to others
- Maltreatment of minors under Minn. Stat. § 260E.06
- Maltreatment of Vulnerable adults under Minn. Stat. § 626.557
- Domestic violence
- Where divulgence is requested by peer

Disclosures under these exceptions will be made directly to the designated Peer Support Clinical Lead assigned to this program.

In cases where a question regarding confidentiality arises, the PSC shall immediately contact the Peer Support Coordinator or designated Peer Support Clinical Lead who shall take the appropriate action.

PSC's must not provide information to supervisors or fellow peer support members obtained through peer support contact and should educate supervisors on the confidentiality and privileged guidelines established by the Department.

PSC's must not keep written formal or private records of supportive contacts other than non-identifying statistical records that help document the general productivity of the program (such as number of contacts).

A PSC shall sign a confidentiality agreement, indicating their agreement to maintain confidentiality as defined above.

If a PSC is found to have breached confidentiality, they shall be immediately dismissed from the team and be subject to disciplinary action.

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1033.5.6 NON-DISCLOSURE

To increase the level of comfort and openness for PSC contacts, there must be assurances that such information will be protected. There are three levels of non-disclosure of personal information to differentiate, understand, and practice:

Privacy - The expectation of an individual that disclosure of personal information is confined to or intended only for the PSC.

Confidentiality - A professional or ethical duty for the PSC to refrain from disclosing information from or about a recipient of peer support services.

Privilege - The legal protection from being compelled to disclose communications in certain protected relationships, such as between attorney and client, doctor and patient, or priest and confessor. Minnesota emergency service providers are protected under Minn. Stat. § 181.9731, 181.9732, 13.43 sub 9, and 13.02 sub 12.

1033.5.7 ADMINISTRATIVE AND CRIMINAL INVESTIGATIONS

It may occur that a PSC is assisting a department member who is or becomes the subject of a administrative and/or criminal investigation. PSC's should not volunteer any information received in confidence as the information is privileged unless disclosure is required by law. However, PSC's may not hamper or impede any investigation, nor may they attempt to shelter the employee from the investigation.

PSC's may support and assist a department member with the stress they may face during the investigative process. If a PSC has any questions regarding these situations, they should consult with the Peer Support Coordinator for guidance.

1033.5.8 ROLE CONFLICT

Because peer support teams are built on trust real or perceived role conflict can undermine a program. The following considerations will help eliminate some of these concerns:

- (a) PSC's are in a unique position and should refrain from relationships that may harm or exploit the peer, such as religious, financial, or sexual engagements.
- (b) PSC's should be mindful of role/rank differences between the PSC's and department members. Whenever possible, a PSC should only provide peer counseling to peers who are of the same rank/role within their organization. This should not prohibit PSC's from defusing an emergent need with a ranking department member. PSC's should be encouraged to refer that member of the organization to another PSC of appropriate rank as soon as practical.
- (c) Department supervisors can be a PSC, however supervisors may have additional requirements regarding the reporting of issues such as sexual harassment, racial discrimination, and workplace injury that can place the supervisor or the department in jeopardy if the procedures are not followed.
- (d) PSC's should recognize role conflicts and conflicts of interest. PSC's should refer peers to another PSC or mental health professional if a conflict exists or is foreseen.

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PSC's should be cautious of a peer seeking several contacts in a short period of time and should offer a referral as needed.

- (e) PSC's can be a CISM team member however they may not be part of providing CISM services to a department member if the critical incident stress management team member is a witness to the critical incident for which the person is receiving services, per [Minn. Stat. § 181.9731 Subd. 2](#) and [Minn. Stat. § 181.9732 Subd.](#) A PSC may refer the person to another PSC or other appropriate mental health or community support service.
- (f) PSC's and/or CISM team members who may be involved with conducting any criminal or administrative investigation of another department member shall remove themselves from a peer support role on that incident in order to avoid any conflict of interest.

1033.5.9 PEER SUPPORT MEMBER TRAINING

A department peer support member shall complete state mandated training prior to being deployed.

The Peer Support Team Clinical Lead is responsible for the training and continuing education of all PSC's.

1033.5.10 PEER SUPPORT COMMUNICATIONS

Although the Department will honor the sensitivity of communications with peer support members, there is no legal privilege to such communications.

Communications with peer support counselors are confidential and privileged and shall not be disclosed except as provided in Minn. Stat. § 181.9731.

1033.6 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur after 24 hours has passed but before 72 hours has passed 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.

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, peer support counselors, and/or critical incident stress management team members, and those directly involved in the incident (including all supervisors).

Members who witness a critical incident are prohibited from providing critical incident stress management services at a debriefing about an incident that they witnessed (Minn. Stat. § 181.9732).

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1033.6.1 CRITICAL INCIDENT STRESS MANAGEMENT TEAM MEMBER COMMUNICATIONS

Communications with critical incident stress management team members are confidential and shall not be disclosed except as provided in Minn. Stat. § 181.9732.

1033.7 MENTAL HEALTH CHECK UP

Because the Inver Grove Heights Police Department prioritizes member wellness for department members, the Department will require yearly check ups with the department's contracted mental health practitioner.

- (a) Check ups must be in person and while on-duty
 - 1. Unless approved by the Chief of Police
- (b) No tele-health check ups are allowed
- (c) All check ups must be completed by the end of the approved upon time frame.
- (d) If a member needs to re-schedule they must give their supervisor a reason why they need to and notify their supervisor and the contracted mental health practitioner a minimum of 72 hours before the appointment and immediately reschedule it.
 - 1. If a member misses their appointment for any reason they must let their supervisor know if they are working or on their next working shift and get the appointment re-scheduled,

All PSC's shall have two mandatory check ups. All PSC check ups will occur with the Peer Support Team Clinical Lead.

1033.8 PHYSICAL WELLNESS COORDINATOR

The Chief of Police should appoint a trained physical wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, human resources, legal counsel, qualified health professionals), as appropriate, to fulfill the responsibilities of the position.

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.

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- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress).
- (i) Ongoing support and evaluation.

1033.9 WELLNESS PROGRAM AUDIT

At least annually, the coordinators (peer support and physical wellness) or the authorized designee should audit the effectiveness of their respective programs within the department's wellness program 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 or the authorized designee should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

Attachments

**MN POST Professional Conduct of
Peace Officers Model Policy.pdf**

**CJDN Model Policy Property
Records Policy (11-22-2024).pdf**

Property Records Policy
(Agency Name Here)
(Date Here)

VEHICLE FILE ENTRY

1. Obtain a theft report, which shall include a serial number (SER) or owner applied number (OAN).
2. Query the vehicle registration in its registration state and store the response in the case file.
3. Enter the record using message key Enter Stolen Vehicle (EV).
4. Pack the record with all available information. Store supporting documentation in the case file.
5. Complete a second party check per agency policy.
6. Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

ARTICLES, BOATS, GUNS AND SECURITY FILE ENTRY

1. Obtain a theft report, which shall include a serial number (SER) or owner applied number (OAN).
2. If entering a boat, query the boat's registration in its registration state and store the response in the case file.
3. Enter the record using the appropriate message key. (Boats and securities will only be entered into NCIC.)
4. Pack the record with all available information. Store supporting documentation in the case file.
5. Complete a second party check per agency policy.
6. Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

**CJDN Model Policy Misuse of
CJDN Policy (11-22-2024).pdf**

Misuse of CJDN Policy
(Agency Name Here)
(Date Here)

The Criminal Justice Data Communications Network (CJDN) is a secure computer network to access federal, state, and out-of-state files for criminal justice and authorized non-criminal justice purposes.

Queries of the motor vehicle registration, driver's license, criminal history, or any other file in the BCA/FBI systems shall be performed only for authorized criminal justice purposes.

Employees of *(Agency Name Here)* shall not run themselves, other employees, family, or others for personal use or gain in the BCA/FBI systems. Any employee misusing information or obtaining information for other than official criminal justice purposes from the CJDN will be subject to disciplinary action.

When performing any file queries or making entries into BCA/FBI systems, employees shall securely store and protect criminal justice information (CJI).

Employees shall also ensure authorized dissemination and use. The employee disseminating the CJI shall ensure that the person requesting the information is authorized to receive the data. Unauthorized request or receipt of BCA or FBI data could result in criminal proceedings.

When the Chief Law Enforcement Officer (CLEO) or the Terminal Agency Coordinator (TAC) becomes aware a *(Agency Name Here)* employee has accessed the CJDN or used CJI obtained from the CJDN in violation of agency, state, or FBI policies, the CLEO or TAC shall promptly address the violation.

The CLEO shall meet with the alleged violator and determine appropriate sanctions according to *(Agency Name Here)* standard discipline policy, including but not limited to verbal reprimand, written reprimand, suspension, or termination. The BCA must be notified immediately of misuse. If criminal behavior is believed to have occurred, appropriate agencies shall be notified for further investigation.

Each case of misuse of the CJDN system will be investigated, with all circumstances considered to determine disciplinary actions. Consideration will be given to the extent of loss or injury to the system, agency, or other persons upon releasing or disclosing sensitive or classified information to an unauthorized individual. Misuse also includes activities that result in unauthorized modification or destruction of system data, loss of computer system access, or loss by theft of any computer system media, including chip ROM memory, optical or magnetic storage medium, hardcopy printout, etc.

With the CLEO's approval, the TAC may terminate an employee's access to the CJDN system for any violation.

I have read and understand the “**Misuse of CJDN Policy**” for (*Agency Name Here*).

Signature _____

Date _____

Printed Name _____

The signed policy will be retained by the agency.

Signature of CLEO _____

Date _____

Printed Name of CLEO _____

CJDN Model Policy Validation Policy (11-22-2024).pdf

Validation Policy
(Agency Name Here)
(Date Here)

Validation requires the record-holding agency to confirm that the hot file record is complete, accurate, and still outstanding or active.

The record-holding agency shall validate all hot file records except for Article File records. Per the NCIC schedule, validations occur 60-90 days from entry and yearly thereafter.

VALIDATION PROCEDURE

1. Contact the complainant, victim, prosecutor, or court to ensure the record should remain active.
2. Remove any record from the MNHOT/NCIC that is no longer active.
3. Query DVS, III/CHS criminal history, and local records (RMS) to check for additional or updated data.
4. Compare the record against the new supporting documentation to ensure:
 - a. Data is accurate.
 - b. The record contains all available information in the case files and/or from the data sources.
5. Update records as needed when:
 - a. Agency-related information, such as extradition limits or hit confirmation, and/or contact information is modified.
 - b. New or additional information becomes available.

**CJDN Model Policy Missing
Person Policy (11-22-2024).pdf**

Missing Person Policy
(Agency Name Here)
(Date Here)

MISSING PERSON REPORT RESPONSIBILITY

A law enforcement agency shall accept any report of a missing person without delay. The law enforcement agency shall not refuse to accept a missing person report on any basis stated in Minnesota State Statute § 299C.53. If there is a jurisdiction question, contact the BCA following the entry of the missing person.

CRITERIA FOR ENTRY

The agency must have a missing person report (electronic or hard copy) on file to support the missing person entry. A missing person record may be entered using one of the following categories:

- **Disability (MKE/EMD):** a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/herself or others to personal and immediate danger.
- **Endangered (MKE/EME):** a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
- **Involuntary (MKE/EMI):** a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.
- **Juvenile (MKE/EMJ):** a person who is missing and not declared emancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria outlined in 1, 2, 3, or 5.
- **Catastrophe Victim (MKE/EMV):** a person of any age who is missing after a catastrophe.
- **Other (MKE/EMO):** a person not meeting the criteria for entry in any other category who is missing and 1) for whom there is a reasonable concern for his/her safety or 2) a person who is under age 21 and declared emancipated by the laws of his/her state of residence.

MISSING PERSON RECORD ENTRY

1. Missing persons (age 21 and over) shall be entered into NCIC, upon receipt of the report, not to exceed three days.
 - a. The agency must have a missing person report (electronic or hard copy) on file to support a missing person entry.
 - b. The record for a missing person age 21 and over must have a signed document (catastrophe victims are exempt) supporting the stated conditions under which the person is declared missing
 - i. Forms of acceptable signatures are:
 1. Digitized signatures (similar to method used by the United States Postal Service).
 2. Scanned signatures in the RMS.

3. The case officer's typed or signed name in the report.
2. A person under the age of 21, and individuals determined to be endangered, shall be entered into NCIC within two hours of receipt of the minimum data required. The case file shall document when the two-hour clock began.
 - a. The missing person report filed with the agency is sufficient documentation for entering a juvenile in the NCIC Missing Person File.

ENTRY REQUIREMENTS FOR ALL MISSING PERSON RECORDS

1. Query DVS, III/CHS criminal history, and local records to obtain additional descriptors and retain a copy in the case file.
 - a. Any information entered on the record shall be documented in the case file, including attempts to obtain medical/dental information.
2. Enter the record in MNHOT/NCIC using the appropriate message key. Make sure to pack the record with all the information available.
3. When applicable, caution the record using the appropriate caution indicator(s).
4. Enter Supplemental Data such as additional identifiers, scars, marks and tattoos, aliases, additional dates of birth, etc., to the record.
5. The agency may enter an image using the message key EIM if an image is available.
 - a. The use of a DVS image is available for this purpose.
6. Query MNHOT/NCIC to verify entry and retain a copy in the case file.
7. Complete a second party check per agency policy.
8. If a record remains active for more than 30 days and a data field remains blank, a \$.K. Missing Information Notification will be sent to the receiving terminal of the ORI of the record.
 - a. Verify and update the record with the additional information, including but not limited to Blood Type (BLT); Dental Characteristics (DCH); Fingerprint Classification (FPC); Jewelry Type (JWT); and Scars, Marks, Tattoos, and Other Characteristics (SMT) within 60 days of entry.
 - b. If no medical/dental information can be obtained, document the attempt in the case file.
9. Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.
10. Following a confirmed Hit Confirmation, a locate shall be placed on the record using Message Key Locate Missing (LM).
 - a. Do not enter a locate on a child removed from the United States and located in another country until the child has been returned or the issue of return has been resolved.

- b. Completing a locate automatically retires the missing person record.

**CJDN Model Policy Hit Confirmation
Policy (11-22-2024).pdf**

Hit Confirmation Policy (Agency Name Here) (Date Here)

A “hit” is a positive response from MNHOT and/or NCIC in which the person or property queried appears to match the person or property in the response.

NCIC HIT CONFIRMATION POLICY

Agencies that enter records into MNHOT/NCIC must be available for Hit Confirmation 24 hours a day, 365 days a year. If unavailable, the agency must identify who will be providing Hit Confirmation services on their behalf by placing instructions in the Miscellaneous (MIS) field of the hot file record.

HIT CONFIRMATION PROCESS

NCIC policy requires an agency receiving a hit on another agency’s record to contact the record-holding agency to confirm that the record is active. If the property or subject is confirmed, a locate shall be entered by the locating agency. For a Wanted Person Records, a Detainer shall be entered by the wanting agency.

HIT CONFIRMATION PROCEDURE

1. Retain a copy of the hit, either an electronic or hard copy.
2. Ensure the subject or property is still outstanding.
 - a. For wanted person, the location of the wanted person is within the extradition limits on the record.
3. Confirm the hit with the originating agency using message key YQ.
 - a. RNO – Request Number. Enter 1, 2, or 3 to indicate the number of times the request has been sent.
 - i. For the first request, enter 1.
 - ii. If an agency fails to respond within the specified time (10 minutes or 1 hour), send a second request, entering 2 in the RNO field. A copy of the 2nd request is automatically sent to the BCA.
 - iii. If an agency fails to respond to the second request, a third request shall be sent, entering 3 in the RNO field. A copy of the 3rd request is automatically sent to the BCA, as well as NCIC.
 - b. PRI – Priority. The agency requesting confirmation of a hit must determine the appropriate response time.
 - i. URGENT (10 minute response): when the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation.
 - ii. ROUTINE (1 hour response): when a person is held on local charges, property has been located under circumstance when immediate action is not necessary or an urgency confirmation is not required

4. If the originating agency indicates that the hit is not active, notify the requesting person to not arrest the subject or recover the property.

HIT CONFIRMATION RESPONSE

1. Retain a copy of the confirmation request, either electronic or hard copy.
2. Confirm the request priority and respond within the corresponding time allowed.
3. Check the case file to determine if the person's whereabouts remains unknown or property is still missing.
4. Use message key YR to respond.
 - a. CON – Confirmation Status. Enter one of the following codes:
 - i. Y – Yes, entry is valid.
 - ii. N – No, entry is no longer valid
 - iii. P – In process of being confirmed.
 - iv. E – Valid, but awaiting decision on extradition.
5. If the originating agency confirms that the hit is still active and the subject was arrested or property recovered, the recovering agency shall enter a locate on the record.
6. Retain a hard or electronic copy of the confirmation and the locate documentation.

DOCUMENTATION OF THE HIT CONFIRMATION PROCESS

All hit confirmations shall be retained in the case file. Documentation of the confirmed hit is essential and may assist in the event that the agency needs to substantiate the action(s) taken pertaining to a hit confirmation.

**Department Detention Facility
Responsibilities and Duties (4-2024).pdf**



Department Detention Facility Responsibilities and Duties

1. Department members are responsible for the individual they bring into the facility.
 - a. In no event shall a **temporary juvenile detainee** be in temporary custody for longer than **six (6) hours** from the time of their entry into our facility.
 - b. In no event shall a **temporary adult detainee** be in temporary custody for longer than **sixteen (16) hours** from the time of their entry into facility.
2. Department members are responsible for notifying the individual in-custody entering the facility of the official charge or legal basis for detention and confinement.
3. Department members are responsible for being *awake and alert at all times and capable of responding to the reasonable needs of the detainees who are inside the facility.*
4. Department members are responsible for a further thorough search of the individual in-custody for weapons and contraband once inside the facility.
5. Department members are responsible for removing handcuffs or other instruments of restraint at which time they are no longer strictly necessary.
6. Department members are responsible for maintaining the facility and shall report any damage or needed repairs to a shift supervisor.
7. Department members are responsible to release detainees exiting the facility through the sally-port/garage doors or the north vestibule door leading to the main entrance and visitor parking.
8. Department members are responsible for a documented inventory of all property found on the detainee's person at the time of detention that accompanies them into the facility.
9. Department members are responsible for fingerprinting and photographing adult detainees for a misdemeanor, gross misdemeanor, or felony offenses. Unless the detainee will be transferred to the Dakota County Jail.
10. Department members are responsible for not giving any detainee any object or things of any kind the arresting officer reasonably believes may be used by the detainee to harm themselves or others.
11. Department members are responsible for separating:
 - a. Detainees of the opposite sex when placed into a holding cell.
 - b. Adult and juvenile detainees by sight and sound when placed into a holding cell.
 - c. Vulnerable and/or mentally ill detainees will be kept in separate holding cells from other detainees.
12. Department members are responsible for visually monitoring an individual in-custody in the holding cells at least every fifteen (15) minutes on an irregular schedule.
13. Department members are responsible for providing a meal to:
 - a. An in-custody adult when they have been detained in custody for six (6) continuous hours.
 - b. An in-custody juvenile when they have been detained in custody for four (4) continuous hours.
14. Department members are responsible for documenting any disciplinary action taken against a detainee.
15. Department members are responsible for providing medical assistance to any detainee pending the arrival of the ambulance and rescue and shall assist the responding personnel upon their arrival.
16. Department members are responsible for providing access to a sacred book upon a request from a detainee. If no sacred book is available, the detainee is to be advised that sacred books are available at the Dakota County Jail and that he/she may be transported to that location for that purpose.
17. Department members shall not:
 - a. Deprive detainees the use of materials necessary to maintain an acceptable level of personal hygiene.
 - b. Use restraints as punishment.
 - c. Withhold food as punishment.
 - d. Perform facility duties for no more than 12 hours in any 24 hours except where unusual circumstances require reasonable and prudent.
 - e. Be placed in positions of responsibility for the supervision and welfare of detainees of the opposite sex in circumstances that can be described as an invasion of privacy, degrading, or humiliating to the detainee.

CJDN Model Policy Security Policy (11-22-2024).pdf

CJDN Security Policy (Agency Name Here) (Date Here)

This policy shall be considered the official CJDN Security Policy for (*Agency Name Here*) regarding the physical and personnel security of the CJDN system. All individuals must follow the directives contained within. The policy outlines the use requirements of CJDN access and local, state, and federal systems. The Terminal Agency Coordinator (TAC) for (*Agency Name Here*) is (*TAC Name Here*). The TAC manages the local agency operation of the CJDN and is responsible for ensuring that all state and local policies are enforced regarding the use of the CJDN.

Access to CJDN System

Access to the CJDN shall be limited to employees who have been certified by the BCA. Currently, at (*Agency Name Here*), this is limited to (*Who Has Access, i.e., TAC, Dispatchers, Records Personnel, etc.*). All other employees of (*Agency Name Here*) must make their criminal justice inquiries through their CJDN operators.

Employees using the CJDN system, configure or maintain computer systems or networks, or have access to areas where criminal justice information (CJI) is processed must meet the following requirements prior to access:

1. Successfully pass a fingerprint-based background check.
 - a. If the individual signs a consent form, a local criminal history background check using search reason ***Criminal Justice Employment- Purpose Code J*** may be completed.
 - b. Agencies must keep the background check result letter on file and available during an audit.
2. The TAC shall submit a ***MyBCA User Access Form*** to the BCA Service Desk requesting access to the CJDN, indicating what systems the employee requires.
3. The employee must complete Security & Privacy Training and pass a Single Certification exam prior to access. The Employee must recertify annually thereafter.
4. If employees require the Portals system, the TAC shall create a Portals account and assign each employee a unique username and password.

Additional training is available in person at the BCA or online in nexTEST regarding NCIC/MNJIS applications.

Security of Terminal and Data

(*Agency Name Here*) must ensure only authorized devices are connected to the CJDN.

The CJDN terminal(s) and CJI for (*Agency Name Here*) must be processed and stored in a secure area. Only authorized individual who have completed the above requirements are

allowed unescorted access to the secure area(s) for viewing of CJDN terminals or CJDN data,

All CJDN printouts will be destroyed when no longer needed. These documents will be shredded or degaussed directly at (*Agency Name Here*) or by properly vetted document destruction company.

**CJDN Model Policy Identity
Theft Policy (11- 22-2024).pdf**

Identity Theft Policy
(Agency Name Here)
(Date Here)

Before entry in the Identity Theft File, our law enforcement agency must have received and recorded an official complaint (electronic or hard copy). Our agency may make an NCIC Identity Theft record entry only if the following criteria is met:

1. Someone is using a means of identification of the victim.
2. The victim's identity is being used without permission from the victim.
3. The victim's identity is being used or intended to be used to commit an unlawful activity.
4. Before record entry, the victim must sign a consent waiver.
5. If the record contains the victim's Social Security Number, the victim must sign the *"Notice about Providing Your Social Security Number"* form.

Information on deceased persons may be entered into the file if it is deemed by the law enforcement that the victim's information has been stolen. No consent form is required with a deceased person's entry.

File Entry

1. Enter and pack the record with all available information into MNHOT/NCIC using Message Key Enter Identity Theft (EID).
2. Query MNHOT/NCIC to verify entry and retain a copy for the case file.
3. Complete a second party check per agency policy.
4. Validate the record according to NCIC standards. Retain any updated documentation used during validation in the case file.

**CJDN Model Policy Second Party
Check Policy (11-22-2024).pdf**

Second Party Check Policy
(Agency Name Here)
(Date Here)

A second party check is required for all hot file record entries and modifications. Second party check is when someone other than the person entering the record checks the record for accuracy and completeness.

SECOND PARY CHECK PROCEDURE

1. Ensure all available sources such as DVS, III/CHS criminal history and local records were queried to obtain descriptors. Verify records queried were stored in the case file.
2. Query the record to obtain a copy of the active MNHOT/NCIC entry.
3. Compare the information from the sources against the active MNHOT/NCIC record to verify the record is accurate and complete.
4. Update to the record as needed using either the modify or supplemental message key associated with the record type.
5. Document the second party check was completed in the case file. Documentation may be physically initialing in the case file or electronically noting it in the RMS.

Foreign_National_Rights_Poster (10-2025).pdf

NOTICE TO FOREIGN NATIONALS

YOUR RIGHTS TO CONSULAR NOTIFICATION AND ACCESS

If you are not a United States citizen, you have the right to contact your country's consulate or embassy for assistance.

- You may ask us to notify your consulate of your detention.
- Officials from your consulate may be able to help you obtain legal representation, contact your family, and provide other assistance.

If you are a citizen of certain countries, we are required to notify your consulate of your detention, whether you want us to or not.

You will be told if this mandatory notification applies to you.

This right is guaranteed under international treaties, including the Vienna Convention on Consular Relations (Article 36).

For questions, ask the officer on duty

**MN POST Professional Conduct of
Peace Officers Model Policy.pdf**

PROFESSIONAL CONDUCT OF PEACE OFFICERS MODEL POLICY
MN STAT 626.8457

I. POLICY

It is the policy of the _____ (law enforcement agency) to investigate circumstances that suggest an officer has engaged in unbecoming conduct, and impose disciplinary action when appropriate.

II. PROCEDURE

This policy applies to all officers of this agency engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted this policy also applies to off duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.

A. PRINCIPLE ONE

Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

1. Rationale: Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

2. Rules

- a) Peace officers shall not knowingly exceed their authority in the enforcement of the law.
- b) Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
- c) Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
- d) Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
- e) Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. PRINCIPLE TWO

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

1. Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

2. Rules

- a) Peace officers shall carry out their duties with integrity, fairness and impartiality.

- b) Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
- c) Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
- d) Peace officers shall take no action knowing it will violate the constitutional rights of any person.
- e) Peace officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
- f) Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits the misconduct the officer shall report the incident to the immediate supervisor's supervisor.

C. PRINCIPLE THREE

Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

1. **Rationale:** Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.
2. **Rules**
 - a) Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
 - b) Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.

D. PRINCIPLE FOUR

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their agency or otherwise impairs their ability or that of other officers or the agency to provide law enforcement services to the community.

1. **Rationale:** A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.
2. **Rules**

- a) Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in **c**).
- b) Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.
- c) Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
- d) Peace officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
- e) Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
- f) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.
- g) Peace officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.
- h) Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.

E. PRINCIPLE FIVE

Peace officers shall treat all members of the public courteously and with respect.

1. **Rationale:** Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.
2. **Rules**
 - a) Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.

- b) No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
- c) Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.

F. PRINCIPLE SIX

Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.

1. **Rationale:** For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.

2. Rules

- a) Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
- b) Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
- c) Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
- d) Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
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 - not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;
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H. PRINCIPLE EIGHT

Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

1. **Rationale:** Peace officers are entrusted with vast amounts of private and personal information or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and agency's commitment to preserving such confidences.

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- a) Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
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I. APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by *MN RULES* 6700.2000 to 6700.2600.

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I. APPLICATION

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Model Sexual Assault Investigation Policy.pdf

I. PURPOSE

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault. This agency will strive:

- a) To afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;
- b) To reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards;
- c) To increase the opportunity for prosecution and victim services.

II. POLICY

It is the policy of the _____ (law enforcement agency) to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area. Sexual assault crimes are under-reported to law enforcement and the goal of this policy is in part to improve victim experience in reporting so that more people are encouraged to report.

All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.

Peace officers will utilize this policy in response to sexual assault reported to this agency. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

III. DEFINITIONS

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

A. **Consent:** As defined by Minn. Stat. 609.341, which states:

- (1) Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
- (2) A person who is mentally incapacitated or physically helpless as defined by Minnesota Statute 609.341 cannot consent to a sexual act.

- (3) Corroboration of the victim's testimony is not required to show lack of consent.
- B. **Child or Minor:** a person under the age of 18.
- C. **Medical Forensic Examiner:** The health care provider conducting a sexual assault medical forensic examination.
- D. **Sexual Assault:** A person who engages in sexual contact or penetration with another person in a criminal manner as identified in MN Statute 609.342 to 609.3451.
- E. **Family and Household Member:** As defined in Minn. Stat. 518.B.01 Subd.2.b. to include:
- (1) spouses or former spouses;
 - (2) parents and children;
 - (3) persons related by blood;
 - (4) persons who are presently residing together or who have resided together in the past;
 - (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
 - (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
 - (7) persons involved in a significant romantic or sexual relationship
- F. **Sexual Assault Medical Forensic Examination:** An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.
- G. **Victim Advocate:** A Sexual Assault Counselor defined by Minn. Stat. 595.02, subd. 1(k) and/or Domestic Abuse Advocate as defined by Minn. Stat. 595.02, subd. 1(1) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist departments in locating their local victim advocacy agency for the purposes outlined in this policy.
- H. **Victim Centered:** A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.
- I. **Vulnerable Adult:** any person 18 years of age or older who:
- (1) is a resident inpatient of a facility as defined in Minn. Stat. 626.5572. Subd. 6;

- (2) receives services at or from a facility required to be licensed to serve adults under sections [245A.01](#) to [245A.15](#), except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);
- (3) receives services from a home care provider required to be licensed under sections [144A.43](#) to [144A.482](#); or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections [256B.0625, subdivision 19a, 256B.0651](#) to [256B.0654](#), and [256B.0659](#); or
- (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:
 - (i) that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
 - (ii) because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

IV. PROCEDURES

A. Communications Personnel Response/Additional Actions by Responding Officers

Communications personnel and/or law enforcement officers should inform the victim of ways to ensure critical evidence is not lost, to include the following:

- 1) Suggest that the victim not bathe, or clean him or herself if the assault took place recently.
- 2) Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing, and should avoid wiping after urination.
- 3) Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag, instructing the victim not to wash the clothing (per department policy).
- 4) Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

B. Initial Officer Response

When responding to a scene involving a sexual assault, officers shall follow standard incident response procedures. In addition, when interacting with victims, officers shall do the following:

- 1) Recognize that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.

- 2) The officer shall attempt to determine the location/jurisdiction where the assault took place.
- 3) Explain the reporting process including the roles of the first responder, investigator, and anyone else with whom the victim will likely interact during the course of the investigation.
- 4) Officers are encouraged to connect the victim with local victim advocates as soon as possible. Inform the victim that there are confidential victim advocates available to address any needs they might have and to support them through the criminal justice system process. Provide the victim with contact information for the local victim advocate. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.
- 5) Ask about and document signs and symptoms of injury, to include strangulation. Officers shall attempt to obtain a signed medical release from the victim.
- 6) Ensure that the victim knows they can go to a designated facility for a forensic medical exam. Offer to arrange for transportation for the victim.
- 7) Identify and attempt to interview potential witnesses to the sexual assault and/or anyone the victim told about the sexual assault.
- 8) Request preferred contact information for the victim for follow-up.

C. Victim Interviews

This agency recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. Such interview techniques and strategies eliminate the duplication of interviews and use a question and answer interviewing format with questioning nondirective as possible to elicit spontaneous responses.

In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:

- Offer to have a confidential victim advocate present (if possible) if the victim would benefit from additional support during the process
- Whenever possible, conduct victim interviews in person
- Make an effort to conduct the interview in a welcoming environment
- Let the victim share the details at their own pace
- Recognize victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in days and weeks following the assault
- After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle to ask if they remember any additional details.

- Depending on the victim, additional interviews might be needed to gather additional information. Offer support from a victim advocate to the victim to help facilitate engagement with the investigative process and healing.
- Some victims do remember details vividly and might want to be interviewed immediately.
- During initial and subsequent victim interviews, officers should note the following information as victims share it, recognizing that a victim may not be able to recall all the details of the assault during a particular interview.
 - 1) Whether the suspect was known to the victim
 - 2) How long the victim knew the suspect
 - 3) The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault
 - 4) The extent of their previous or current relationship
 - 5) Any behavioral changes that led the situation from one based on consent to one of submission, coercion, fear, or force
 - 6) Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault
 - 7) Relevant communication through social media, email, text messages, or any other forms of communication

D. Special Considerations—Minors and Vulnerable Adults/Domestic Abuse Victims

1. Minors and Vulnerable Adults

This agency recognizes that certain victims, due to their age or a physical, mental, or emotional distress, are better served by utilizing interview techniques and strategies that eliminate the duplication of interviews and use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. Members of this agency will be alert for victims who would be best served by the use of these specialized interview techniques. Officers, in making this determination, should consider the victim's age, level of maturity, communication skills, intellectual capacity, emotional state, and any other observable factors that would indicate specialized interview techniques would be appropriate for a particular victim. When an officer determines that a victim requires the use of these specialized interview techniques, the officer should follow the guidance below.

- a. Officers responding to reports of sexual assaults involving these sensitive population groups shall limit their actions to the following:
 - (1) Ensuring the safety of the victim;
 - (2) Ensuring the scene is safe;
 - (3) Safeguarding evidence where appropriate;
 - (4) Collecting any information necessary to identify the suspect; and
 - (5) Addressing the immediate medical needs of individuals at the scene

- b. Initial responding officers should not attempt to interview the victim in these situations, but should instead attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and that a crime most likely occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.
- c. Officers responding to victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute 626.556 and 626.557, as applicable. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency where required. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

Not all sexual assaults of minor victims require a mandatory report to social services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under Minn. Stat. 626.556 should assess for the impact on the victim and the investigation if parents/guardians were notified before making a decision to involve them.

- d. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview.
 - e. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.
2. Victims of Domestic Abuse
- Officers responding to a report of sexual assault committed against a family and household member must also follow the requirements and guidelines in this agency's domestic abuse policy and protocol, in addition to the guidelines in this policy.

E. Protecting Victim Rights

- 1) Confidentiality: Officers should explain to victims the limitations of confidentiality in a criminal investigation and that the victim's identifying information is not accessible to the public, as specified in Minn. Stat. section 13.82, subd. 17(b)
- 2) Crime Victim Rights: Officers must provide the following information to the victim:
 - a. Crime victim rights and resource information required to be provided to all victims as specified by Minn. Stat. section 611A.02, subd. 2(b)
 - b. If the suspect is a family or household member to the victim, crime victim rights and resource information required to be provided to domestic abuse victims, as specified by Minn. Stat. section 629.341, subd. 3.
 - c. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under Minn. Stat. section 611A.27, subd. 1.
 - d. Pursuant to Minn. Stat. 611A.26, subd. 1, no law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging or prosecution of such offense.
- 3) Other information: Officers should provide to the victim the agency's crime report/ICR number, and contact information for the reporting officer and/or investigator or person handling the follow up.
- 4) Language access: All officers shall follow agency policy regarding limited English proficiency.

F. Evidence Collection

- 1) Considerations for Evidence Collection
Officers shall follow this agency's policy on crime scene response. In addition, officers may do the following:
 - a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing. The agency should consider utilizing their agency or county crime lab in obtaining or processing the scene where the assault took place. This should be in accordance to any/all other policies and procedures relating to evidence collections.
 - b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

- c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.
- d. If the victim has declined or a medical forensic exam will not be conducted, the officer should obtain victim consent and attempt to take photographs of visible physical injuries, including any healing or old injuries. Victim should be given directions about how to document any bruising or injury that becomes evidence later after these photographs are taken.

G. Sexual Assault Medical Forensic Examinations

- 1) Prior to the sexual assault medical forensic examination the investigating officer should do the following:
 - a. Ensure the victim understands the purpose of the sexual assault medical forensic exam and its importance to both their general health and wellness and to the investigation. Offer assurance to the victim that they will not incur any out-of-pocket expenses for forensic medical exams and provide information about evidence collection, storage and preservation in sexual assault cases.
 - b. Provide the victim with general information about the procedure, and encourage them to seek further detail and guidance from the forensic examiner, health care professional, or a victim advocate. Officers and investigators cannot deny a victim the opportunity to have an exam.
 - c. Officers should be aware and if necessary, relay to victims who do not want to undergo an exam that there might be additional treatments or medications they are entitled to even if they do not want to have an exam done or have evidence collected. Victims can seek that information from a health care provider or a victim advocate. If possible, transport or arrange transportation for the victim to the designated medical facility.
 - d. Ask the victim for a signed release for access to medical records from the exam.
- 2) Officers should not be present during any part of the exam, including during the medical history.
- 3) Following the exam, evidence collected during the exam shall be handled according to the requirements of agency policy and Minnesota Statute 299C.106.

H. Contacting and Interviewing Suspects

Prior to contacting the suspect, officers should consider the following:

- 1) Conduct a background and criminal history check specifically looking for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.
- 2) Consider conducting a pretext or confrontational call or messaging depending on jurisdictional statutes. Involvement of a victim should be based on strong

consideration of the victim's emotional and physical state. A victim advocate should be present whenever possible to offer support.

- 3) When possible, an attempt would be made to interview the suspect in person.
- 4) In situations where suspects do not deny that a sexual act occurred, but rather assert that it was with the consent of the victim, officers should do the following:
 - a. Collect evidence of past communication, including but not limited to all relevant interaction (including social media) between the suspect and victim.
 - b. Identify events that transpired prior to, during, and after the assault in an effort to locate additional witnesses and physical locations that might lead to additional evidence.
- 5) For sexual assaults involving strangers, officers should focus investigative efforts on the collection of video, DNA, and other trace evidence used for analysis to identify the perpetrator (handle evidence collection per agency policy).

I. Forensic Examination and/or the Collection of Evidence from the Suspect

Note: A suspect's forensic examination and/or the collection of evidence from a suspect may be done by either an investigating officer/investigator, Forensic Medical Examiner, or the agency/county crime lab personnel.

- 1) Prior to or immediately after the preliminary suspect interview, photograph any injuries.
- 2) Determine whether a sexual assault medical forensic examination should be conducted.
- 3) Ask for the suspect's consent to collect evidence from their body and clothing. However, officers/investigators should consider obtaining a search warrant, with specific details about what evidence will be collected, and should be prepared in advance to eliminate the opportunity for the suspect to destroy or alter evidence if consent is denied.
- 4) During the suspect's sexual assault medical forensic examination, the investigator, evidence technician, or forensic examiner should do the following:
 - a. Strongly consider penile swabbing, pubic hair combings, and collection of other potential DNA evidence;
 - b. Collect biological and trace evidence from the suspect's body;
 - c. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;
 - d. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;
 - e. Document the suspect's relevant medical condition and injuries.

J. Role of the Supervisor

Supervisors may do the following:

- 1) Assist officers investigating incidents of sexual assault when possible or if requested by an officer.
- 2) Provide guidance and direction as needed.
- 3) Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.

K. Case Review/Case Summary

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

- 1) Case dispositions
- 2) Decisions to collect evidence
- 3) Submissions of evidence for lab testing
- 4) Interviewing decisions

Model Sexual Assault Investigation Policy 02.16.21.pdf

I. PURPOSE

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault. This agency will strive:

- a) To afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;
- b) To reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards;
- c) To increase the opportunity for prosecution and victim services.

II. POLICY

It is the policy of the _____ (law enforcement agency) to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area. Sexual assault crimes are under-reported to law enforcement and the goal of this policy is in part to improve victim experience in reporting so that more people are encouraged to report.

All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.

Peace officers will utilize this policy in response to sexual assault reported to this agency. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

III. DEFINITIONS

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

A. **Consent:** As defined by Minn. Stat. 609.341, which states:

- (1) Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
- (2) A person who is mentally incapacitated or physically helpless as defined by Minnesota Statute 609.341 cannot consent to a sexual act.

- (3) Corroboration of the victim's testimony is not required to show lack of consent.
- B. **Child or Minor:** a person under the age of 18.
- C. **Medical Forensic Examiner:** The health care provider conducting a sexual assault medical forensic examination.
- D. **Sexual Assault:** A person who engages in sexual contact or penetration with another person in a criminal manner as identified in MN Statute 609.342 to 609.3451.
- E. **Family and Household Member:** As defined in Minn. Stat. 518.B.01 Subd.2.b. to include:
- (1) spouses or former spouses;
 - (2) parents and children;
 - (3) persons related by blood;
 - (4) persons who are presently residing together or who have resided together in the past;
 - (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
 - (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
 - (7) persons involved in a significant romantic or sexual relationship
- F. **Sexual Assault Medical Forensic Examination:** An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.
- G. **Victim Advocate:** A Sexual Assault Counselor defined by Minn. Stat. 595.02, subd. 1(k) and/or Domestic Abuse Advocate as defined by Minn. Stat. 595.02, subd. 1(1) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist departments in locating their local victim advocacy agency for the purposes outlined in this policy.
- H. **Victim Centered:** A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.
- I. **Vulnerable Adult:** any person 18 years of age or older who:
- (1) is a resident inpatient of a facility as defined in Minn. Stat. 626.5572. Subd. 6;

- (2) receives services at or from a facility required to be licensed to serve adults under sections [245A.01](#) to [245A.15](#), except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);
- (3) receives services from a home care provider required to be licensed under sections [144A.43](#) to [144A.482](#); or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections [256B.0625, subdivision 19a, 256B.0651](#) to [256B.0654](#), and [256B.0659](#); or
- (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:
 - (i) that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
 - (ii) because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

IV. PROCEDURES

A. Communications Personnel Response/Additional Actions by Responding Officers

Communications personnel and/or law enforcement officers should inform the victim of ways to ensure critical evidence is not lost, to include the following:

- 1) Suggest that the victim not bathe, or clean him or herself if the assault took place recently.
- 2) Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing, and should avoid wiping after urination.
- 3) Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag, instructing the victim not to wash the clothing (per department policy).
- 4) Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

B. Initial Officer Response

When responding to a scene involving a sexual assault, officers shall follow standard incident response procedures. In addition, when interacting with victims, officers shall do the following:

- 1) Recognize that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.

- 2) The officer shall attempt to determine the location/jurisdiction where the assault took place.
- 3) Explain the reporting process including the roles of the first responder, investigator, and anyone else with whom the victim will likely interact during the course of the investigation.
- 4) Officers are encouraged to connect the victim with local victim advocates as soon as possible. Inform the victim that there are confidential victim advocates available to address any needs they might have and to support them through the criminal justice system process. Provide the victim with contact information for the local victim advocate. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.
- 5) Ask about and document signs and symptoms of injury, to include strangulation. Officers shall attempt to obtain a signed medical release from the victim.
- 6) Ensure that the victim knows they can go to a designated facility for a forensic medical exam. Offer to arrange for transportation for the victim.
- 7) Identify and attempt to interview potential witnesses to the sexual assault and/or anyone the victim told about the sexual assault.
- 8) Request preferred contact information for the victim for follow-up.

C. Victim Interviews

This agency recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. Such interview techniques and strategies eliminate the duplication of interviews and use a question and answer interviewing format with questioning nondirective as possible to elicit spontaneous responses.

In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:

- Offer to have a confidential victim advocate present (if possible) if the victim would benefit from additional support during the process
- Whenever possible, conduct victim interviews in person
- Make an effort to conduct the interview in a welcoming environment
- Let the victim share the details at their own pace
- Recognize victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in days and weeks following the assault
- After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle to ask if they remember any additional details.

- Depending on the victim, additional interviews might be needed to gather additional information. Offer support from a victim advocate to the victim to help facilitate engagement with the investigative process and healing.
- Some victims do remember details vividly and might want to be interviewed immediately.
- During initial and subsequent victim interviews, officers should note the following information as victims share it, recognizing that a victim may not be able to recall all the details of the assault during a particular interview.
 - 1) Whether the suspect was known to the victim
 - 2) How long the victim knew the suspect
 - 3) The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault
 - 4) The extent of their previous or current relationship
 - 5) Any behavioral changes that led the situation from one based on consent to one of submission, coercion, fear, or force
 - 6) Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault
 - 7) Relevant communication through social media, email, text messages, or any other forms of communication

D. Special Considerations—Minors and Vulnerable Adults/Domestic Abuse Victims

1. Minors and Vulnerable Adults

This agency recognizes that certain victims, due to their age or a physical, mental, or emotional distress, are better served by utilizing interview techniques and strategies that eliminate the duplication of interviews and use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. Members of this agency will be alert for victims who would be best served by the use of these specialized interview techniques. Officers, in making this determination, should consider the victim's age, level of maturity, communication skills, intellectual capacity, emotional state, and any other observable factors that would indicate specialized interview techniques would be appropriate for a particular victim. When an officer determines that a victim requires the use of these specialized interview techniques, the officer should follow the guidance below.

- a. Officers responding to reports of sexual assaults involving these sensitive population groups shall limit their actions to the following:
 - (1) Ensuring the safety of the victim;
 - (2) Ensuring the scene is safe;
 - (3) Safeguarding evidence where appropriate;
 - (4) Collecting any information necessary to identify the suspect; and
 - (5) Addressing the immediate medical needs of individuals at the scene

- b. Initial responding officers should not attempt to interview the victim in these situations, but should instead attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and that a crime most likely occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.
- c. Officers responding to victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute Section 260E.06 and 626.557, as applicable. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency where required. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

Not all sexual assaults of minor victims require a mandatory report to social services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under Minnesota Statute Section 260E.22 should assess for the impact on the victim and the investigation if parents/guardians were notified before making a decision to involve them.

- d. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview.
 - e. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.
2. Victims of Domestic Abuse
- Officers responding to a report of sexual assault committed against a family and household member must also follow the requirements and guidelines in this agency's domestic abuse policy and protocol, in addition to the guidelines in this policy.

E. Protecting Victim Rights

- 1) Confidentiality: Officers should explain to victims the limitations of confidentiality in a criminal investigation and that the victim's identifying information is not accessible to the public, as specified in Minn. Stat. section 13.82, subd. 17(b)
- 2) Crime Victim Rights: Officers must provide the following information to the victim:
 - a. Crime victim rights and resource information required to be provided to all victims as specified by Minn. Stat. section 611A.02, subd. 2(b)
 - b. If the suspect is a family or household member to the victim, crime victim rights and resource information required to be provided to domestic abuse victims, as specified by Minn. Stat. section 629.341, subd. 3.
 - c. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under Minn. Stat. section 611A.27, subd. 1.
 - d. Pursuant to Minn. Stat. 611A.26, subd. 1, no law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging or prosecution of such offense.
- 3) Other information: Officers should provide to the victim the agency's crime report/ICR number, and contact information for the reporting officer and/or investigator or person handling the follow up.
- 4) Language access: All officers shall follow agency policy regarding limited English proficiency.

F. Evidence Collection

- 1) Considerations for Evidence Collection

Officers shall follow this agency's policy on crime scene response. In addition, officers may do the following:

 - a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing. The agency should consider utilizing their agency or county crime lab in obtaining or processing the scene where the assault took place. This should be in accordance to any/all other policies and procedures relating to evidence collections.
 - b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

- c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.
- d. If the victim has declined or a medical forensic exam will not be conducted, the officer should obtain victim consent and attempt to take photographs of visible physical injuries, including any healing or old injuries. Victim should be given directions about how to document any bruising or injury that becomes evidence later after these photographs are taken.

G. Sexual Assault Medical Forensic Examinations

- 1) Prior to the sexual assault medical forensic examination the investigating officer should do the following:
 - a. Ensure the victim understands the purpose of the sexual assault medical forensic exam and its importance to both their general health and wellness and to the investigation. Offer assurance to the victim that they will not incur any out-of-pocket expenses for forensic medical exams and provide information about evidence collection, storage and preservation in sexual assault cases.
 - b. Provide the victim with general information about the procedure, and encourage them to seek further detail and guidance from the forensic examiner, health care professional, or a victim advocate. Officers and investigators cannot deny a victim the opportunity to have an exam.
 - c. Officers should be aware and if necessary, relay to victims who do not want to undergo an exam that there might be additional treatments or medications they are entitled to even if they do not want to have an exam done or have evidence collected. Victims can seek that information from a health care provider or a victim advocate. If possible, transport or arrange transportation for the victim to the designated medical facility.
 - d. Ask the victim for a signed release for access to medical records from the exam.
- 2) Officers should not be present during any part of the exam, including during the medical history.
- 3) Following the exam, evidence collected during the exam shall be handled according to the requirements of agency policy and Minnesota Statute 299C.106.

H. Contacting and Interviewing Suspects

Prior to contacting the suspect, officers should consider the following:

- 1) Conduct a background and criminal history check specifically looking for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.

- 2) Consider conducting a pretext or confrontational call or messaging depending on jurisdictional statutes. Involvement of a victim should be based on strong consideration of the victim's emotional and physical state. A victim advocate should be present whenever possible to offer support.
- 3) When possible, an attempt would be made to interview the suspect in person.
- 4) In situations where suspects do not deny that a sexual act occurred, but rather assert that it was with the consent of the victim, officers should do the following:
 - a. Collect evidence of past communication, including but not limited to all relevant interaction (including social media) between the suspect and victim.
 - b. Identify events that transpired prior to, during, and after the assault in an effort to locate additional witnesses and physical locations that might lead to additional evidence.
- 5) For sexual assaults involving strangers, officers should focus investigative efforts on the collection of video, DNA, and other trace evidence used for analysis to identify the perpetrator (handle evidence collection per agency policy).

I. Forensic Examination and/or the Collection of Evidence from the Suspect

Note: A suspect's forensic examination and/or the collection of evidence from a suspect may be done by either an investigating officer/investigator, Forensic Medical Examiner, or the agency/county crime lab personnel.

- 1) Prior to or immediately after the preliminary suspect interview, photograph any injuries.
- 2) Determine whether a sexual assault medical forensic examination should be conducted.
- 3) Ask for the suspect's consent to collect evidence from their body and clothing. However, officers/investigators should consider obtaining a search warrant, with specific details about what evidence will be collected, and should be prepared in advance to eliminate the opportunity for the suspect to destroy or alter evidence if consent is denied.
- 4) During the suspect's sexual assault medical forensic examination, the investigator, evidence technician, or forensic examiner should do the following:
 - a. Strongly consider penile swabbing, pubic hair combings, and collection of other potential DNA evidence;
 - b. Collect biological and trace evidence from the suspect's body;
 - c. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;
 - d. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;
 - e. Document the suspect's relevant medical condition and injuries.

J. Role of the Supervisor

Supervisors may do the following:

- 1) Assist officers investigating incidents of sexual assault when possible or if requested by an officer.
- 2) Provide guidance and direction as needed.
- 3) Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.

K. Case Review/Case Summary

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

- 1) Case dispositions
- 2) Decisions to collect evidence
- 3) Submissions of evidence for lab testing
- 4) Interviewing decisions

Eyewitness Identification Procedures Model Policy.pdf

EYEWITNESS IDENTIFICATION PROCEDURES MODEL POLICY

Minn. Stat. 626.8433

POLICY:

Officers shall adhere to the procedures for conducting eyewitness identifications set forth in this policy, in order to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols. Photo arrays and line-ups will be conducted by displaying the suspect and fillers sequentially using a blind or blinded administration.

Purpose:

It is the purpose of this policy to establish guidelines for eyewitness identification procedures involving show-ups, photo arrays, and line-ups. Erroneous eyewitness identifications have been cited as the factor most frequently associated with wrongful convictions. Therefore, in addition to eyewitness identification, all appropriate investigative steps and methods should be employed to uncover evidence that either supports or eliminates the suspect identification.

Definitions:

Show-up: The presentation of a suspect to an eyewitness within a short time frame following the commission of a crime to either confirm or eliminate him or her as a possible perpetrator. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

Line-up: The process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

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

Administrator: The law enforcement official conducting the identification procedure.

Blinded Presentation: The administrator may know the identity of the suspect, but does not know which photo array member is being viewed by the eyewitness at any given time.

Confidence Statement: A statement in the witness's own words taken immediately after an identification is made stating his or her level of certainty in the identification.

Filler: A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

Sequential: Presentation of a series of photographs or individuals to a witness one at a time.

Simultaneous: Presentation of a series of photographs or individuals to a witness all at once.

Procedure:

1. Show-ups

The use of show-ups should be avoided whenever possible in preference to the use of a lineup or photo array procedure. However, when circumstances require the prompt presentation of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness and increase reliability.

- a. Document the witness's description of the perpetrator prior to conducting the show up.
- b. Conduct a show-up only when the suspect is detained within a reasonably time frame after the commission of the offense and within a close physical proximity to the location of the crime.
- c. Do not use a show-up procedure if probable cause to arrest the suspect has already been established.
- d. If possible, avoid conducting a show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.
- e. Caution the witness that the person he or she is about to see may or may not be the perpetrator—and it is equally important to clear an innocent person. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.
- f. Do not conduct the show-up with more than one witness present at a time.
- g. Separate witnesses and do not allow communication between them before or after conducting a show-up.
- h. If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.
- i. Do not present the same suspect to the same witness more than once.

- j. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.
- k. Officers should scrupulously avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.
- l. Ask the witness to provide a confidence statement.
- m. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.
- n. Videotape the identification process using an in-car camera or other recording device when feasible.
- o. Document the time and location of the show-up, the officers present, the result of the procedure, and any other relevant information.

Line-up and Photo Array Procedures

2. Basic Procedures for Conducting a Line-up or Photo Array

- a. Line-ups will not typically be utilized for investigations, unless conducting a photo array is not possible.
- b. Whenever possible, a blind presentation shall be utilized. In cases where a blind presentation is not feasible for a photo array, a blinded presentation should be used. Live line-ups must be conducted using a blind presentation.
- c. The line-up or photo array should consist of a minimum of six individuals or photographs. Use a minimum of five fillers and only one suspect.
- d. Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.
- e. Avoid the use of fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
- f. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature on the fillers.
- g. If there is more than one suspect, include only one in each line-up or photo array.

- h. During a blind presentation, no one who is aware of the suspect's identity should be present during the administration of the photo array. However, during a line-up, the suspect's attorney should be present.
- i. Place suspects in different positions in each line-up or photo array, both across cases and with multiple witnesses in the same case.
- j. Witnesses should not be permitted to see or be shown any photos of the suspect prior to the line-up or photo array.
- k. The witness shall be given a copy of the following instructions prior to viewing the line-up or photo array and the administrator shall read the instructions aloud before the identification procedure.

You will be asked to look at a series of individuals.

The perpetrator may or may not be present in the identification procedure.

It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

I don't know whether the person being investigated is included in this series.

Sometimes a person may look different in a photograph than in real life because of different hair styles, facial hair, glasses, a hat or other changes in appearance. Keep in mind that how a photograph was taken or developed may make a person's complexion look lighter or darker than in real life.

You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.

The individuals are not configured in any particular order.

If you make an identification, I will continue to show you the remaining individuals or photos in the series.

Regardless of whether you make an identification, we will continue to investigate the incident.

Since this is an ongoing investigation, you should not discuss the identification procedures or results

- l. The line-up or photo array should be shown to only one witness at a time; officers should separate witnesses so they will not be aware of the responses of other witnesses.
- m. Multiple identification procedures should not be conducted in which the same witness views the same suspect more than once.
- n. Officers should scrupulously avoid the use of statements, cues, casual comments, or providing unnecessary or irrelevant information that in any manner may influence the witnesses' decision-making process or perception.
- o. Following an identification, the administrator shall ask the witness to provide a confidence statement and document the witness's response.
- p. The administrator shall ask the witness to complete and sign an Eyewitness Identification Procedure Form.
- q. Line-up and photo array procedures should be video or audio recorded whenever possible. If a procedure is not recorded, a written record shall be created and the reason for not recording shall be documented. In the case of line-ups that are not recorded, agents shall take and preserve a still photograph of each individual in the line-up.

3. Photographic Arrays

a. Creating a Photo Array

1. Use contemporary photos.
2. Do not mix color and black and white photos.
3. Use photos of the same size and basic composition.
4. Never mix mug shots with other photos and ensure consistent appearance of photograph backgrounds and sizing.
5. Do not include more than one photo of the same suspect.
6. Cover any portions of mug shots or other photos that provide identifying information on the subject – and similarly cover other photos used in the array.
7. Where the suspect has a unique feature, such as a scar, tattoo, or mole or distinctive clothing that would make him or her stand out in the photo array, filler photographs should include that unique feature either by selecting fillers who have the same features themselves or by altering the photographs of fillers to the extent necessary to achieve a consistent appearance.
8. Fillers should not be reused in arrays for different suspects shown to the same witness.

b. Conducting the Photo Array

1. The photo array should be preserved, together with full information about the identification process as part of the case file and documented in a report.

2. If a blind administrator is not available, the administrator shall ensure that a blinded presentation is conducted using the following procedures.
 - a. Place the suspect and at least five filler photos in separate folders for a total of six (or more depending on the number of fillers used).
 - b. The administrator will take one folder containing a known filler and place it to the side. This will be the first photo in the series. The administrator should then shuffle the remaining folders (containing one suspect and the remainder of fillers) such that he or she cannot see how the line-up members are ordered. These shuffled folders will follow the first filler photo. The stack of photos is now ready to be shown to the witness.
 - c. The administrator should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.
3. The witness should be asked if he or she recognizes the person in the photo before moving onto the next photo. If an identification is made before all of the photos are shown, the administrator should tell the witness that he or she must show the witness all of the photos and finish showing the sequence to the witness, still asking after each photo if the witness recognizes the person in the photo.
4. If possible, the array should be shown to the witness only once. If, upon viewing the entire array the witness asks to see a particular photo or the entire array again, the witness should be instructed that he or she may view the entire array only one additional time. If a second viewing is permitted, it must be documented.

4. Line-ups

- a. Conducting the Line-up
 1. Live line-ups shall be conducted using a blind administrator.
 2. Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.
- b. The primary investigating officer is responsible for the following:
 1. Scheduling the line-up on a date and at a time that is convenient for all concerned parties, to include the prosecuting attorney, defense counsel, and any witnesses.
 2. Ensuring compliance with any legal requirements for transfer of the subject to the line-up location if he or she is incarcerated at a detention center.
 3. Making arrangements to have persons act as fillers.
 4. Ensuring that the suspect's right to counsel is scrupulously honored and that he or she is provided with counsel if requested. Obtaining proper documentation of any waiver of the suspect's right to counsel.
 5. Allowing counsel representing the suspect sufficient time to confer with his or her client prior to the line-up and to observe the manner in which the line-up is conducted.

References:

Eyewitness Identification Procedure Form
Sequential Photo Display Form

Consular Notification Form (fillable).pdf

Inver Grove Heights Police Department Consular Notification Form

Officer Name & Badge: _____

Date/Time: _____

Detainee Information:

Name: _____

DOB: _____

Country of Citizenship: _____

Case/Incident #: _____

Notification Type:

- Mandatory Notification Country (automatic notification required)
- Optional Notification (advised of right; detainee requested notification)
- Optional Notification (detainee declined notification)

Notification Details:

Date/Time Notification Made: _____

Consulate Contacted: _____

Name of Consular Officer: _____

Officer Making Notification: _____

Notification Method:

- Phone
- Fax
- Email

Detainee Acknowledgement:

- I was advised of my right to consular notification.
- I requested consular notification.
- I declined consular notification.

Signature of Detainee (if feasible): _____

Detention Facility Detainee Rules.pdf



Inver Grove Heights Police Department

Detention Facility Rules for Detainees

1. Detainees are responsible for following directions from department personnel.
2. Detainees are responsible for being respectful to the facility and others.
3. Detainees are responsible for picking up after themselves.
4. Detainees are responsible for not fighting.
5. Detainees are responsible for not causing property damage.
6. Detainees are responsible for signing for their property.
7. Detainees shall not have any object, evidence, and/or contraband while in a holding cell.

Any violation of these rules could cause the detainee to be charged with a crime.

**Inver Grove Heights Police Department
Discipline Process Manual v11-22.pdf**



Inver Grove Heights Police Department

8150 Barbara Ave, Inver Grove Heights, MN 55077

Discipline Process Guidebook and Discipline Matrix

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Responsibility to Investigate Complaints

In late 2019 – early 2020, the Inver Grove Heights Police Department established the Discipline Process Guidebook and Discipline Matrix as a means to be transparent in the process of investigating and reviewing complaints of misconduct made against department employees.

Internal Affairs - Internal Affairs is the city entity responsible for reviewing and investigating alleged misconduct that arises from public complaints, internal complaints, civil lawsuits, or criminal investigations. The alleged violations can be of;

- City policy and/or procedure
- Department
 - Policy
 - Procedure
 - Operations
- Civil and/or Criminal law

The Inver Grove Heights Police - Discipline Process Guidebook and Discipline Matrix are intended to outline the specific procedures used by the Department to facilitate the results of investigations that were conducted subsequent to an allegation of misconduct made against a department employee.

These procedures shall supersede any previous written and/or oral processes used in making decisions related to allegations of misconduct.

Questions regarding the content of this Discipline Process Guidebook and Discipline Matrix or other matters relating to discipline may be directed to the Chief of Police or designee.

Defined Actions

Supervisory Actions:

When a supervisor is made aware of allegations of misconduct by a department employee, regardless of the potential level of the policy violations, they shall notify the Chief of Police or designee in writing. Documentation may be in the form of a memo or email and shall include all known facts regarding the allegation.

Supervisors shall take appropriate steps to conduct performance mentoring/coaching with the employee based on known facts. However, they have no authority to determine that they have conducted coaching consistent with a sustained “Category A” level policy violation. Only the Chief or designee can make the determination when coaching is the appropriate outcome.

Non-Disciplinary Actions:

There are some instances where an employee's behavior may not have been appropriate however it does not rise to the level of discipline. In such cases, non-disciplinary action may be taken as soon after the unacceptable behavior or poor performance was first noted. Examples of non-disciplinary action include, but are not limited to performance mentoring, training, and coaching.

Disciplinary Actions:

In most circumstances, the Department uses a progressive discipline model to address issues of employee misconduct. In this context, progressive discipline is defined as a process or method that is used to address and correct an employee's work performance or inappropriate workplace behavior by providing clear and constructive feedback through a series of

increasingly formal steps.

However, there are some circumstances that by their nature are so egregious that adhering to a model of progressive discipline would only erode the public's trust in our system of oversight.

Examples include chronic substandard performance, an employee who is no longer qualified for the position, repeated misconduct, or severe initial misconduct.

Allegation of Misconduct Complaint Forms

Allegation of Misconduct Complaint Form Availability:

- Conduct complaint forms will be maintained in a visible location in the public area of the Police Department as well as accessible on the department website.
 - Conduct complaint forms in languages other than English may also be provided, as determined necessary or practicable.
- Although written complaints on the department's conduct complaint form are preferred, a complaint may come in any form, including in writing, by email, in person, or by telephone.

Allegation of Misconduct Complaint Form Acceptance:

- All employees are required to explain the complaint procedure to citizens upon request.
- All complaints will be courteously and professionally accepted by any employee and promptly given to the appropriate supervisor.
 - It is not the responsibility of the employee receiving the complaint to gather further details.
- If a complaint is received orally, such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving employee shall forward the complaining person's contact information to the involved person's immediate supervisor or commander, along with any offered information, as soon as possible.
 - The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.
 - The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.
- It is not appropriate to refer the complaining party to contact the supervisor or commander.
- **Employees receiving a complaint are prohibited from discussing the matter with anyone other than the individual to whom the complaint is referred and the person assigned to investigate the complaint.**
- Once the complaining individual has contacted the department, it is the department's responsibility to follow through with the processing of the complaint.
- A complainant should be invited to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary. Under no circumstances will receipt of a complaint be denied due to the unwillingness or inability of the complainant to report in person.

Allegations of Misconduct Investigation Process

Preliminary Investigation:

Once a complaint is received, a preliminary investigation will begin. The preliminary investigation includes the gathering of facts and evidence related to a specific allegation of misconduct. Investigations of this category can include formal interviews with the complainant and others who have information related to allegations of misconduct.

A preliminary case is not public information however the subject of the data does have the right to view data on the subject.

Administrative Investigation:

The administrative investigation includes all work done during a preliminary investigation as well as interviews with any IGH PD employees or others that may have knowledge of the incident.

Administrative cases are closed absent any recommendations from the Internal Affairs representative. Ultimately the case file will be presented to the Chief of Police or designee for a review for case closure and final discipline and/or further actions.

In most circumstances, the Department's goal is to have the administrative investigation concluded within 90 days.

- **Letter of Notice**

A Letter of Notice is an employee's official notice directing them to appear on a specific date and time to provide a formal statement. The letter will inform the employee if they are a witness or subject officer and will contain a summary of the allegations.

- **Formal Statements**

In most instances' statements will be taken at the Inver Grove Heights Police Department. However, there are circumstances that may require the statement to be taken at a different location.

All statements taken from sworn department employees shall adhere to the guidelines outlined in the Minnesota Peace Officers Discipline Procedures Act; (Minnesota State Statute Section 626.89) and the most current approved Labor Agreement between the City of Inver Grove Heights and appropriate labor services.

All formal statements of department employees will be audio-recorded and maybe transcribed for review by the Internal Affairs representative as well as the employee being interviewed. The employee providing a statement has the right to have a union representative and/or legal counsel present during the interview. However, the role of the representative and/or legal counsel is solely to provide counsel for the employee. The representative and/or legal counsel is not allowed to answer a question on behalf of the employee or make statements regarding the allegations of misconduct.

Completed Administrative Investigation:

An Administrative Investigation is considered to be completed once the Internal Affairs representative makes a recommendation of "Merit" or "No Merit" to the Chief of Police.

- **Merit:** A finding of "Merit" is a recommendation to the Chief of Police indicating that a preponderance of the evidence supports an allegation in a complaint.
- **No Merit:** A finding of "No Merit" is a recommendation to the Chief of Police indicating that a preponderance of the evidence does not support an allegation in a complaint.

The Internal Affairs representative shall apply the standard of proof known as the "preponderance of the evidence" when determining whether or not there is sufficient evidence to

establish that a violation occurred.

For this guidebook, the phrase "preponderance of the evidence" shall mean:

"The available evidence establishes that it is more likely than not (51%) that the alleged violation was committed and that the subject officer was, in fact, the person who committed the misconduct."

Case Summary

Once the Internal Affairs representative reaches a finding of merit or no merit, they will compose a case summary that includes a summary of statements, a summary of allegations, and investigative facts). The case summary is used for the case closure and final discipline determination if warranted.

Final Discipline - Chief of Police

The Chief of Police or designee will review the case summary and/or file and make a final determination as to what discipline should be imposed on the subject employee.

The Chief of Police or designee recognizes that every discipline situation is different and that an employee's actions and history may affect discipline. When making a determination as to the category and type of discipline the Chief of Police or designee should review the subject employee's record to determine:

1. Mitigating factors: Departures from the schedule of discipline and/or the discipline matrix.
2. Aggravating factor: Enhancements the schedule of discipline and/or the discipline matrix.

Factors for Consideration:

The Department recognizes that every discipline situation is different and that an employee's actions and history may worsen or improve the overall picture of misconduct. The table below seeks to outline acceptable mitigating and aggravating factors; these factors must be cited to justify the discipline.

Commendations	<ul style="list-style-type: none">• Documented incidents of outstanding performance and service to the department/community.• Will include the previous five years of commendation history.
Prior Discipline	<ul style="list-style-type: none">• Includes prior sustained allegations and associated levels of discipline (within time limits) and any other notations regarding the specific behavior in question as outlined in supervisory notes (recent training and/or warnings specific to the behavior).
Seniority	<ul style="list-style-type: none">• Seniority will be weighed against the behavior in question based on the factors surrounding the incident, such as experience, training, culpability, and circumstances of the event.
Rank	<ul style="list-style-type: none">• Employees of higher rank may be held to a higher standard of conduct and knowledge of departmental policies based on the virtue of their positions.
Circumstances (Of the Incident)	<ul style="list-style-type: none">• Was the employee involved in legitimate City business (i.e., responding to a call, making an arrest, etc.)?• Was the employee acting in the best interest of the department/community and/or with due regard for safety?

Culpability	<ul style="list-style-type: none"> • An evaluation of the behavior should consider whether the employee acted intentionally or with the knowledge that the behavior amounted to a violation of policy. • Did the employee recklessly disregard factors that a reasonable person would have considered or did the employee act negligently?
Employee Attitude	<ul style="list-style-type: none"> • What is the employee's attitude toward the behavior? • Discipline can only be effective if employees accept responsibility for their actions and continually strive to conduct themselves within the guidelines of department policy.
Performance Evaluations	<ul style="list-style-type: none"> • Includes both scheduled and unscheduled performance evaluations.
Training	<ul style="list-style-type: none"> • Any training specific to the behavior in question should be considered. • Maybe as simple as a review of a policy or as formalized as a structured classroom or other job-related training. • All training must be noted in supervisory notes and/or department training records.
Liability	<ul style="list-style-type: none"> • Actions that could cause the City money in civil liability defense.

Case Closure Codes:

The allegation must have a finding. After thoroughly reviewing all the evidence, the Chief must make one of the following findings for each of the allegations being reviewed:

- **Cleared by Exception:** The complaint was investigated but a finding is not noted due to a member's separation, death, or other similar circumstances.
- **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 Failure:** The complaint is true, but the member's actions were not inconsistent with the department policy. The policy is then examined for possible revision.
- **Sustained:** When the investigation discloses by a preponderance of the evidence to establish that the act occurred and that it constituted misconduct. This is 51% or more likely than not. Note that this is much less than the criminal standard of proof beyond a reasonable doubt.
- **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.

Action to be Taken:

When an allegation is sustained the Chief of Police or designee will provide the action to be taken.

- Non-Discipline Action
- Discipline Action

Non-Discipline Action:

- The Chief of Police or designee may close the matter in a non-discipline category A, which may include but is not limited to Performance Mentoring, "Coaching Documentation" and/or a "Coaching Memo."
- In these instances, the Chief of Police or designee will complete a memorandum describing the rationale behind the decision and include a copy with the complaint file.

Non-Discipline Category (A):

- A-Level violation: A violation that can only result in non-disciplinary corrective actions and is not considered public data. These outcomes cannot be grieved by the employee.
 - **Coaching Documentation** - A form used to document conversations with an employee for instances that involve Category A policy violations.
 - **Training** - The employee's supervisor will collaborate with the department's training coordinator to develop a customized training plan. Failure to complete a training plan may result in additional training or discipline.
 - **Performance Mentoring** – mentoring an employee to improve performance deficiencies and provide the opportunity to succeed. Mentoring may include a performance improvement plan (PIP) as a tool to address failures to meet specific job goals or to ameliorate behavior-related concerns. Outcomes of a PIP may vary, including improvement in overall performance; the recognition of skills or training gaps; or possible employment actions such as a transfer, demotion, or termination.

Discipline Action:

- The Chief of Police or designee may close the matter in a disciplinary category B - D, which may include but is not limited to:
 - **Oral Reprimand** - A formal verbal notice reduced to writing advising the member that an allegation of misconduct has been sustained. The reduced to writing should include a list of the sustained policy violation(s).
 - **Written Reprimand** - A formal written notice advising the member that an allegation of misconduct has been sustained. The notice should include a list of the sustained policy violation(s).
 - **Suspension** - The permanent deprivation of wages for a specific period. This is generally imposed up to 30-day-blocks of time equivalent to a member's workday.
 - **Demotion** - The temporary or permanent reduction in rank or appointment.
 - **Discharge** - The permanent separation of a member from employment with the Inver Grove Heights Police Department.
- In these instances, the Chief of Police or designee will complete a memorandum describing the rationale behind the decision and include a copy with the complaint file.

Discipline Category (B, C, D):

- B-Level Violation: A violation that could result in, Training referral, Education-Based Discipline, Reprimand (verbal or written), or up to 3 Days of suspension.
- C-Level Violation: A violation that could result in, Training referral, Reprimand (verbal or written), or up to 5 Days of suspension, or demotion.
- D-Level Violation: A violation that could result in up to 30 Days of Suspension, Demotion, or Termination.

Pre-Discipline Employee Response (Loudermill Hearing)

The Loudermill hearing is a pre-deprivation process afforded to certain public employees. This hearing is meant to serve as a venue for the employee and/or the employee's representative to address the allegations of misconduct before any possible discipline being imposed.

Minnesota State Statute Section 626.89 section 6 and the Minnesota Government Data Practices Act govern access to the data. Currently, in cases where a Loudermill hearing will take place, a party is entitled to copies of the complaint file. It is the responsibility of the involved employee to obtain a copy of the summary, in person, from the Internal Affairs representative.

The involved employee shall provide a written request via email to the Internal Affairs representative should the involved employee choose to have the investigative summary released to their Union Representative and/or Legal Counsel.

It is incumbent upon the Internal Affairs representative to complete the hearing within 20 days after the date in which the subject employee has been given a Loudermill Notice and return the case to the Chief of Police or designee.

In general, an employee should be given 7 days to review the information contained in the complaint file and decide to have a Union Representative or Legal Counsel present with them at the time of the Loudermill.

Loudermill Panel:

1. The Panel will be comprised of at least two (2) IGH PD employees generally, one-panel member is the IA representative and the other panel member should be the subject employee's direct supervisor. This will most often be a person who is the rank of sergeant or higher. Or one being the Chief of Police and the other panel member being a person who is the rank of sergeant or higher.
 - If the Panel is for termination, it will be comprised of at least two (2) City employees, one being the Chief of Police and one being the City Administrator.

Notification of Loudermill Hearing:

The Internal Affairs representative shall notify the employee by sending a letter via email, as to the date, time, and location of the Loudermill hearing. A hard copy of this letter should also be sent to the officer via interoffice mail.

Loudermill Hearing Location:

The Loudermill Hearing itself should be conducted at a place that affords the employee an appropriate level of privacy. The entire Loudermill Hearing shall be audio recorded and included in the administrative case file. Once the employee or their representative provides his or her statement, the panel will adjourn the hearing and advise the employee that the next step of the review will be conducted by the Chief of Police or designee.

- If the Panel is for termination, the subject employee will be advised the next step of the review will be conducted by the City Council per City Ordinance.

Loudermill Summary:

The Loudermill summary is a written document that is meant to provide a synopsis of the subject employee's remarks and/or evidence presented during the hearing. The summary may also include remarks made on behalf of the subject employee by their representative.

The Internal Affairs representative will be responsible for returning the written summary to the Chief of Police or designee within 20 days after the Loudermill Hearing.

Schedule of Discipline

Non-Disciplinary		Disciplinary	
Type of Corrective Action	Code	Type of Corrective Action	Code
Coaching Documentation	CD	Verbal Reprimand	VR
Training	T	Written Reprimand	WR
Performance Mentoring	PM	Suspension	SUSP
		Demotion	DEMO
		Termination	TERM

Range of Corrective Actions									
Category	Reckoning Period	CD	T	PM	VR	WR	SUSP	DEMO	TERM
A	1 Year	X	X	X					
B	3 Years		X		X	X	X		
C	5 Years		X		X	X	X	X	
D	Length of Employment		X		X	X	X	X	X

Reckoning Period Enhancements of Discipline			
Category	Ratio/year	Type	Enhancement
A	2 in 1	Same/Similar	B
B	2 in 3	Same/Similar	C
C	2 in 5	Same/Similar	D
D		No Enhancements	

Enhancement:

- Repeated violations of IGH PD Policy, Procedure, and Operations may result in more severe corrective actions being taken against the involved employee.
- IGH PD may consider corrective actions outside of the reckoning period to evaluate;
 - Whether the employee knew or should have known that the behavior is improper.
 - Whether the employee is responsive to corrective action.
 - Or for purposes other than enhancing the level of discipline.

Inver Grove Heights Police Department
Discipline Matrix

Discipline Matrix

Introduction:

An effective discipline system is based on the guiding principles of fairness, efficiency, and consistency. It should reflect the values of the Department while protecting the rights of both department employees and citizens. The system should strive to encourage respect and trust among Department employees as well as with the community. The Inver Grove Heights Police Department (IGH PD) is dedicated to upholding a culture of public accountability, promoting individual responsibility, and maintenance of the highest standards of professionalism.

This discipline matrix has been developed through extensive research of best standards and is based on input from IGH PD command staff. This matrix is designed to accomplish the following goals:

- Better delineate conduct categories for specific policy violations.
- Outline specific discipline ranges within those categories and for specific policy violations.
- Give notice to officers and the community of the likely sanction for a particular violation.
- Identify acceptable mitigating and aggravating circumstance requirements.
- Provide the framework for consistent discipline.

The discipline matrix will outline specific and measurable policy violations. These violations, while not representative of all possible circumstances of misconduct, were identified as either common forms of misconduct or identifiable forms of misconduct.

As has always been past practice, the Chief of Police or their designee retains the right to vary from this matrix as circumstances warrant.

With the establishment of the IGH PD discipline matrix, employees are on notice that the Department intends to change any prior disciplinary practices and the discipline matrix is now the standard of discipline for the IGH PD effective with its issuance.

The Imposition of Discipline:

The IGH PD will not impose discipline for infractions that are determined to be SUSTAINED beyond the reckoning period for that violation as defined by the IGH PD in the complaint process and policy and procedure manual.

Discipline Matrix Tables:

Policy	Type of Violation	Range	Discipline		
			Range	Mitigating	Baseline
BWC & MVR					
422	BWC: failure to activate on a call for service and or law enforcement encounter.	B	CD	WR	1 Day
420/422	BWC and/or MVR: no start-up checks	B	CD	WR	1 Day
420/422	Altering or destroying BWC and/or MVR equipment	D	5 Days	Termination	
420/422	Altering or destroying BWC and/or MVR recordings	D	5 Days	Termination	
420	MVR: failure to record vehicle stops and/or rear-seat passengers	B	CD	WR	1 Day
Code of Conduct/Professional Code of Conduct					
320	Exhibit any conduct whether on-duty or off-duty, which discredits themselves or the department or otherwise impairs their ability, the ability of other officers, or the department to provide law enforcement services to the community.	C-D	3 Days	5 Days	Termination
320	Failure to remain on duty until the end of a shift or relieved if ordered to stay	B	WR	1 Day	3 Days
320	Failure to take reasonable action while on-duty	B-D	WR	3 Days	Termination
320/300	Failure to intervene to prevent the use of unreasonable force	D		Termination	
320	Language (not protected class): used profane, derogatory to ridicule, mock, taunt, or belittle any person	B	WR	1 Day	3 Days
320	Language (protected class): used biased based to ridicule, mock, taunt, belittle any person	D		Termination	
320	Possession of duty weapon or another firearm while consuming alcohol, over .04, no criminal action	D	3 Days	5 Days	7 Days
320	Referral to outside business with personal benefit to an employee	D		Termination	
320	Failure to meet minimum job qualifications (some discretion on OFP with Lautenberg Amendment)	D		Termination	
320	Criminal activity: Any felony crime, domestic assault, sex crimes, narcotics, steroids, interfering with a 911 call, theft, discharge of a weapon, or repeat DWI	D		Termination	
320	Criminal activity: Gross misdemeanor or misdemeanor (other than those listed in other categories)	C	1 Day	5 Days	Termination

Policy	Type of Violation	Range	Discipline		
Code of Conduct/Professional Code of Conduct Continued...		Range	Mitigating	Baseline	Aggravating
320	Identify self as an officer with the intent to gain special consideration	C-D	3 Days	5 Days	Termination
320	Misuse of police powers: search warrants, administrative subpoenas, credit checks, etc.	D		Termination	
320	Working off-duty while still on city time	D		Termination	
Compliance with Lawful Orders & Supervision			Mitigating	Baseline	Aggravating
320	Compliance with lawful orders in administrative and routine situations	B-C	WR	1 Day	3 Days
320	Supervisory Responsibility: fail to supervise	C	1 Day	3 Days	5 Days
320	Compliance with lawful orders repeated violations or critical orders	D		Termination	
Data Practices		Range	Mitigating	Baseline	Aggravating
320	Access confidential records (DVS, NCIC, etc.) not related to assigned job duties/no official law enforcement purpose no known personal gain	C	WR	1 Day	3 Days
320	Access confidential records (DVS, NCIC, etc.) not related to assigned job duties/no official law enforcement purpose for personal gain	D	3 Days	5 Days	Termination
Equipment		Range	Mitigating	Baseline	Aggravating
1023	Failure to carry the required equipment	B-D	CD	WR	1 Day
1023	Unauthorized equipment carried but not used, excludes firearm	C	CD	WR	1 Day
Email/Electronic Communication Violations		Range	Mitigating	Baseline	Aggravating
320	Unprofessional or offensive email (protected class)	D	3 Days	5 Days	Termination
320	Any unauthorized access or misuse of data, information, or reports	D	3 Days	5 Days	Termination
Internal Affairs Procedures		Range	Mitigating	Baseline	Aggravating
1009	Failure to return Garrity notice or set up an appointment with an IA Rep	B	WR	1 Day	3 Days
1009	Failure to notify IA Rep of being a suspect in an incident	B-C	WR	1 Day	3 Days
1009	Failure to notify IA Rep of arrest	D	3 Days	5 Days	Termination

Policy	Type of Violation	Range	Discipline		
Internal Affairs Procedures Continued...		Range	Mitigating	Baseline	Aggravating
1009	Failure to notify IA Rep of OFP which invokes the Lautenberg amendment	D		Termination	
Overtime & Court		Range	Mitigating	Baseline	Aggravating
320	Failure to appear in court or standby violations, any criminal case	B	CD	WR	1 Day
Off-Duty Employment		Range	Mitigating	Baseline	Aggravating
320	Failure to show up for an off-duty job	B	CD	WR	1 Day
320	Working off-duty while on restricted status (light-duty, admin leave, serving suspension)	C-D	3 Days	5 Days	Termination
Property & Evidence		Range	Mitigating	Baseline	Aggravating
320	Failure to properly inventory evidence acquired in a criminal case	C	CD	WR	1 Day
320	Failure to properly dispose of non-evidentiary property	A-B	CD	WR	1 Day
Reports		Range	Mitigating	Baseline	Aggravating
300	Failure of supervisors to complete a use of force review report in compliance with the policy when the use of force subject incurs an injury at the level of substantial bodily injury or greater	B-C	WR	1 Day	3 Days
300	Failure to report the use of force	B-D	WR	1 Day	3 Days
300	Failure to notify supervisor of use of force resulting in injury	B-C	WR	1 Day	5 Days
Training		Range	Mitigating	Baseline	Aggravating
320	Failure to attend mandatory or requested training	B	CD	WR	1 Day
Truthfulness		Range	Mitigating	Baseline	Aggravating
320	Untruthful to a supervisor or falsify unofficial documents	D	3 Days	5 Days	Termination
320	Garrity violations; perjury; falsify official documents or reports	D		Termination	
Vehicle Operation		Range	Mitigating	Baseline	Aggravating
1-6A-22-I-13	Preventable accident after remedial training	B	WR	1 Day	3 Days
1-6A-22-I-13	Preventable accident with careless or reckless driving violation resulting in damage or injury	B	WR	1 Day	3 Days

Policy	Type of Violation	Range	Discipline		
			Range	Mitigating	Baseline
1-6A-22-I-13	Preventable accident with careless or reckless driving violation resulting in an injury of substantial bodily harm	C	3 Days	5 Days	7 Days
1-6A-22-I-13	Preventable accident with careless or reckless driving violation resulting in great bodily harm or death	D	7 Days	Termination	
307	Lights/siren use violation; speed; unsafe vehicle operation (no preventable accident involved)	B	CD	WR	1 Day
306	Pursuit policy: failure to follow pursuit guidelines	B	CD	WR	1 Day
306	Pursuit policy: too many squads in pursuit	B	CD	WR	1 Day
306	Pursuit policy: violation of supervisory responsibilities	C	CD	WR	1 Day
306	Failure to terminate pursuit as required in policy or when ordered by a supervisor (no resulting injury or property damage)	C	CD	WR	1 Day
<p><u>Special Notes on Matrix:</u></p> <p>A - Level violations are not listed in the matrix and are considered coaching, not discipline.</p> <p>Repeat violations may result in enhanced discipline up to and including termination.</p> <p>The matrix is not an all-inclusive list of policy violations.</p>					

**CJDN Model Discipline Policy
for Misuse of CJDN (9-1-21).pdf**

Discipline Policy for Misuse of CJDN
(Agency Name Here)
(Date Here)

CJDN – The Criminal Justice Data Communications Network is the overall system, which provides criminal justice agencies computer access to data stored on state and national systems.

Inquiries into the motor vehicle registration, driver license, criminal history or any other file in the MNJIS/NCIC systems must be performed for criminal justice purposes only.

Employees of (Agency Name Here) shall not run themselves or other employees in the MNJIS/NCIC systems. Any employee misusing information or obtaining information for other than official criminal justice purposes from the Criminal Justice Data Network will be subject to disciplinary action.

When performing any file inquiries or making any entries into NCIC or MNJIS, it is important to remember that the data stored in MNJIS/NCIC is documented criminal justice information and this information must be protected to ensure correct, legal and efficient dissemination and use. The individual receiving a request for criminal justice information must ensure that the person requesting the information is authorized to receive the data. The stored data in NCIC and MNJIS is sensitive and should be treated accordingly, and unauthorized request or receipt of NCIC or MNJIS material could result in criminal proceedings.

When the Chief or the TAC becomes aware that an employee of (Agency Name Here) is using a CJDN terminal, CJDN terminal generated information, CJDN equipment, or CJDN access not in accordance with agency policies, state policies, or NCIC policies and said problem is not deemed merely operator error, the Sheriff or his designee, or the TAC shall promptly address the violation.

The Chief or his designee shall meet with the person who is alleged to have violated the policy and determine appropriate sanctions, which may include any or all of the standard discipline policies currently in place at (Agency Name Here) including verbal reprimand, written reprimand, suspension, or termination. Intentional misuse of the CJDN system is a serious violation and the BCA will be informed of such violations. If criminal behavior is believed to have occurred, appropriate agencies will be notified for further investigation.

The specific situation in each case of misuse of the CJIS system will be looked at, with all circumstances considered when determining disciplinary actions. Consideration will be given to the extent of loss or injury to the system, agency, or other person upon release or disclosure of sensitive or classified information to an unauthorized individual. This also includes activities which result in unauthorized modification or destruction of system data, loss of computer system

processing capability, or loss by theft of any computer system media including: chip ROM memory, optical or magnetic storage medium, hardcopy printout, etc.
The TAC, with the Chief's approval may at any time terminate a staff person's access to the CJDN system for any rule violation.

I have read and understand the **“Discipline Policy for Misuse of CJDN”** for (Agency Name Here). The sign off sheet will be placed in the employees personnel file.

Signature

Date

Printed Name

A copy of this policy signed by the department head is to be kept in the CJDN SOP Manual.

Signature of Chief

Date

Printed Name of Chief

**Model Sexual Assault
Investigation Policy 03-03-21.pdf**

I. PURPOSE

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault. This agency will strive:

- a) To afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;
- b) To reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards;
- c) To increase the opportunity for prosecution and victim services.

II. POLICY

It is the policy of the _____ (law enforcement agency) to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area. Sexual assault crimes are under-reported to law enforcement and the goal of this policy is in part to improve victim experience in reporting so that more people are encouraged to report.

All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.

Peace officers will utilize this policy in response to sexual assault reported to this agency. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

III. DEFINITIONS

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

A. **Consent:** As defined by Minn. Stat. 609.341, which states:

- (1) Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
- (2) A person who is mentally incapacitated or physically helpless as defined by Minnesota Statute 609.341 cannot consent to a sexual act.

- (3) Corroboration of the victim's testimony is not required to show lack of consent.
- B. **Child or Minor:** a person under the age of 18.
- C. **Medical Forensic Examiner:** The health care provider conducting a sexual assault medical forensic examination.
- D. **Sexual Assault:** A person who engages in sexual contact or penetration with another person in a criminal manner as identified in MN Statute 609.342 to 609.3451.
- E. **Family and Household Member:** As defined in Minn. Stat. 518.B.01 Subd.2.b. to include:
- (1) spouses or former spouses;
 - (2) parents and children;
 - (3) persons related by blood;
 - (4) persons who are presently residing together or who have resided together in the past;
 - (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
 - (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
 - (7) persons involved in a significant romantic or sexual relationship
- F. **Sexual Assault Medical Forensic Examination:** An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.
- G. **Victim Advocate:** A Sexual Assault Counselor defined by Minn. Stat. 595.02, subd. 1(k) and/or Domestic Abuse Advocate as defined by Minn. Stat. 595.02, subd. 1(1) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist departments in locating their local victim advocacy agency for the purposes outlined in this policy.
- H. **Victim Centered:** A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.
- I. **Vulnerable Adult:** any person 18 years of age or older who:
- (1) is a resident inpatient of a facility as defined in Minn. Stat. 626.5572. Subd. 6;

- (2) receives services at or from a facility required to be licensed to serve adults under sections [245A.01](#) to [245A.15](#), except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);
- (3) receives services from a home care provider required to be licensed under sections [144A.43](#) to [144A.482](#); or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections [256B.0625, subdivision 19a, 256B.0651](#) to [256B.0654](#), and [256B.0659](#); or
- (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:
 - (i) that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
 - (ii) because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

IV. PROCEDURES

A. Communications Personnel Response/Additional Actions by Responding Officers

Communications personnel and/or law enforcement officers should inform the victim of ways to ensure critical evidence is not lost, to include the following:

- 1) Suggest that the victim not bathe, or clean him or herself if the assault took place recently.
- 2) Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing, and should avoid wiping after urination.
- 3) Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag, instructing the victim not to wash the clothing (per department policy).
- 4) Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

B. Initial Officer Response

When responding to a scene involving a sexual assault, officers shall follow standard incident response procedures. In addition, when interacting with victims, officers shall do the following:

- 1) Recognize that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.

- 2) The officer shall attempt to determine the location/jurisdiction where the assault took place.
- 3) Explain the reporting process including the roles of the first responder, investigator, and anyone else with whom the victim will likely interact during the course of the investigation.
- 4) Officers are encouraged to connect the victim with local victim advocates as soon as possible. Inform the victim that there are confidential victim advocates available to address any needs they might have and to support them through the criminal justice system process. Provide the victim with contact information for the local victim advocate. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.
- 5) Ask about and document signs and symptoms of injury, to include strangulation. Officers shall attempt to obtain a signed medical release from the victim.
- 6) Ensure that the victim knows they can go to a designated facility for a forensic medical exam. Offer to arrange for transportation for the victim.
- 7) Identify and attempt to interview potential witnesses to the sexual assault and/or anyone the victim told about the sexual assault.
- 8) Request preferred contact information for the victim for follow-up.

C. Victim Interviews

This agency recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. Such interview techniques and strategies eliminate the duplication of interviews and use a question and answer interviewing format with questioning nondirective as possible to elicit spontaneous responses.

In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:

- Offer to have a confidential victim advocate present (if possible) if the victim would benefit from additional support during the process
- Whenever possible, conduct victim interviews in person
- Make an effort to conduct the interview in a welcoming environment
- Let the victim share the details at their own pace
- Recognize victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in days and weeks following the assault
- After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle to ask if they remember any additional details.

- Depending on the victim, additional interviews might be needed to gather additional information. Offer support from a victim advocate to the victim to help facilitate engagement with the investigative process and healing.
- Some victims do remember details vividly and might want to be interviewed immediately.
- During initial and subsequent victim interviews, officers should note the following information as victims share it, recognizing that a victim may not be able to recall all the details of the assault during a particular interview.
 - 1) Whether the suspect was known to the victim
 - 2) How long the victim knew the suspect
 - 3) The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault
 - 4) The extent of their previous or current relationship
 - 5) Any behavioral changes that led the situation from one based on consent to one of submission, coercion, fear, or force
 - 6) Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault
 - 7) Relevant communication through social media, email, text messages, or any other forms of communication

D. Special Considerations—Minors and Vulnerable Adults/Domestic Abuse Victims

1. Minors and Vulnerable Adults

This agency recognizes that certain victims, due to their age or a physical, mental, or emotional distress, are better served by utilizing interview techniques and strategies that eliminate the duplication of interviews and use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. Members of this agency will be alert for victims who would be best served by the use of these specialized interview techniques. Officers, in making this determination, should consider the victim's age, level of maturity, communication skills, intellectual capacity, emotional state, and any other observable factors that would indicate specialized interview techniques would be appropriate for a particular victim. When an officer determines that a victim requires the use of these specialized interview techniques, the officer should follow the guidance below.

- a. Officers responding to reports of sexual assaults involving these sensitive population groups shall limit their actions to the following:
 - (1) Ensuring the safety of the victim;
 - (2) Ensuring the scene is safe;
 - (3) Safeguarding evidence where appropriate;
 - (4) Collecting any information necessary to identify the suspect; and
 - (5) Addressing the immediate medical needs of individuals at the scene

- b. Initial responding officers should not attempt to interview the victim in these situations, but should instead attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and that a crime most likely occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.
- c. Officers responding to victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute Section 260E.06 and 626.557, as applicable. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency where required. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

Not all sexual assaults of minor victims require a mandatory report to social services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian pursuant to 260E.22 can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under Minnesota Statute Section 260E.06 should assess for the impact on the victim and the investigation if parents/guardians were notified before making a decision to involve them.

- d. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview.
 - e. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.
2. Victims of Domestic Abuse
Officers responding to a report of sexual assault committed against a family and household member must also follow the requirements and guidelines in this agency's domestic abuse policy and protocol, in addition to the guidelines in this policy.

E. Protecting Victim Rights

- 1) Confidentiality: Officers should explain to victims the limitations of confidentiality in a criminal investigation and that the victim's identifying information is not accessible to the public, as specified in Minn. Stat. section 13.82, subd. 17(b)
- 2) Crime Victim Rights: Officers must provide the following information to the victim:
 - a. Crime victim rights and resource information required to be provided to all victims as specified by Minn. Stat. section 611A.02, subd. 2(b)
 - b. If the suspect is a family or household member to the victim, crime victim rights and resource information required to be provided to domestic abuse victims, as specified by Minn. Stat. section 629.341, subd. 3.
 - c. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under Minn. Stat. section 611A.27, subd. 1.
 - d. Pursuant to Minn. Stat. 611A.26, subd. 1, no law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging or prosecution of such offense.
- 3) Other information: Officers should provide to the victim the agency's crime report/ICR number, and contact information for the reporting officer and/or investigator or person handling the follow up.
- 4) Language access: All officers shall follow agency policy regarding limited English proficiency.

F. Evidence Collection

- 1) Considerations for Evidence Collection
Officers shall follow this agency's policy on crime scene response. In addition, officers may do the following:
 - a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing. The agency should consider utilizing their agency or county crime lab in obtaining or processing the scene where the assault took place. This should be in accordance to any/all other policies and procedures relating to evidence collections.
 - b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

- c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.
- d. If the victim has declined or a medical forensic exam will not be conducted, the officer should obtain victim consent and attempt to take photographs of visible physical injuries, including any healing or old injuries. Victim should be given directions about how to document any bruising or injury that becomes evidence later after these photographs are taken.

G. Sexual Assault Medical Forensic Examinations

- 1) Prior to the sexual assault medical forensic examination the investigating officer should do the following:
 - a. Ensure the victim understands the purpose of the sexual assault medical forensic exam and its importance to both their general health and wellness and to the investigation. Offer assurance to the victim that they will not incur any out-of-pocket expenses for forensic medical exams and provide information about evidence collection, storage and preservation in sexual assault cases.
 - b. Provide the victim with general information about the procedure, and encourage them to seek further detail and guidance from the forensic examiner, health care professional, or a victim advocate. Officers and investigators cannot deny a victim the opportunity to have an exam.
 - c. Officers should be aware and if necessary, relay to victims who do not want to undergo an exam that there might be additional treatments or medications they are entitled to even if they do not want to have an exam done or have evidence collected. Victims can seek that information from a health care provider or a victim advocate. If possible, transport or arrange transportation for the victim to the designated medical facility.
 - d. Ask the victim for a signed release for access to medical records from the exam.
- 2) Officers should not be present during any part of the exam, including during the medical history.
- 3) Following the exam, evidence collected during the exam shall be handled according to the requirements of agency policy and Minnesota Statute 299C.106.

H. Contacting and Interviewing Suspects

Prior to contacting the suspect, officers should consider the following:

- 1) Conduct a background and criminal history check specifically looking for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.
- 2) Consider conducting a pretext or confrontational call or messaging depending on jurisdictional statutes. Involvement of a victim should be based on strong

consideration of the victim's emotional and physical state. A victim advocate should be present whenever possible to offer support.

- 3) When possible, an attempt would be made to interview the suspect in person.
- 4) In situations where suspects do not deny that a sexual act occurred, but rather assert that it was with the consent of the victim, officers should do the following:
 - a. Collect evidence of past communication, including but not limited to all relevant interaction (including social media) between the suspect and victim.
 - b. Identify events that transpired prior to, during, and after the assault in an effort to locate additional witnesses and physical locations that might lead to additional evidence.
- 5) For sexual assaults involving strangers, officers should focus investigative efforts on the collection of video, DNA, and other trace evidence used for analysis to identify the perpetrator (handle evidence collection per agency policy).

I. Forensic Examination and/or the Collection of Evidence from the Suspect

Note: A suspect's forensic examination and/or the collection of evidence from a suspect may be done by either an investigating officer/investigator, Forensic Medical Examiner, or the agency/county crime lab personnel.

- 1) Prior to or immediately after the preliminary suspect interview, photograph any injuries.
- 2) Determine whether a sexual assault medical forensic examination should be conducted.
- 3) Ask for the suspect's consent to collect evidence from their body and clothing. However, officers/investigators should consider obtaining a search warrant, with specific details about what evidence will be collected, and should be prepared in advance to eliminate the opportunity for the suspect to destroy or alter evidence if consent is denied.
- 4) During the suspect's sexual assault medical forensic examination, the investigator, evidence technician, or forensic examiner should do the following:
 - a. Strongly consider penile swabbing, pubic hair combings, and collection of other potential DNA evidence;
 - b. Collect biological and trace evidence from the suspect's body;
 - c. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;
 - d. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;
 - e. Document the suspect's relevant medical condition and injuries.

J. Role of the Supervisor

Supervisors may do the following:

- 1) Assist officers investigating incidents of sexual assault when possible or if requested by an officer.
- 2) Provide guidance and direction as needed.
- 3) Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.

K. Case Review/Case Summary

A supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

- 1) Case dispositions
- 2) Decisions to collect evidence
- 3) Submissions of evidence for lab testing
- 4) Interviewing decisions

Pursuit Continuum.pdf

NO PURSUIT *

- Aviation Overhead
- GPS Tracking
- Identity Known
- Wrong Way
- Juvenile Offender
- Lost Sight
- Ride-Along (non-sworn)

*Exception available when pursuit is based on severe and imminent threat as defined by policy.

DECISION TO PURSUE

Strong consideration to quickly discontinue pursuit

- Traffic/License Violations
- Property Crimes
- Stolen Vehicles
- Unknown Offenses
- Drug Crimes

Known Impaired Driver with Inherent Danger to Public Safety

Severe and Imminent Threat (as defined by policy)

FACTORS TO BE CONTINUOUSLY CONSIDERED

- Local Streets ----- Controlled Access
- High Speed (Relative to Limit) ----- Low Speed
- Heavy Traffic ----- Light Traffic
- Pedestrians Likely ----- Pedestrians Unlikely
- Obstructed views ----- Unobstructed Views
- High Density Intersections ----- Rural Sight Lines
- Long Duration ----- Short Duration
- Weather Concerns Poor ----- Weather Conditions Good
- Intervention Strategies Not Viable ----- Intervention Strategies Viable

DRIVES

Direction Reason Identity Vehicle Environment Speed



Emergency Contact packet.pdf



City of Inver Grove Heights Police Department

8150 Barbara Ave, Inver Grove Heights, MN 55077

(651) 450-2525

Fax (651) 450-2543

INVER GROVE HEIGHTS POLICE DEPARTMENT INITIAL NOTIFICATION FORM

A listing of emergency contacts and preferences to be used as a guide to assist the notification process in the event of a critical incident or other emergency.

The information provided on this *Initial Notification Form* is confidential and will be used only in the event of your serious injury or death. The information is needed in order that the people specified by you can be notified of the circumstances of the emergency involving you as quickly and efficiently as possible.

Your *Initial Notification Form* will be kept individually sealed under your name to be opened and used only for notification purposes as outlined in Inver Grove Heights Police Department Policy.

Your *Initial Notification Form* should be updated at least annually, but also any time a change in your personal circumstances or preferences occurs.

PLEASE TYPE OR LEGIBLY PRINT ALL RESPONSES IN INK

DATE INFORMATION LAST UPDATED: _____

PERSONAL INFORMATION

NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ ALTERNATE TELEPHONE: _____

FAMILY INFORMATION

SPOUSE / SIGNIFICANT OTHER:

NAME: _____
(LAST) (FIRST) (MIDDLE) (RELATIONSHIP)

ADDRESS AND HOME TELEPHONE NUMBER IF DIFFERENT FROM ABOVE:

SPOUSE/SIGNIFICANT OTHER'S EMPLOYER: _____

ADDRESS: _____ CITY: _____

PHONE #: _____ CELL PHONE #: _____

HOURS OF EMPLOYMENT: _____ WORK DAYS: _____

IMMEDIATE SUPERVISOR OR BUSINESS CONTACT: _____

CHILDREN LIVING AT HOME:

1. NAME OF CHILD: _____

BIRTH DATE: _____ GRADE: _____

SCHOOL/DAY CARE FACILITY: _____

ADDRESS: _____ CITY: _____

PRINCIPAL: _____ PHONE: _____

TEACHER/COUNSELOR: _____

2. NAME OF CHILD: _____
BIRTH DATE: _____ GRADE: _____
SCHOOL/DAY CARE FACILITY: _____
ADDRESS: _____ CITY: _____
PRINCIPAL: _____ PHONE: _____
TEACHER/COUNSELOR: _____

3. NAME OF CHILD: _____
BIRTH DATE: _____ GRADE: _____
SCHOOL/DAY CARE FACILITY: _____
ADDRESS: _____ CITY: _____
PRINCIPAL: _____ PHONE: _____
TEACHER/COUNSELOR: _____

4. NAME OF CHILD: _____
BIRTH DATE: _____ GRADE: _____
SCHOOL/DAY CARE FACILITY: _____
ADDRESS: _____ CITY: _____
PRINCIPAL: _____ PHONE: _____
TEACHER/COUNSELOR: _____

(PLEASE USE ADDITIONAL PAGES AS NECESSARY)

LIST ALL ADDITIONAL PERSONS THAT RESIDE AT YOUR HOME ADDRESS:

- | | | | |
|----|--------|-------|----------------|
| 1) | _____ | _____ | _____ |
| | (NAME) | (AGE) | (RELATIONSHIP) |
| 2) | _____ | _____ | _____ |
| | (NAME) | (AGE) | (RELATIONSHIP) |
| 3) | _____ | _____ | _____ |
| | (NAME) | (AGE) | (RELATIONSHIP) |
| 4) | _____ | _____ | _____ |
| | (NAME) | (AGE) | (RELATIONSHIP) |

5) _____
(NAME) (AGE) (RELATIONSHIP)

6) _____
(NAME) (AGE) (RELATIONSHIP)

IF YOU ARE DIVORCED, PLEASE PROVIDE INFORMATION ABOUT YOUR EX-SPOUSE(S):

NAME: _____

ADDRESS: _____

PHONE: (H) _____ (W) _____

DO YOU WISH YOUR EX-SPOUSE TO BE CONTACTED IN THE CASE OF SERIOUS INJURY OR LINE OF DUTY DEATH?

YES NO

NAME: _____

ADDRESS: _____

PHONE: (H) _____ (W) _____

DO YOU WISH YOUR EX-SPOUSE TO BE CONTACTED IN THE CASE OF SERIOUS INJURY OR LINE OF DUTY DEATH?

YES NO

PARENTS AND OTHER CLOSE RELATIVES AND FRIENDS

Please list the name, address and telephone numbers of key relatives and friends (parents, in-laws, siblings, etc.). Also make note on the form of any medical condition or other reasons that could have an impact and need to be taken into consideration during the notification process.

1. NAME: _____ RELATIONSHIP: _____

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

CELL PHONE: _____

2. NAME: _____ RELATIONSHIP: _____

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

CELL PHONE: _____

3. NAME: _____ RELATIONSHIP: _____
ADDRESS: _____
HOME PHONE: _____ WORK PHONE: _____
CELL PHONE: _____

4. NAME: _____ RELATIONSHIP: _____
ADDRESS: _____
HOME PHONE: _____ WORK PHONE: _____
CELL PHONE: _____

5. NAME: _____ RELATIONSHIP: _____
ADDRESS: _____
HOME PHONE: _____ WORK PHONE: _____
CELL PHONE: _____

(PLEASE USE ADDITIONAL PAGES IF NECESSARY)

IN CASE OF SERIOUS INJURY

YOUR FAMILY PHYSICIAN:

NAME: _____ PHONE #: _____
ADDRESS: _____

YOUR MEDICAL CLINIC:

NAME: _____ PHONE #: _____
ADDRESS: _____

YOUR FAMILY DENTIST OR DENTAL CLINIC:

NAME: _____ PHONE #: _____
ADDRESS: _____

NOTIFICATION PREFERENCES

WHO DO YOU REQUEST FROM THE DEPARTMENT TO MAKE A NOTIFICATION TO FAMILY MEMBERS?

NAME: _____ NAME: _____

NAME: _____ NAME: _____

WHO DO YOU REQUEST SERVE AS *FAMILY LIAISON OFFICER* FOR YOUR FAMILY?

NAME: _____ NAME: _____

NAME: _____ NAME: _____

IN THE EVENT OF A SERIOUS INJURY OR DEATH, THIS LIST IS WHO YOU WOULD LIKE NOTIFIED BASED ON PRIORITY.

IF YOU FEEL YOUR SPOUSE, SIGNIFICANT OTHER, OR ADULT CHILDREN NEED SUPPORT FROM SOMEONE ON THIS LIST FOR THE NOTIFICATION OF YOUR SERIOUS INJURY OR DEATH LIST THEM ACCORDINGLY. (I.E. IF YOU FEEL YOUR SPOUSE'S PARENTS SHOULD BE NOTIFIED AND ARE ABLE TO PROVIDE SUPPORT DURING THE NOTIFICATION TO YOUR SPOUSE).

PLEASE LIST THE PERSON(S) YOU WOULD LIKE TO BE CONTACTED BY A POLICE REPRESENTATIVE, BEGIN WITH THE FIRST PERSON YOU WOULD LIKE NOTIFIED:

1. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

2. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

3. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

4. NAME: _____

(LAST)

(FIRST)

(MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

5. NAME: _____

(LAST)

(FIRST)

(MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

6. NAME: _____

(LAST)

(FIRST)

(MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

7. NAME: _____

(LAST)

(FIRST)

(MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

8. NAME: _____

(LAST)

(FIRST)

(MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

IS THERE ANYONE YOU WOULD LIKE TO ACCOMPANY THE POLICE REPRESENTATIVE WHEN THE NOTIFICATION IS MADE TO YOUR IMMEDIATE FAMILY? IF SOMEONE OTHER THAN THE DEPARTMENT REPRESENTATIVE INDICATED ABOVE, PLEASE INCLUDE NAME, ADDRESS AND TELEPHONE NUMBER(S):

NAME: _____ PHONE #: _____

ADDRESS: _____

Confidential Information packet.pdf



City of Inver Grove Heights Police Department

8150 Barbara Ave, Inver Grove Heights, MN 55077

(651) 450-2525

Fax (651) 450-2543

EMERGENCY INFORMATION PACKET

A personal and confidential listing of information regarding, memorial and funeral service, health care directives, estate planning and other information that is to be unsealed and used as a guide in following the officer's wishes and to provide comfort to the officer's family as well as the Department should the officer suffer serious injury or death.

PLEASE TYPE OR LEGIBLY PRINT ALL RESPONSES IN INK

This Emergency Information Packet is intended to allow officers to organize their personal information and preferences, their important documents and their financial business in order that families have necessary information available to them in time of need. The information provided in your Emergency Information Packet could save your survivors hundreds of hours searching for personal, legal and financial documents at some time in the future.

OFFICER LAST NAME: _____

OFFICER BADGE NUMBER: _____

DATE INFORMATION LAST UPDATED: _____

CHILDREN FROM THIS MARRIAGE:

YES

NO

ADDITIONAL MARRIAGE INFORMATION (IF APPLICABLE):

LOCATION I WAS MARRIED IN: _____

DATE MARRIED: _____ TO: _____

MARRIAGE CERTIFICATE(S) ARE LOCATED AT: _____

I WAS DIVORCED ON; _____ STATE /COUNTY OF DIVORCE: _____
(IF APPLICABLE)

DIVORCE DECREE(S) ARE LOCATED AT: _____

CHILDREN FROM THIS MARRIAGE:

YES

NO

ADDITIONAL MARRIAGE INFORMATION (IF APPLICABLE):

LOCATION I WAS MARRIED IN: _____

DATE MARRIED: _____ TO: _____

MARRIAGE CERTIFICATE(S) ARE LOCATED AT: _____

I WAS DIVORCED ON; _____ STATE /COUNTY OF DIVORCE: _____
(IF APPLICABLE)

DIVORCE DECREE(S) ARE LOCATED AT: _____

CHILDREN FROM THIS MARRIAGE:

YES

NO

MY RELATIVE INFORMATION (IF APPLICABLE):
(IF DECEASED, INDICATE AFTER THEIR NAMES)

1. MOTHER: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

2. FATHER: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

3. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

4. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

5. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

6. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

MY SPOUSE'S RELATIVE INFORMATION (IF APPLICABLE):
(IF DECEASED, INDICATE AFTER THEIR NAMES)

1. MOTHER: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

2. FATHER: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

3. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

4. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

5. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

6. OTHER NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

GRANDCHILDREN INFORMATION (IF APPLICABLE):

1. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

2. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

3. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

4. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

5. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

6. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

PEOPLE WHO HAVE SPECIAL MEANING TO ME (IF APPLICABLE):

1. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

2. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

3. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

4. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

5. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

6. NAME: _____
(LAST) (FIRST) (MIDDLE)

HOME ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

HOME TELEPHONE: _____ CELL PHONE: _____

PART TWO: FUNERAL PROTOCOLS

DO YOU WISH TO HAVE A LAW ENFORCEMENT FUNERAL? YES : _____ NO: _____

CHURCH PREFERENCE: _____ RELIGIOUS AFFILIATION: _____

CLERGY: _____ TELEPHONE: ____ (____) _____

ADDRESS: _____

FUNERAL HOME TO BE USED: _____

ADDRESS: _____

PHONE: _____ DO YOU HAVE A PRE-PAID BURIAL PLAN? YES: _____ NO: _____

ARE YOU AN ORGAN DONOR?: YES: _____ NO: _____ IF SO, LOCATION OF DOCUMENTATION: _____

CHURCH SERVICE REQUESTED: YES: _____ NO: _____ PRIVATE: YES: _____ NO: _____

FUNERAL HOME SERVICE: YES: _____ NO: _____ PRIVATE: YES: _____ NO: _____

DO YOU WISH AN OPEN CASKET?: YES: _____ NO: _____

I PREFER: INTERNMENT _____ ENTOMBMENT _____ CREMATION _____

IF YOU WISH TO BE BURIED, DO YOU PREFER TO BE BURIED IN UNIFORM? YES: _____ NO: _____

LIST ANY PREFERENCES YOU HAVE TO SERVE AS PALL BEARERS:

(NAME)

(NAME)

(NAME)

(NAME)

(NAME)

(NAME)

IF CREMATED, DO YOU HAVE ANY SPECIAL WISHES REGARDING YOUR REMAINS?

MY CHOICE OF CEMETERY IS: _____

I HAVE PURCHASED A PLOT: YES: _____ NO: _____ LOCATION OF DEED: _____

OBITUARY: YES: _____ NO: _____

PLEASE LIST THE FOLLOWING IN MY OBITUARY:

ARMED FORCES INFORMATION (IF APPLICABLE):

ARE YOU A VETERAN OF THE UNITED STATES ARMED FORCES: YES: _____ NO: _____

WHICH BRANCH OF SERVICE: _____ MILITARY ID #: _____

TYPE OF DISCHARGE: _____ DATE OF DISCHARGE: _____

IF YOU ARE ENTITLED TO A MILITARY FUNERAL AS DETERMINED BY THE DEPARTMENT OF VETERAN AFFAIRS, DO YOU WISH TO HAVE ONE: YES: _____ NO: _____

I AM ENTITLED TO VETERANS BENEFITS: YES: _____ NO: _____

I AM ENTITLED TO MILITARY HONORS: YES: _____ NO: _____

I WOULD LIKE A "LODGE" SERVICE: YES: _____ NO: _____

BY (ORGANIZATION/INDIVIDUAL): _____

FLOWERS: YES: _____ NO: _____ DISPOSAL OF FLOWERS: _____

DONATIONS, IN LIEU OF FLOWERS TO: _____

MUSICAL SELECTIONS: _____

SPECIAL REQUESTS FOR SERVICE (SPEAKERS, READERS, ETC): _____

DO YOU WISH A EULOGY BE DELIVERED?: YES: _____ NO: _____

IF YES, PLEASE INDICATE ANY PREFERENCES, COMMENTS, ETC : _____

PERSONAL POSSESSIONS INFORMATION (IF APPLICABLE):

DO YOU HAVE ANY PERSONAL POSSESSIONS YOU WISH TO BE GIVEN TO SPECIFIC INDIVIDUALS, IF SO:

ITEM: _____ GIVE TO: _____

IF THE UNITED STATES FLAG IS PLACED ON THE CASKET, TO WHOM SHOULD IT BE PRESENTED FOLLOWING THE SERVICES:

DO YOU WISH THAT YOUR BADGE BE PRESENTED TO A FAMILY MEMBER, (IF SO, WHO)?: _____

PLEASE LIST MEMBERSHIPS IN LAW ENFORCEMENT, RELIGIOUS, OR COMMUNITY ORGANIZATIONS THAT MAY PROVIDE ASSISTANCE TO YOUR FAMILY:

1. _____

2. _____

3. _____

4. _____

IS THERE SOMEONE IN PARTICULAR THAT YOU GIVE PERMISSION TO GO THROUGH YOUR ASSIGNED LOCKER, DESK, OR WORK AREAS? DISPOSITION OF YOUR PROPERTY: _____

**PART THREE:
BENEFITS AND FINANCIAL INFORMATION**

BENEFITS THROUGH EMPLOYMENT:

I BEGAN EMPLOYMENT ON: _____

I HAVE PERSONALLY ACQUIRED MEDICAL INSURANCE THROUGH THE FOLLOWING COMPANIES:

LOCATION OF POLICIES: _____

THE FOLLOWING BENEFITS ARE PROVIDED THROUGH MY EMPLOYER:

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |
| 5. _____ | 6. _____ |

PERSONAL HEALTH CARE INFORMATION:

HEALTH CARE COVERAGE PROVIDER: _____

TELEPHONE: _____ POLICY NUMBER: _____

DENTAL CARE PROVIDER: _____

TELEPHONE: _____ POLICY NUMBER: _____

EYE CARE PROVIDER: _____

TELEPHONE: _____ POLICY NUMBER: _____

DISABILITY INSURANCE PROVIDER: _____

TELEPHONE: _____ POLICY NUMBER: _____

UNION INFORMATION:

MY LABOR UNION AFFILIATION (IF APPLICABLE):

UNION REPRESENTATIVE: _____ CONTACT NUMBER: _____

FINANCIAL INFORMATION:

BANK ACCOUNTS:

1. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

2. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

3. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

4. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

5. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

6. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

7. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

CERTIFICATE OF DEPOSIT:

1. CERTIFICATE OF DEPOSIT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

CERTIFICATE IS KEPT AT: _____

2. CERTIFICATE OF DEPOSIT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

CERTIFICATE IS KEPT AT: _____

SAFETY DEPOSIT BOX:

SAFETY DEPOSIT BOX #: _____ BANK: _____

SAFETY DEPOSIT BOX IS ACCESSIBLE TO: _____

KEY IS KEPT AT: _____

INVESTMENTS:

INVESTMENT/STOCK/BONDS PORTFOLIO IS LOCATED AT: _____

IRA CERTIFICATE AND FILE IS LOCATED AT: _____

401(K) RETIREMENT FILE IS LOCATED AT: _____

457 RETIREMENT FILE IS LOCATED AT: _____

PERA FILE IS LOCATED AT: _____

CREDIT CARDS:

1. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

2. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

3. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

4. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

5. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

6. BANK ACCOUNT #: _____ BANK: _____

ACCOUNT HOLDER(S) ARE: _____

ACCOUNT INFO IS KEPT AT: _____

TAX RETURNS:

NAME OF TAX PREPARER: _____

ADDRESS: _____ TELEPHONE NUMBER: _____

COPIES OF MY INCOME TAX RETURNS ARE LOCATED AT: _____

CURRENT WITHHOLDING TAX FORMS AND RECEIPTS RECEIVED FROM MY EMPLOYER ARE LOCATED AT: _____

ALL WORKSHEETS AND EVIDENCE IN SUPPORT OF THE RETURNS ARE ATTACHED TO THE RETURNS: YES: _____ NO: _____

IF NO, WORKSHEETS ARE LOCATED AT: _____

MY PERSONAL BUSINESS VENTURES:

I OWN OR HAVE AN INTEREST IN (NAME OF BUSINESS): _____

ADDRESS: _____

IN PARTNERSHIP/CO-OWNERSHIP WITH: _____

ADDRESS: _____ TELEPHONE: _____

THE CONTRACT CONCERNING THE BUSINESS ARRANGEMENT IS LOCATED AT: _____

PERCENTAGE OF MY SHARE OF THE BUSINESS IS: _____

TAX PAPERS FOR THE BUSINESS ARE LOCATED AT: _____

REAL ESTATE:

MY RESIDENCE ADDRESS IS: _____

I OWN MY OWN RESIDENCE: YES: _____ NO: _____

IF RENTING LANDLORD IS: _____ TELEPHONE: _____

OWNERSHIP TITLE BEARS THE NAMES OF: _____

THE MORTGAGE ON THE PROPERTY IS HELD BY: _____

THE MORTGAGE PAYMENT RECORDS ARE LOCATED AT: _____

THE MORTGAGE AGREEMENT CARRIED LIFE INSURANCE COVERAGE: YES: _____ NO: _____

HOMEOWNERS INSURANCE PAPERS ARE LOCATED AT: _____

THE INSURANCE BROKER IS: _____

TAX PAPERWORK ON MY RESIDENCE IS LOCATED AT: _____

I OWN OTHER REAL ESTATE AT(LIST ADDRESSES):

DEEDS, MORTGAGE INFORMATION, TAX DOCUMENTS AND PAYMENT RECORDS ARE LOCATED AT:

TRUST FUNDS:

I HAVE ESTABLISHED A LIVING TRUST FUND FOR THE BENEFIT OF: _____

IT WAS ESTABLISHED ON: _____

THE TRUST AGREEMENT IS LOCATED AT: _____

THE TRUSTEES ARE: _____

THE ATTORNEY WHO DREW UP THE AGREEMENT IS: _____

I AM A BENEFICIARY UNDER A TRUST ESTABLISHED BY: _____

PAPERS ARE LOCATED AT: _____

IF I DIE, MY HEIRS ARE BENEFICIARIES OF TRUST FUNDS ESTABLISHED BY: _____

PAPERS ARE LOCATED AT: _____

PERSONAL DEBTORS AND CREDITORS:

THE FOLLOWING OWE MONEY TO ME: _____

EXCLUSIVE OF SECURED LOANS, I OWE TO THE FOLLOWING: _____

I HAVE THE FOLLOWING LOANS/DEBTS COVERED BY BORROWER'S LIFE INSURANCE: _____

COPIES OF NOTES, LOAN AGREEMENTS AND RECEIPTS ARE LOCATED AT: _____

ARE THERE ANY LAW SUITS YOU ARE INVOLVED IN EITHER AS THE PLAINTIFF OR DEFENDANT?: **YES:** _____ **NO:** _____

NAME OF ATTORNEY: _____ TELEPHONE NUMBER: _____

AUTOMOBILES AND AUTO INSURANCE:

MAKE/MODEL PLATE # YEAR REGISTERED TO

COMPANY NAME OF AUTO INSURER: _____

AGENT'S NAME: _____ TELEPHONE: _____

BOATS, TRAILERS, OR OTHER MOTORCRAFTS AND INSURANCE:

MAKE/MODEL PLATE # YEAR REGISTERED TO INSURANCE CARRIER

LIFE INSURANCE:

TO INSURE EASY ACCESS TO ACTUAL POLICIES, BENEFICIARIES, ETC., ALL POLICIES OWNED SHOULD BE KEPT TOGETHER IN A SAFE PLACE. PREMIUM RECEIPTS, LOAN INFORMATION, AND SETTLEMENT AGREEMENTS ON THESE POLICIES SHOULD BE FILED WITH THE POLICY.

LOCATION OF POLICIES: _____

I HAVE MADE LOANS AGAINST THE FOLLOWING POLICIES: _____

I ALSO OWN ANNUITY CONTRACTS: YES: _____ NO: _____

LOCATION OF CONTRACTS: _____

PRINCIPAL LIFE INSURANCE AGENT: _____

INSURANCE COMPANY: _____ TELEPHONE: _____

OTHER LIFE INSURANCE ADVISORS INCLUDE:

NAME: _____ COMPANY: _____

TELEPHONE: _____

OTHER INSURANCE (IF APPLICABLE):

**OFTEN CREDIT CARD, CREDIT UNIONS, TRAVEL AGENCIES, CONSUMER LENDERS, ETC. CARRY INSURANCE POLICES ON CLIENTS.
LIST VARIOUS SOURCES THAT PROVIDE THIS BENEFIT:**

PART FOUR:

WILL, HEALTH CARE DIRECTIVE, POWER OF ATTORNEY

WILL:

A WILL IS A LEGAL DOCUMENT WRITTEN TO MAKE YOUR WISHES KNOWN AND TO DIRECT CONTROL OF YOUR PROPERTY AND ASSETS WHEN YOU DIE. IT NAMES A PERSON TO HANDLE YOUR AFFAIRS – KNOWN AS THE “EXECUTOR”; AND IF YOU HAVE CHILDREN WHO ARE MINORS OR DISABLED, YOUR WILL CAN NAME A “GUARDIAN” WHO WILL LOOK OUT FOR THEIR WELFARE IN YOUR STEAD.

I DO NOT HAVE A WILL. _____. (OFTEN TIMES FAMILIES INCUR ADDITIONAL EMOTIONAL, LEGAL AND FINANCIAL BURDENS WHEN A LOVED ONE DIES WITHOUT EXECUTING A WILL. IT IS STRONGLY SUGGESTED THAT THIS BE A TASK THAT YOU ADDRESS AS SOON AS POSSIBLE.)

I HAVE A WILL THAT IS LOCATED AT: _____

THE ATTORNEY WHO HANDLED MY WILL IS: _____

LAW FIRM: _____ TELEPHONE: _____

MY LAST WILL IS DATED: _____

THE EXECUTOR IS: _____

ADVANCED HEALTH CARE DIRECTIVE:

YOU HAVE THE RIGHT TO CONTROL YOUR OWN MEDICAL CARE BY CONSENTING TO OR REFUSING MEDICAL TREATMENT. THERE ARE TIMES WHEN HEALTH CARE DECISIONS MAY NEED TO BE MADE WHEN AN INDIVIDUAL IS NO LONGER ABLE TO DECIDE OR COMMUNICATE HIS OR HER PREFERENCES. ADULTS OF ALL AGES ARE AT RISK AS A RESULT OF AN INJURY OR ILLNESS.

A HEALTH CARE DIRECTIVE DOES TWO IMPORTANT THINGS – IT DESIGNATES SOMEONE TO MAKE HEALTH CARE DECISIONS FOR YOU IF YOU CAN’T (YOUR HEALTH CARE AGENT) AND IT MAKES YOUR WISHES KNOWN TO YOUR FAMILY AND YOUR DOCTORS (YOUR HEALTH CARE INSTRUCTIONS).

ONCE A HEALTH CARE DIRECTIVE IS WRITTEN, IT CAN BE CHANGED OR REVOKED AS LONG AS YOU HAVE THE CAPACITY. A HEALTH CARE DIRECTIVE DOES NOT REQUIRE AN ATTORNEY TO COMPLETE. A SUGGESTED FORM FOR A MINNESOTA HEALTH CARE DIRECTIVE IS INCLUDED WITH THIS PACKET. ADDITIONAL COPIES CAN BE DOWNLOADED FROM THE MINNESOTA ATTORNEY GENERAL WEBSITE AT: (WWW.AG.STATE.MN.US) CLICK ON “HEALTH CARE” AND “ADVANCED HEALTH CARE DIRECTIVE”.

LAWS REGARDING ADVANCE DIRECTIVES (“HEALTH CARE DIRECTIVES”, “LIVING WILLS” OR “DURABLE POWER OF ATTORNEY FOR HEALTH CARE”) ARE NOT THE SAME IN ALL FIFTY STATES. IF YOU ARE A RESIDENT OF ANOTHER STATE OR SPEND A GREAT DEAL OF TIME IN ANOTHER STATE, BE SURE YOU UNDERSTAND THE LAWS.

I DO NOT HAVE A HEALTH CARE DIRECTIVE: _____.

I HAVE A HEALTH CARE DIRECTIVE. THE ORIGINAL SIGNED COPY IS READILY ACCESSIBLE AT: _____

COPIES OF YOUR HEALTH CARE DIRECTIVE ARE VALID. COPIES SHOULD BE GIVEN TO FAMILY, FRIENDS, AND HEALTH CARE PROVIDERS SO THAT YOUR PREFERENCES WILL BE KNOWN WHEN NEEDED. COPIES OF MY HEALTH CARE DIRECTIVE ARE LOCATED AT (OR WITH):

POWER OF ATTORNEY:

A POWER OF ATTORNEY IS A DOCUMENT AUTHORIZING SOMEONE TO ACT ON YOUR BEHALF. YOU DETERMINE HOW MUCH POWER THE PERSON WILL HAVE OVER YOUR AFFAIRS. A POWER OF ATTORNEY MAY BE A GENERAL OR LIMITED POWER OF ATTORNEY. A GENERAL POWER OF ATTORNEY AUTHORIZES YOUR AGENT TO CONDUCT YOUR ENTIRE BUSINESS AND AFFAIRS. A LIMITED OR SPECIAL POWER OF ATTORNEY AUTHORIZES YOUR AGENT TO CONDUCT SPECIFIED BUSINESS, PERFORM SPECIFIED ACTS, OR MAKE CERTAIN DECISIONS ON YOUR BEHALF.

WHEN A POWER OF ATTORNEY IS CONSIDERED "DURABLE" IT REMAINS VALID EVEN IF YOU BECOME INCOMPETENT OR INCAPACITATED. AN ORDINARY POWER OF ATTORNEY EXPIRES IF A PERSON BECOMES UNABLE TO MAKE HIS OR HER OWN DECISIONS. DURABLE POWERS OF ATTORNEY CAN BE PREPARED EITHER TO TAKE EFFECT IMMEDIATELY OR TO GO INTO EFFECT ONLY IF AND WHEN YOU BECOME UNABLE TO MAKE DECISIONS FOR YOURSELF (A "SPRINGING DURABLE POWER OF ATTORNEY").

A COPY OF THE MINNESOTA STATUTORY SHORT FORM POWER OF ATTORNEY IS INCLUDED WITH THIS PACKET. ADDITIONAL COPIES CAN BE DOWNLOADED FROM THE MINNESOTA ATTORNEY GENERAL WEBSITE AT: (WWW.AG.STATE.MN.US) CLICK ON "SENIORS" AND "PROBATE AND PLANNING" AND "POWER OF ATTORNEY".

I DO NOT HAVE A POWER OF ATTORNEY. _____.

I HAVE A POWER OF ATTORNEY THAT IS LOCATED AT: _____

MY POWER OF ATTORNEY IS "DURABLE". YES: _____ NO: _____

MY POWER OF ATTORNEY IS DATED: _____

MY ATTORNEY(S) OF FACT IS:

1. NAME: _____

ADDRESS: _____ TELEPHONE: _____

2. NAME: _____

ADDRESS: _____ TELEPHONE: _____

3. NAME: _____

ADDRESS: _____ TELEPHONE: _____

4. NAME: _____

ADDRESS: _____ TELEPHONE: _____

5. NAME: _____

ADDRESS: _____ TELEPHONE: _____

6. NAME: _____

ADDRESS: _____ TELEPHONE: _____

Private Persons Arrest Form.pdf



PRIVATE PERSON'S ARREST

Case Number: _____

Date: _____ Time: _____ Location: _____

I, _____, hereby declare and certify that

I have arrested:

If known:

Name: _____

Address: _____

If unknown:

Description: _____

A private person may arrest another under the following circumstances (Minn. Stat. § 629.37):

a. For a **MISDEMEANOR** public offense committed or attempted in his/her presence.

To wit: _____

b. When the person arrested has committed a felony, although not in his/her presence.

c. When a felony has been committed and he/she has reasonable cause for believing the person to be arrested committed the felony.

d. When directed by a judge or a peace officer to arrest another person (Minn. Stat. § 629.403).

Circle the appropriate letter (a-d)

I understand that under the laws of the State of Minnesota no one, including a police officer, may arrest a person for a misdemeanor unless the offense is committed in that person's presence.

I hereby request Inver Grove Heights Police Officers take custody of the above-named and/or described person, and that they may be dealt with according to the law.

Signature of private person making this arrest: _____

Police Officer witness to this arrest: _____

(Last Name and Badge #)

CJDN Model CJDN Security Policy (9-1-21).pdf

CJDN Security Policy
(Agency Name Here)
(Date Here)

This document shall be considered the official CJDN Security Policy for *(Agency Name Here)* regarding the physical and personnel security of the CJDN system. All staff must follow the policies contained herein. This will assure proper usage of the system and adherence to all local, state, and federal regulations that govern the use of the MNJIS computer system. The Terminal Agency Coordinator (TAC) for *(Agency Name Here)* is *(TAC Name Here)*. The TAC manages the operation of the CJDN terminal on a local agency level and is responsible for ensuring that all state and local policies are enforced regarding the use of the CJDN terminal.

Access to CJDN System

Access to the CJDN shall be limited to employees who have been certified by the BCA to operate the terminal. Currently, at *(Agency Name Here)*, this is limited to *(Who Has Access, i.e., TAC, Dispatchers, Records Personnel, etc.)*. All other personnel of *(Agency Name Here)* must make their Criminal Justice inquiries through their CJDN operators.

Staff having access to the CJDN system must meet the follow requirements:

- 1) Be an employee of *(Agency Name Here)*.
- 2) Successfully pass a State and National fingerprint background check.
- 3) Complete Basic Security Awareness Training and pass a Single Certification exam prior to having access to the CJDN.

A potential new employee of the *(Agency Name Here)* shall have a background check completed before they are hired. Purpose code "J" will be used when running the criminal history on that person.

New employees of the *(Agency Name Here)* shall be fingerprinted prior to having unescorted access to areas where criminal justice information is processed. The fingerprint cards will be sent to the BCA for a background check.

The FBI fingerprint-based background check results letters on CJDN operators, appropriate IT personnel, and other agency personnel having unescorted access to the terminals are to be kept on file and available upon request during an audit.

The TAC will issue a unique username and password to authorized users with access to the CJDN and Portals XL.

Training

NCIC requires personnel accessing the CJDN for their duties must receive basic MNJIS training and testing within the first 6 months of hire and biennial refreshers thereafter. All training must be documented.

(Agency Name Here) will meet this requirement through the viewing of the FBI's Security Awareness Training and the BCA's Single Certification testing. Additional training is provided on Launch Pad, and classroom instruction, by the BCA regarding NCIC/MNJIS applications. Training will be documented and subject to auditing.

Security of Terminal

The CJDN terminal(s) and Criminal Justice Information for *(Agency Name Here)* is maintained in a secure area. Only authorized personnel who have passed a State and National fingerprint background check are allowed unescorted access to the secure area(s).

All personnel who have direct responsibility to configure and maintain computer systems and networks with direct access to FBI CJIS systems must successfully pass a fingerprint based background check and complete level 4 Security Awareness Training .

Criminal History responses, as well as all other CJDN printouts will be destroyed when no longer needed. These documents will be shredded or degaussed at *(Agency Name Here)*.

CJDN Model Hit Confirmation Policy (9-1-21).pdf

Hit Confirmation Policy
(Agency Name Here)
(Date Here)

DEFINITION OF A CJIS/NCIC HIT

A Hit is a positive response from MNJIS and/or NCIC in which the person or property inquired about appears to match the person or property contained in the response. Queried subject appears to match the record subject.

NCIC HIT CONFIRMATION POLICY

Agencies that enter records into MNJIS/NCIC must be available for Hit confirmation 24 hours a day, every day of the year. Non-24-hour agencies must place either the ORI or the telephone number (including area code) of the 24-hour agency responsible for responding to a hit confirmation request in the MIS/ field of the hot file record.

THE HIT CONFIRMATION PROCESS

NCIC policy requires an agency receiving a hit on another agency's MNJIS/NCIC record to contact the entering agency to confirm that the record is accurate and up to date. If the property or subject is confirmed, a Locate must be placed by the locating agency. A Detainer must then be placed by the wanting agency. This completes the Hit Confirmation Process.

HIT CONFIRMATION POLICY

If you have performed an inquiry and received a "Hit", use the following procedures:

1. Retain a copy of the Hit, either an electronic or hard copy.
2. Immediately confirm with the on scene officer. Examine the Hit message and evaluate all information in the record and compare with the officer's description of the subject being stopped or property being recovered to insure that:
 - a. The person or property matches the person or property described in the Hit.
 - b. The location of the person or property is within the extradition limit stated on the Hit.
3. Confirm the Hit with the originating agency. An inquiring agency that receives a hit must use the YQ message to request confirmation of the Hit. Use the appropriate pre-formatted screen.
 - a. RNO – Request Number. Enter 1, 2, or 3 to indicate whether the Hit confirmation request is the 1st, 2nd, or 3rd request sent. When an agency requests a hit confirmation and fails to receive a response within the specified time (10 minutes or 1 hour), then it must send a second request for Hit confirmation, entering a 2 in the RNO field. The second request will be sent to the originating agency along with a copy that is automatically sent

to the BCA. If a second request is not responded to, then a third request must be sent with a 3 in the RNO field. This will cause the Hit confirmation request to be sent to the originating agency along with copies that are automatically sent to the BCA, as well as to NCIC.

- b. PRI – Priority. The agency requesting confirmation of a Hit must determine the appropriate time frame for a response. URGENT (10 minute response requested: to be used when subject is detained solely for identification purposes.) or ROUTINE (1 hour response requested: to be used when subject is detained on other charges or currently in custody).
- c. Fill in any other appropriate fields before transmitting the request.
4. If the originating agency indicates that the Hit is not active, notify the requesting person. Do not arrest the subject or recover the property.
5. If the originating agency confirms that the Hit is still active and the subject is arrested or property recovered, enter a Locate. Retain a copy of the confirmation and the Locate documentation, either electronic or hard copy.

HIT CONFIRMATION RESPONSE

If you receive a Hit confirmation, use the following procedures to respond.

1. Retain a copy of the confirmation request, either electronic or hard copy.
2. Note the amount of time that you have to respond and make sure to respond within that time period.
3. Attempt to confirm the Hit by checking the original warrant or report file to determine if the person is still wanted or property is still missing.
4. If you are unable to confirm the Hit, send a response with an explanation for not being able to confirm.
5. Use the appropriate YR message to respond. (Pre-formatted screen.)
 - a. CON – Confirmation Status. Enter one of the following codes:
 - Y – Yes, to positively confirm a Hit.
 - N – No, to provide a negative response to the Hit confirmation
 - P – In process, to indicate that you are in the process of confirming the Hit.
 - E – Extradition, to indicate that the Hit is positive or valid but the agency is awaiting a decision on extradition.

DOCUMENTATION OF THE HIT CONFIRMATION PROCESS

All Hit confirmation teletypes should be retained, and detailed notes should be made concerning how, when, what, and to whom the information was given. The detailed notes should be kept in the case file. Documentation of the confirmed Hit is essential and may be critical to the success of defending a later claim of misidentification or false arrest.

CJDN Model Missing Person Policy (9-1-21).pdf

Missing Person Policy
(Agency Name Here)
(Date Here)

MISSING PERSON REPORT RESPONSIBILITY

A law enforcement agency shall accept without delay any report of a missing person. The law enforcement agency shall not refuse to accept a missing person report on any basis stated in MS 299C.53. If there is a question regarding jurisdiction, contact the BCA after the subject has been entered into NCIC.

CRITERIA FOR ENTRY

The agency must have a missing person report (electronic or hard copy) on file to support the missing person entry. A missing person record may be entered using one of the following categories:

1. **Disability (MKE/EMD):** a person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/ herself or others to personal and immediate danger.
2. **Endangered (MKE/EME):** a person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
3. **Involuntary (MKE/EMI):** a person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping.
4. **Juvenile (MKE/EMJ):** a person who is missing and not declared emancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria set forth in 1, 2, 3, or 5.
5. **Catastrophe Victim (MKE/EMV):** a person of any age who is missing after a catastrophe.
6. **Other (MKE/EMO):** a person not meeting the criteria for entry in any other category who is missing and 1) for whom there is a reasonable concern for his/her safety or 2) a person who is under age 21 and declared emancipated by the laws of his/her state of residence.

MISSING PERSON RECORD ENTRY

- An adult missing person (age 21 and over) should be entered into NCIC using one of the appropriate categories (Disability, Endangered, Involuntary, Catastrophe, or Other) within 2 hours of receipt of the minimum data required to enter an NCIC record. The agency must have a missing person report (electronic or hard copy) on file to support a missing person entry. The record for a missing person age 21 and over must have a signed document supporting the stated conditions under which the person is declared missing.

Forms of acceptable signatures are:

- Digitized signatures (similar to method used by the United States Postal Service).
 - Manual signatures scanned into the ERMS.
 - The case officer's typed or signed name in the report.
- A juvenile missing person (under the age of 21) should be entered into NCIC within 2 hours of receipt of the minimum data required to enter an NCIC record. The missing person report filed with the agency is sufficient documentation for entering a juvenile in the NCIC Missing Person File.

ENTRY REQUIREMENTS FOR ALL MISSING PERSON RECORDS

- Run a current DVS, MN/III criminal history, and RMS inquiry to obtain as many known descriptors as possible for the subject. All descriptors used must be documented in the case file. Attempts to obtain medical/dental information must also be documented in the case file.
- Enter the record into NCIC. The record should include all descriptors. Additional identifiers such as scars, marks and tattoos, aliases, additional dates of birth, etc., should be added to the record through the use of the Enter Missing Person Supplemental screen.
- Enter caution indicator(s) if applicable to the subject.

If an image is available, the agency will enter an image of the missing person into the NCIC record.

After the record is entered, query the NCIC entry to obtain a copy for second party verification purposes.

Agencies are required to verify and update NCIC missing person record entries with any additional information, including: Blood Type (BLT); Dental Characteristics (DCH); Fingerprint Classification (FPC); Jewelry Type (JWT); and Scars, Marks, Tattoos, and Other Characteristics (SMT) within 60 days of entry. If a record has a date of entry older than 30 days and any of the above fields are blank, a \$.K. Missing Information Notification identifying the blank fields will be transmitted. The \$.K. Missing Information Notification will also include the record.

A notation shall be made in the case file indicating when this attempt was made and what the outcome was, i.e. child has returned, dental records obtained, etc. This sixty (60) day update is a mandatory FBI requirement on all missing person records under the age of 21. Agency personnel shall document this attempt in the case file to show that this requirement has been met.

Peer Support Application (fillable).pdf



City of Inver Grove Heights Police Department

8150 Barbara Ave, Inver Grove Heights, MN 55077

(651) 450-2525

Fax (651) 450-2543

Peer Support Team Application

Peer Support Counselor (PSC): *A colleague, who is specially trained to provide day- to-day emotional support for Inver Grove Heights Police Department employees and to participate in the department's comprehensive response to critical incidents. PSCs are trained to recognize and refer colleagues that require professional intervention or support beyond their scope of training to a licensed mental health professional.*

Peer Support Counselors provide support and assistance to members in times of stress and crisis. The responsibilities of a PSCs are as follows:

- Convey trust and ensure confidentiality within the guidelines to employees who seek assistance from the Peer Support Program.
- Provide emotional support during and after times of personal and/or professional crisis to employees who express the need for assistance.
- Support employees during tragedies or critical incidents and make proper referrals to professional resources.
- Check on employees who are off work due to extended illness or injury and provide support for those who express the need for assistance.
- Be available to employees for additional follow-up support.
- Maintain contact with the Peer Support Coordinator regarding program activities without breaching confidentiality.
- Agree to be contacted and, if necessary, respond at any hour to assist an employee in need.
- Attend PSC trainings and meetings.

I have read the department's entire Peer Support Team Policy, including the excerpt above.

I understand the roles and responsibilities of a peer support counselor

If chosen for the peer support team, I will uphold the integrity of the department's entire Peer Support Team Policy

Applicant Information

Name: _____

Date: _____

E-mail Address: _____ Phone Number: _____

Have you successfully completed your probationary period? Yes No

Are you in good disciplinary standing with the department? Yes No

Have you been with the department for a minimum of two years? Yes No

Background and Experience

What experience and skills do you have that would contribute to your success on the peer support team?

Why do you want to be on the peer support team?

How do you envision your involvement and role with the peer support team?

Letters of Recommendation

Letters of recommendation are required from a minimum of two of your peers and should be submitted with your application. These letters may include, but are not limited to the following information:

- Examples of times you've helped others
- Observations of your peer support skills
- Reasons why they would come to you when in need of peer support

Confidential Informants Model Policy .pdf

CONFIDENTIAL INFORMANTS MODEL POLICY

MN STAT 626.8476

I. POLICY

It is the policy of the (**law enforcement agency**) to establish procedures and protocols that take necessary precautions concerning the recruitment, control and use of confidential informants.

II. DEFINITIONS

- A. Confidential Informant (CI):** A person who cooperates with a law enforcement agency confidentially in order to protect the person or the agency's intelligence gathering or investigative efforts and;
1. seeks to avoid arrest or prosecution for a crime, mitigate punishment for a crime in which a sentence will be or has been imposed, or receive a monetary or other benefit; and
 2. is able, by reason of the person's familiarity or close association with suspected criminals, to:
 - i. make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation;
 - ii. supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
 - iii. otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.
- B. Controlled Buy:** means the purchase of contraband, controlled substances, or other items that are material to a criminal investigation from a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.
- C. Controlled Sale:** means the sale of contraband, controlled substances, or other items that are material to a criminal investigation to a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.
- D. Mental Harm:** means a psychological injury that is not necessarily permanent but results in visibly demonstrable manifestations of a disorder of thought or mood that impairs a person's judgment or behavior.
- E. Target Offender:** means the person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a confidential informant.
- F. Confidential Informant File:** means a file maintained to document all information that pertains to a confidential informant.
- G. Unreliable Informant File:** means a file containing information pertaining to an individual who has failed at following an established written confidential informant agreement and has been determined to be generally unfit to serve as a confidential informant.
- H. Compelling Public Interest:** means, for purposes of this policy, situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for persons, property, or public safety and therefore demand action.
- I. Overseeing agent:** means the officer primarily responsible for supervision and management of a confidential informant.

III. PROCEDURES

A. Initial Suitability Determination

An initial suitability determination must be conducted on any individual being considered for a role as a CI. The initial suitability determination includes the following:

1. An officer requesting use of an individual as a CI must complete an Initial Suitability Report. The report must be submitted to the appropriate individual or entity, as determined by the agency chief executive, to review for potential selection as a CI. The report must include sufficient detail regarding the risks and benefits of using the individual so that a sound determination can be made. The following information must be addressed in the report, where applicable:
 - a. Age, sex, and residence
 - b. Employment status or occupation
 - c. Affiliation with legitimate businesses and illegal or suspicious enterprises
 - d. Extent to which potential information, associations, or other assistance could benefit a present or future investigation
 - e. Relationship with the target of an investigation
 - f. Motivation in providing information or assistance
 - g. Risk of adversely affecting an existing or future investigation
 - h. Extent to which provided information can be corroborated
 - i. Prior record as a witness
 - j. Criminal history, to include whether he or she is the subject of a pending investigation, is under arrest, or has been charged with a crime
 - k. Risk to the public or as a flight risk
 - l. Consultation with the individual's probation, parole, or supervised release agent, if any
 - m. Consideration and documentation of the individual's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the individual's history of mental illness, substance use disorder, traumatic brain injury or disability
 - n. Relationship to anyone in law enforcement
 - o. Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement
 - p. Prior or current service as a CI with this or another law enforcement organization
2. Prior to an individual's use as a CI, a supervisor or other designated authority must review the Initial Suitability Report and determine if the individual is authorized to serve as a CI.
3. Any prospective or current CI must be excluded from engaging in a controlled buy or sale of a controlled substance if the prospective or current CI:
 - a. is receiving in-patient treatment or partial-hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness; or
 - b. is participating in a treatment-based drug court program or treatment court; except that
 - c. the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.

4. Documentation and special consideration must be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the individual is known, or has reported, to have experienced a drug overdose in the previous 12 months.
5. Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided referral to prevention or treatment services.
6. Any prospective or current CI that has a physical or mental illness that impairs the ability of the individual to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager/social worker from the county social services agency, or other substance abuse and mental health services.
7. Each CI's suitability must be reviewed every 6 months, at a minimum, during which time the CI's overseeing agent must submit a Continuing Suitability Report addressing the foregoing issues in III.A.1.a-p, and III.A.3-6, where applicable. An initial suitability determination must be conducted on a reactivated CI regardless of the length of inactivity.
8. Any information that may negatively affect a CI's suitability during the course of their use must be documented in the CI's file and forwarded to the appropriate authorized personnel as soon as possible.
9. Supervisors must review informant files regularly with the overseeing agent and must attend debriefings of CIs periodically as part of the informant management process. If a CI is active for more than 12 months, a supervisory meeting with the CI must be conducted without the overseeing agent.
10. CI contracts must be terminated, and the CI file placed in inactive status when the CI has not been utilized for 6 months or more.

B. Exigent Confidential Informants

1. Certain circumstance arise when an individual who has been arrested is willing to immediately cooperate and perform investigative activities under the direction of an overseeing agent. In these circumstances, the initial suitability determination can be deferred and an individual may be utilized as a CI for a period not to exceed 12 hours from the time of arrest if:
 - a. The individual is not excluded from utilization as a CI under III.A(3)(a-c) of this policy; and
 - b. There is compelling public interest or exigent circumstances exist that demand immediate utilization of the individual as a CI and any delay would significantly and negatively affect any investigation; and
 - c. A supervisor has reviewed and approved the individual for utilization as a CI under these circumstances.
2. Upon the conclusion of the 12-hour window, or at any time before, an initial suitability determination must be conducted before the individual engages in any further CI activities.

C. Special CI Approval Requirements

Certain individuals who are being considered for use as a CI require special review and approval. In all instances, the agency's chief executive or their designee and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals as CIs. These individuals include the following:

1. Juveniles
 - a. Use of a juvenile under the age of 18 for participating in a controlled buy or sale of a controlled substance or contraband may be undertaken only with the written authorization of the individual's parent(s) or guardian(s), except that the juvenile informant may provide confidential information.

- b. Authorization for such use should be granted only when a compelling public interest can be demonstrated, *except that*
 - c. Juveniles under the guardianship of the State may not be used as a CI.
2. Individuals obligated by legal privilege of confidentiality.
3. Government officials.

D. General Guidelines for Overseeing CIs

General guidelines for overseeing CIs are as follows:

1. CIs must be treated as assets of the agency, not the individual overseeing agent.
2. No promises or guarantees of preferential treatment within the criminal justice system will be made to any informant without prior approval from the prosecuting authority.
3. CIs must not be used without authorization of the agency through procedures identified in this policy.
4. CIs must not be used to gather information purely of a political nature or for other information-gathering efforts that are not connected with a criminal investigation.
5. Under no circumstances must an informant be allowed access to restricted areas or investigators' work areas within a law enforcement agency.
6. All CIs must sign and abide by the provisions of the agency's CI agreement.
7. Any physical or mental illness that impairs the CI's ability to knowingly contract or otherwise protect the informant's self-interest must be taken into consideration before the CI signs the agreement.
8. The CI's overseeing agent must discuss each of the provisions of the agreement with the CI, with particular emphasis on the following:
 - a. CIs may voluntarily initiate deactivation, whereupon the protocols outlined in section E of this policy must be followed.
 - b. CIs are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures, and may not carry a weapon while performing activities as a CI.
 - c. CIs found engaging in any illegal activity beyond what is authorized by the agency and conducted while under the supervision of an overseeing agent, will be subject to prosecution.
 - d. CIs are prohibited from engaging in actions or activities that could be deemed entrapment. The meaning of the term and implications of such actions must be explained to each CI.
 - e. CIs are prohibited from engaging in self-initiated information or intelligence gathering without agency direction and approval. The CI must not take any actions in furtherance of an investigation without receiving specific instruction(s) from the overseeing agent or agency.
 - f. Every reasonable effort will be taken to ensure the confidentiality of the CI but, upon judicial order, he or she may be required to testify in open court.
 - g. CIs may be directed to wear a listening and recording device.
 - h. CIs must be required to submit to a search before and after a controlled purchase.

- i. CIs who participate in unplanned or unanticipated activities or meet with a subject(s) under investigation in a location outside of the jurisdictional boundary of the handling agency must promptly report that activity or meeting to their overseeing agents.
9. CI activity outside jurisdictional boundaries:
 - a. Investigators handling CIs who engage in operational activity in locations outside the jurisdictional boundaries of the agency must coordinate with counterparts in law enforcement agencies that have jurisdiction in that location where the CI will operate before any activity occurs, or in a timely manner after unanticipated activity occurs and is brought to the attention of the overseeing agent.
 - b. Any decision to defer or delay notice to or coordinate with an outside agency having jurisdiction in the area where a CI has or may operate must be documented, reviewed, and approved by the agency's chief executive or their designee.
10. Officers must take the utmost care to avoid conveying any confidential investigative information to a CI, such as the identity of other CIs, surveillance activities, or search warrants, other than what is necessary and appropriate for operational purposes.
11. No member of this agency must knowingly maintain a social relationship with a CI, or otherwise become personally involved with a CI beyond actions required in the performance of duty.
12. Members of this agency must not solicit, accept gratuities from, or engage in any private business transaction with a CI.
13. Meetings with a CI must be conducted in private with another officer or agent present and with at least one officer or agent of the same sex, except when not practical. The meeting location should minimize the potential for discovery of the informant's cooperation and provide sufficient space to complete necessary administrative duties. The meetings must be documented and subsequently entered into the individual's CI file.
14. Overseeing agents must develop and follow a communications strategy and plan with the CI that minimizes, to the greatest extent possible, the risk of discovery or compromise of the relationship between the agency and the CI. This plan should also aim to prevent the detection, compromise, or interception of communications between the overseeing agent and the CI.
15. Procedures must be instituted to assist CIs with concealing their identity and maintaining their safety. Care should be given not to expose CIs to unnecessary safety risks.
16. Preceding or following every buy or sale of controlled substances, overseeing agents must screen the CI for any personal safety or mental health concerns, risk of substance abuse, and/or potential relapse in any substance abuse recovery.
 - a. At the request of the CI, or if the overseeing agent deems it necessary, reasonable efforts should be taken to provide the CI with referral to substance abuse and/or mental health services.
 - b. Overseeing agents must document:
 - i. the screening,
 - ii. any referral to services provided to, or requested by, the CI, and
 - iii. any refusal by the CI to participate in the screening and/or any refusal by the CI to accept referral to services. Reasons for the CI's refusal must be documented, where applicable.
 - c. No part of this subsection supersedes MN Stat. 253B.05, sub.2.

17. Reasonable protective measures must be provided for a CI when any member of this agency knows or should have known of a risk or threat of harm to a person serving as a CI and the risk or threat of harm is a result of the informant's service to this agency.
18. Overseeing agents must:
 - a. evaluate and document the criminal history and propensity for violence of target offenders; and
 - b. to the extent allowed, provide this information to the CI if there is a reasonable risk or threat of harm to the CI as a result of the CI's interaction with the target offender.
19. Reasonable efforts and precautions must be made to help protect the identity of a CI during the time the person is acting as an informant.
20. Whenever possible, officers must corroborate information provided by a CI and document efforts to do so.
21. The name of a CI must not be included in an affidavit for a warrant unless judicial authority is obtained to seal the document from the public record or the CI is a subject of the investigation upon which the affidavit is based.
22. Overseeing agents are responsible for ensuring that information of potential value to other elements of the agency is provided promptly to authorized supervisory personnel and/or other law enforcement agencies as appropriate.
23. Individuals leaving employment with the agency have a continuing obligation to maintain as confidential the identity of any CI and the information he or she provided unless obligated to reveal such identity or information by law or court order.

E. Establishment of an Informant File System

An informant file system must be established as follows:

1. The agency chief executive must designate a file supervisor who must be responsible for developing and maintaining master CI files and an indexing system.
2. A file must be maintained on each CI deemed suitable by the agency.
3. An additional Unreliable Informant File must be established for CIs deemed unsuitable during initial suitability determinations or at a later time.
4. Each file must be coded with an assigned informant control number for identification within the indexing system and must include the following information, where applicable:
 - a. Name, aliases, and date of birth
 - b. Height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features
 - c. Emergency contact information
 - d. Name of the officer initiating use of the informant and any subsequent overseeing agents
 - e. Photograph and criminal history record
 - f. Current home address and telephone number(s)
 - g. Residential addresses in the last five years
 - h. Current employer, position, address, and telephone number
 - i. Social media accounts
 - j. Marital status and number of children

- k. Vehicles owned and their registration numbers
 - l. Places frequented
 - m. Gang affiliations or other organizational affiliations
 - n. Briefs of information provided by the CI and the CI's subsequent reliability
 - o. Special skills and hobbies
 - p. Special areas of criminal expertise or knowledge
 - q. A copy of the signed informant agreement
5. CI files must be maintained in a separate and secured area.
 6. The file supervisor must ensure that information concerning CIs is strictly controlled and distributed only to officers and other authorities who have a need and a right to such information.
 7. CI File Review
 - a. Sworn personnel may review an individual's CI file only upon the approval of the agency's chief executive or their designee.
 - b. The requesting officer must submit a written request explaining the need for review. A copy of this request, with the officer's name, must be maintained in the individual's CI file.
 - c. Officers must not remove, copy, or disseminate information from the CI file.
 - d. CI files must be reviewed only in designated areas of the law enforcement facility and returned as soon as possible to their secure file location.
 - e. All disclosures or access to CI files must be recorded by the file supervisor, to include information such as the requesting officer or agency, the purpose of access or disclosure, the information conveyed, and the date and time of access or dissemination.
 - f. No portion of an individual's CI file must be entered into any other electronic or related database without controls sufficient to exclude access to all but authorized personnel with a need and a right to know.

F. Deactivation of Confidential Informants

A CI deactivation procedure must be established as follows:

1. The overseeing agent must complete a deactivation form that includes, at minimum, the following:
 - a. The name of the agency.
 - b. The name of the CI.
 - c. The control number of the CI, where applicable.
 - d. The date of deactivation.
 - e. The reason for deactivation.
 - f. A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.
 - g. A notification that the agency will provide and assist the CI with referral to health services for assistance with any substance abuse disorder and/or physical, mental, or emotional health concerns, as requested or accepted by the CI.
 - h. A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.

- i. A signature by the overseeing agent.
2. All reasonable efforts must be taken to maintain the safety and anonymity of the CI after deactivation.

G. Monetary Payments

Monetary payments must be managed as follows:

1. All monetary compensation paid to CIs must be commensurate with the value of the information or assistance provided to the agency.
2. All CI payments must be approved in advance by the officer in charge of confidential funds.
3. Officers must provide accounting of monies received and documentation for confidential funds expended. Any documentation of monies paid or received should not contain the true identity of the informant but should use the CI's control number.
4. Two officers must be present when making payments or providing funds to CIs.
5. The appropriate individual, as designated by the agency's chief executive, must ensure that the process for authorization, disbursement, and documentation of CI payments, as well as the accounting and reconciliation of confidential funds, is consistent with agency policy.
6. If a CI is authorized to work with another law enforcement or prosecutorial agency, financial payments must be coordinated between the agencies in a manner that is proportionate to the assistance rendered to each agency and consistent with provision III.F.1. of this policy.
7. Written records of receipts are retained, or justification for the exception is documented when a written receipt is not available.

**CJDN Model Supporting Documentation
for Property Hot File Records (9-1-21).pdf**

Supporting Documentation for Property Hot File Records

(Agency Name Here)

(Date Here)

VEHICLE FILE

Before entering a stolen or felony vehicle record into MNJIS/NCIC you should:

1. Obtain a theft report describing the stolen item including the serial number (SER) or owner applied number (OAN).
2. Do a registration check with the state that the vehicle is registered with and obtain a copy of the registration to attach to the record.
3. Enter the record into MNJIS/NCIC using the pre-formatted screen. Make sure to pack the record with as much information about the vehicle as is available. Also verify the NCIC codes as they are not always the same as what you see on the copy of the registration.
4. Query MNJIS/NCIC to verify entry and to obtain a copy of the record to be attached to the record.
5. Follow procedures for the second party check.
6. Validate the record according to schedule. Maintain any updated documentation used during a validation and attach to the record.

STOLEN GUNS, ARTICLES, BOATS AND SECURITIES

Before entering a stolen record into MNJIS/NCIC you should:

1. Obtain a theft report describing the stolen item including the serial number (SER) or owner applied number (OAN).
2. If entering a boat, do a registration check with the state that the boat is registered with and obtain a copy of the registration to attach to the record.
3. Enter the record in MNJIS/NCIC using the pre-formatted screen. (Boats and securities will only be entered into NCIC.) Make sure to pack the record with as much information about the item as is available.
4. Query MNJIS/NCIC to verify entry and to obtain a copy of the record to be attached to the record.
5. Follow procedures for the second party check.
6. Validate the record according to schedule. Maintain any updated documentation used during a validation and attach to the record.

CJDN Model Validation Policy (9-1-21).pdf

Validation Policy
(Agency Name Here)
(Date Here)

Validation obliges the ORI to confirm that the record is complete, accurate, and still outstanding or active.

The agency ORI must validate all hot file records, except for Article File records. Validation takes place 60-90 days from the date of entry and yearly thereafter.

Validation requires the entering agency to:

1. Remove all records that are no longer active from the MNJIS/NCIC Hot Files.
2. Compare all records against the current supporting documentation to ensure:
 - a. That the information in each field is accurate.
 - b. That the records contain all available information found in the case files.
3. Remove all records for which corresponding case file documentation cannot be located OR recreate the case file so our agency meets NCIC requirements.
4. Update records as needed when:
 - a. NCIC Code changes occur.
 - b. Agency related information, such as extradition limits or hit confirmation, and/or contact information changes.
 - c. New or additional information becomes available.
5. Contacts:
 - a. Wanted Person - consult the court or prosecutor to verify that the warrant is still active and the extradition limits have not changed for all wanted person records. Operator shall run a new criminal history inquiry (QH – PUR/C) to check for additional available identifiers to add to record. i.e. AKAs, DOBs, etc. The Attention (ATN) field should contain the name of the person validating the record as well as the

reason (VALIDATION). All criminal history records that support data in the wanted person record must be placed in the warrant jacket.

- b. Missing Person - consult the complainant to verify that the person is still missing for all missing person records.
- c. Orders for Protection – contact the courts to verify that the OFP is still active and all of the information is current and correct.
- d. Stolen Property - contact the owner or insurance company for stolen property validations to verify that the property is still missing. On stolen vehicles, run a new registration to see if the vehicle has been re-registered to an insurance company or possibly in another person's name.

Note: All entries in any of the Hot Files must be documented for entry. In addition, upon the entry of any Hot File, a second party check must be completed.

**CJDN Model Supporting Documentation
for Identity Theft Policy (9-1-21).pdf**

Supporting Documentation for Identity Theft Policy
(Agency Name Here)
(Date Here)

Before an entry can be made in the Identity Theft File, an official complaint (electronic or hard copy) must be recorded and on file at our law enforcement agency. Our agency may make an NCIC Identity Theft entry only if we are the agency that takes the identity theft complaint and the following criteria are met:

1. Someone is using a means of identification of the victim.
2. The identity of the victim is being used without the permission of the victim.
3. The victim's identity is being used or intended to be used to commit an unlawful activity.
4. The victim must sign a consent waiver, which can be found on the CJDN Secure site, prior to the information being entered into the Identity Theft file.
5. Information on deceased persons may be entered into the file if it is deemed by the police officer that the victim's information has been stolen. No consent form is required with the entry of deceased person information.
6. If the Identity Theft file is going to contain the Social Security Number of the victim, our agency is required to inform the individual of this fact and they must sign the "Notice about Providing Your Social Security Number" form, which can be found on the CJDN Secure site.
7. An image may be entered into the NCIC record.

**CJDN Model Second Party
Check Procedures (9-1-21).pdf**

Second Party Check Procedures
(Agency Name Here)
(Date Here)

Second party checking means that someone, other than the person making the record entry, checks the record for accuracy and completeness. This procedure is **required** for ALL Hot File entries and modifications to record entries.

The person conducting a second party check on a hot file should first query the record to obtain a copy of the HIT and proceed with the following steps:

- a. Ensure that all appropriate sources were checked and queried for complete information. This may include Criminal History records, motor vehicle registrations, driver's license information and any other available sources. Make sure that this source material is kept with the case file or warrant. ie; D/L printouts, Registration printouts, CCH/III identification information
- b. Compare the information from the sources listed above against the record entered into MNJIS/NCIC to verify the accuracy of information in all fields of the hot file record.
- c. Verify that all information was coded correctly with appropriate up-to-date NCIC codes.
- d. Correct any records that are inaccurate or coded incorrectly.
- e. Verify that the record was "packed" with all available information.
- f. Initial or electronically stamp the Hit copy of the entry and retain the signed copy in the case file.

**MN Public Assembly-First
Amendment Rights Model Policy .pdf**

Public Assembly and First Amendment Activity

References:

Minn. Rules 6700.1615

First Amendment US Constitution

Minnesota Constitution

609.705. Unlawful Assembly

609.71 Riot

609.066 Authorized Use of Force by Peace Officers

609.06 Authorized Use of Force

1) PURPOSE

The First Amendment to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The Bill of Rights in Article 1 of the [Minnesota Constitution](#) addresses the rights of free speech and the liberty of the press. However, neither the state nor federal constitutions protect criminal activity or threats against citizens, businesses, or critical infrastructure.

The [\(law enforcement agency\)](#) supports all people's fundamental right to peaceably assemble and their right to freedom of speech and expression.

The purpose of this policy is to provide guidelines to the [\(law enforcement agency\)](#) personnel regarding the application and operation of acceptable law enforcement actions addressing public assemblies and First Amendment Activity.

2) POLICY

The [\(law enforcement agency\)](#) will uphold the constitutional rights of free speech and assembly while using the minimum use of physical force and authority required to address a crowd management or crowd control issue.

The policy of the [\(law enforcement agency\)](#) ("department") regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a public assembly or First Amendment activity. Department personnel must not harass, intimidate, or discriminate against or unreasonably interfere with persons engaged in the lawful exercise of their rights.

This policy concerning crowd management, crowd control, crowd dispersal, and police responses to violence and disorder applies to spontaneous demonstrations, crowd event situations, and planned demonstration or crowd events regardless of the permit status of

the event.

This policy is to be reviewed annually.

3) DEFINITIONS

- A. Chemical Agent Munitions: Munitions designed to deliver chemical agents from a launcher or hand thrown.
- B. Control Holds: Control holds are soft empty hand control techniques as they do not involve striking.
- C. Crowd Management: Techniques used to manage lawful public assemblies before, during, and after an event. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.
- D. Crowd Control: Techniques used to address unlawful public assemblies.
- E. Deadly Force: Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. (Reference: (law enforcement agency's) Use of Force Policy, MN Statutes [609.06 and 609. 066](#))
- F. Direct Fired Munitions: Less-lethal impact munitions that are designed to be direct fired at a specific target.
- G. First Amendment Activities: First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression. Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, street theater, and other artistic forms of expression. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the [Minnesota State Constitution](#).

The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.

- H. Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. (Reference: (law enforcement agency's) Use of Force Policy, MN Statutes [609.06 and 609. 066](#))
- I. Legal Observers – Individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests and other activities. The following may be indicia of a legal observer: Wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.
- J. Less-lethal Impact Munitions. Impact munitions which can be fired, launched, or

otherwise propelled for the purpose of encouraging compliance, overcoming resistance or preventing serious injury without posing significant potential of causing death.

- K. **Media:** Media means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution. For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

4) Law Enforcement Procedures

- A. **Uniform:** All officers responding to public assemblies must at all times, including when wearing protective gear, display their agency name and a unique personal identifier in compliance with this department's uniform policy. The chief law enforcement officer must maintain a record of any officer(s) at the scene who is not in compliance with this requirement due to exigent circumstances.

B. Officer conduct:

1. Officers shall avoid negative verbal engagement with members of the crowd. Verbal abuse against officers does not constitute a reason for an arrest or for any use of force against such individuals.
2. Officers must maintain professional demeanor and remain neutral in word and deed despite unlawful or anti-social behavior on the part of crowd members.
3. Officers must not take action or fail to take action based on the opinions being expressed.
4. Officers must not interfere with the rights of members of the public to observe and document police conduct via video, photographs, or other methods unless doing so interferes with on-going police activity.
5. Officers must not use a weapon or munition unless the officer has been trained in the use and qualified in deployment of the weapon/munition.
6. This policy does not preclude officers from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

5. Responses to Crowd Situations

- A. **Lawful assembly.** 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.

B. Unlawful assembly

1. The definition of an unlawful assembly has been set forth in Minnesota Statute [§609.705](#).
2. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly
3. The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.
4. Whenever possible, the unlawful behavior of a few participants must not result in the majority of peaceful protestors being deprived of their First Amendment rights, unless other participants or officers are threatened with dangerous circumstances.
5. Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques must not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease, and the First Amendment activity can continue.

C. Declaration of Unlawful Assembly

1. If the on-scene supervisor/incident commander has declared an unlawful assembly, the reasons for the declaration and the names of the decision maker(s) must be recorded. The declaration and dispersal order must be announced to the assembly. The name(s) of the officers announcing the declaration should be recorded, with the time(s) and date(s) documented.
2. The dispersal order must include:
 - a) Name, rank of person, and agency giving the order
 - b) Declaration of Unlawful Assembly and reason(s) for declaration
 - c) Egress or escape routes that may be used
 - d) Specific consequences of failure to comply with dispersal order
 - e) How long the group has to comply
3. Whenever possible, dispersal orders should also be given in other languages that are appropriate for the audience. Officers must recognize that not all crowd members may be fluent in the language(s) used in the dispersal order.
4. Dispersal announcements must be made in a manner that will ensure that they are audible over a sufficient area. Dispersal announcements-must be made from different locations when the demonstration is large and noisy. The dispersal announcements should be repeated after commencement of the dispersal operation so that persons not present at the original broadcast will understand that they must leave the area. The announcements must also specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced.

D. Crowd Dispersal

1. Crowd dispersal techniques should not be initiated until officers have made repeated announcements to the crowd, or are aware that repeated announcements

- have been made, asking members of the crowd to voluntarily disperse, and informing them that, if they do not disperse, they will be subject to arrest.
2. Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with officer commands before action is taken.
 3. If negotiations and verbal announcements to disperse do not result in voluntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the on-scene supervisor/incident commander. The use of these crowd dispersal tactics shall be consistent with the department policy of using the minimal officer intervention needed to address a crowd management or control issue.
 4. If, after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly, and a new declaration of unlawful assembly has been made.

6. Tactics and Weapons to Disperse or Control a Non-Compliant Crowd

Nothing in this policy prohibits officers' abilities to use appropriate force options to defend themselves or others as defined in the (law enforcement agency's) Use of Force policy.

A. Use of Batons

1. Batons must not be used for crowd control, crowd containment, or crowd dispersal except as specified below.
2. Batons may be visibly displayed and held in a ready position during squad or platoon formations.
3. When reasonably necessary for protection of the officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons may be used in a pushing, pulling, or jabbing motion. Baton jabs must not be used indiscriminately against a crowd or group of persons but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs should not be used in a crowd control situation against an individual who is attempting to comply but is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle.
4. Officers must not strike a person with any baton to the head, neck, throat, kidneys, spine, or groin, or jab with force to the armpit unless the person has created an imminent threat of great bodily harm to another.
5. Batons shall not be used against a person who is handcuffed except when permissible under this department's Use of Force policy and state law.

B. Restrictions on Crowd Control and Crowd Dispersal

1. Canines. Canines must not be used for crowd control, crowd containment, or crowd dispersal.
2. Fire Hoses. Fire hoses must not be used for crowd control, crowd containment, or crowd dispersal.
3. Electronic Control Weapons (ECWs) must not be used for crowd control, crowd

containment, or crowd dispersal.

4. Motorcycles and police vehicles must not be used for crowd dispersal, but may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.
5. Skip Fired Specialty Impact Less-Lethal Munitions (Wooden Dowels and Stinger Grenades) may be used as a last resort if other crowd dispersal techniques have failed or have been deemed ineffective.
6. Direct Fired munitions may never be used indiscriminately against a crowd or group of persons even if some members of the crowd or group are violent or disruptive.
 - a) Except for exigent circumstances, the on-scene supervisor/incident commander must authorize the deployment of Direct Fired munitions. Direct Fired munitions must be used only against a specific individual who is engaging in conduct that poses an immediate threat of loss of life or serious bodily injury to them self, officers, or the general public; or is creating an imminent risk to the lives or safety of other persons through the substantial destruction of property.
 - b) Officers shall not discharge a Direct Fired munitions at a person's head, neck, throat, face, left armpit, spine, kidneys, or groin unless deadly force would be justified.
 - c) When circumstances permit, the on-scene supervisor/incident commander must make an attempt to accomplish the policing goal without the use of Direct Fired munitions as described above, and, if practical, an audible warning shall be given to the subject before deployment of the weapon.
7. Aerosol Hand-held Chemical Agents must not be used in a demonstration or crowd situation or other civil disorders without the approval of the on-scene supervisor/incident commander.
 - a) Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Aerosol hand-held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.
 - b) Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.
 - c) When possible, persons should be removed quickly from any area where hand held chemical agents have been used. Officers must monitor the subject and pay particular attention to the subject's ability to breathe following the application of a chemical agent.
 - d) A subject who has been sprayed with a hand-held chemical agent shall not be left lying on their stomach once handcuffed or restrained with any device.
9. Chemical munitions use in a crowd situation is subject to the following:
 - a) Chemical munitions must be used only when:
 - 1) a threat of imminent harm or serious property damage is present, or

other crowd dispersal techniques have failed or did not accomplish the policing goal as determined by the incident commander,

- 2) sufficient egress to safely allow the crowd to disperse exists, and
 - 3) The use of chemical munitions is approved by the on-scene supervisor/incident commander, and
- b) When feasible, additional announcements should be made prior to the use of chemical munitions in a crowd situation warning of the imminent use of chemical munitions.
 - c) Deployment of chemical munitions into a crowd must be avoided to prevent unnecessary injuries.
 - d) CN chemical munitions are prohibited.
 - e) The use of each chemical munition must be recorded (time, location), and the following information must be made available by the department on request :
 - 1) the name of each chemical munition used in an incident,
 - 2) the location and time of use for each munition deployment,
 - 3) access to the safety data sheet (SDS) for chemical munition
 - f) Where extensive use of chemical munitions would reasonably be anticipated to impact nearby residents or businesses, agencies should consider proactively notifying impacted individuals of safety information related to the munitions use as soon as possible, even if after the event.
 - g) When chemical munitions are used, an emergency responder will be on standby at a safe distance near the target area when feasible.
 - h) Chemical munitions are subject to the same procedural requirements as outlined in the (law enforcement department)'s UOF policy.

C. Arrests

1. If the crowd has failed to disperse after the required announcements and sufficient time to disperse, officers may encircle the crowd or a portion of the crowd for purposes of making multiple simultaneous arrests.
2. Persons who make it clear (e.g., by non-violent civil disobedience) that they seek to be arrested may be arrested and must not be subjected to other dispersal techniques, such as the use of batons or chemical agents. Persons refusing to comply with arrest procedures may be subject to the reasonable use of force.
3. Arrests of non-violent persons shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of soft empty hand control holds.
4. Officers must document any injuries reported by an arrestee, and as soon as practical, officers must obtain professional medical treatment for the arrestee.
5. Juveniles arrested in demonstrations shall be handled consistent with department policy on arrest, transportation, and detention of juveniles.
6. Officers arresting a person with a disability affecting mobility or communication must follow the department policy on arrest, transportation, and detention of persons with disabilities.

6. Handcuffs

- A. All persons subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with department policy, orders, and training bulletins.
- B. Officers should be cognizant that flex-cuffs may tighten when arrestees hands swell or move, sometimes simply in response to pain from the cuffs themselves. When arrestees complain of pain from overly tight flex cuffs, officers must examine the cuffs and ensure proper fit.
- C. Arrestees in flex-cuffs must be monitored to prevent injury.
- D. Each unit involved in detention and/or transportation of arrestees with flex-cuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available.

7. Media.

- A. The media have a First Amendment right to cover public activity, including the right to record video or film, livestream, photograph, or use other mediums.
- B. The media must not be restricted to an identified area, and must be permitted to observe and must be permitted close enough access to view the crowd event and any arrests. An onsite supervisor/incident commander may identify an area where media may choose to assemble.
- C. Officers will not arrest members of the media unless they are physically obstructing lawful efforts to disperse the crowd, or efforts to arrest participants, or engaged in criminal activity.
- D. The media must not be targeted for dispersal or enforcement action because of their media status.
- E. Even after a dispersal order has been given, clearly identified media must be permitted to carry out their professional duties unless their presence would unduly interfere with the enforcement action.

8. Legal Observers

- A. Legal observers, including unaffiliated self-identified legal observers and crowd monitors, do not have the same legal status as the media, and are subject to laws and orders similar to any other person or citizen.
- B. Legal observers and monitors must comply with all dispersal orders unless the on-site supervisor/incident commander chooses to allow such an individual legal observers and monitors to remain in an area after a dispersal order.
- C. Legal observers and crowd monitors must not be targeted for dispersal or enforcement action because of their status.

9. Documentation of Public Assembly and First Amendment Activity

- A. The purpose of any visual documentation by (law enforcement agency) of a public assembly or first amendment activity must be related only to:
 - 1) Documentation of the event for the purposes of debriefing,
 - 2) Documentation to establish a visual record for the purposes of responding to citizen complaints or legal challenges, or
 - 3) Creating visual records for training purposes.

- B. If it is the policy of (law enforcement agency) to videotape and photograph, it must be done in a manner that minimizes interference with people lawfully participating in First Amendment activities. Videotaping and photographing of First Amendment activities must take place only when authorized by the on-site supervisor/incident commander.
 - C. Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.
 - D. Unless evidence of criminal activity is provided, videos or photographs of demonstrations shall not be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.
 - E. If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and/or photographs shall be destroyed in accordance with department policies.
 - F. This directive shall not prohibit department members from using these videos or footage from such videos as part of training materials for officers in crowd control and crowd dispersal techniques and procedures.
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