

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION

Sheriff James E. Crone

2004



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

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100-1100

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MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 100 ORGANIZATION



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: OFFICE ORGANIZATION		Policy No: 101
Effective Date: 6-30-2004	Reference: A-100	
Standards:		

I. PURPOSE: To provide personnel of the Sheriff's Office with the guidelines for lines of communication, authority, and accountability within the Office.

II. DEFINITIONS:

NON-SWORN PERSONNEL: Those who do not hold a commission or a rank title designated in paragraph 1 and are classified other than Public Safety Officers in the County Personnel Classification Plan.

OFFICE: A public position normally obtained through an election process. (Sheriff)

SWORN PERSONNEL: Those who possess a Deputy Sheriff commission and are designated by one of the ranks in the following paragraphs.

III. POLICY: The Morgan County Sheriff's Office will provide all personnel with guidelines needed for proper identification and clarification of the rank structure within the organization and guidelines for the performance of duty.

A. Sheriff Office Organization: The Sheriff's Office consists of personnel designated in two classifications: sworn and non-sworn.

1. Sworn Personnel: Those designated by one of the following ranks:

- a. Sheriff (Required by State Statute)
- b. Undersheriff (Required by State Statute)
- c. Captain
- d. Lieutenant
- e. Investigator
- f. Sergeant
- g. Deputy III
- h. Deputy II/Detention Specialist II
- i. Deputy I/Detention Specialist I

2. Non-Sworn Personnel:

- a. Administrative Assistants
- b. Victim's Advocate
- c. Master Control Operators
- d. Kitchen Staff

B. Organizational Structure: The Office is organized into three (3) Divisions.

1. Detention Division

- a. Detention Staff
 - b. Food Services
 - c. Health Care Contract Employees.
 - d. Civilian Volunteers
2. Operations Division
 - a. Patrol Section
 - b. Investigations Section
 - c. Civilian Volunteers
 3. Administration Division
 - a. Support Services/Administration
 - b. Victim's Advocates and Volunteers
- C. Organizational Components
1. Office of the Sheriff: The Office includes all personnel and functional areas that are within the direct or indirect control or responsibility of the Sheriff of Morgan County.
 2. Division: A Division is a major component of the Office designated for a specialized purpose.
- D. Office Components and Responsibilities. The designated responsibilities are not all-inclusive but only incorporate the major functional areas.
1. Sheriff: The responsibilities and functions of the Sheriff are set forth in State Statute. The Sheriff is responsible for the overall function of the Sheriff's Office.
 2. Undersheriff: The Undersheriff is responsible for the overall coordination of Office functions, has direct supervision over Division Commanders and the Administration Division, represents the Sheriff when designated and any other functions assigned by the Sheriff and/or designated by State Statute.
 3. Detention Division: The Detention Division is administered by a Captain appointed by the Sheriff and is responsible for all detention operations conducted by the Office, including the care and security of all inmates who are in lawful custody of the Sheriff, entering and canceling warrants in CCIC/NCIC, and for maintaining an active warrant file. The commander is responsible for:

- a. Detentions Division:
 - i. to insure that the day to day practices of the division comply with the Constitution of Colorado and the United States; the laws of the State of Colorado and the United States; State and Federal detention and correction standards; and court rulings.
 - ii. to submit written recommendations for needed changes in administrative policies and practices on an annual basis.
 - iii. to insure all detention personnel receive necessary training to promote knowledge of Administrative and Detentions policy and procedures.
 - b. Volunteer Services/Programs: Oversee the various programs
 - i. Chaplaincy
 - ii. Alcoholics Anonymous
 - iii. Education programs
4. Operations Division: The Operations Division is administered by a Lieutenant appointed by the Sheriff and is responsible for the basic law enforcement functions, including investigations and volunteer services for Morgan County. The commander is responsible for:
- a. Patrol Section: The Patrol Section is responsible for the basic law enforcement line operations, including enforcing laws, protecting life and property, maintaining peace and order in Morgan County and the service of civil papers.
 - b. Investigation Section: The Investigation Section is responsible for investigating major crimes reported and supporting the other Divisions as necessary.
 - c. Volunteer Services:
 - i. Search and Rescue is comprised primarily of volunteers and is responsible for providing a ready capability to carry out search, rescue and recovery operations.
 - ii. Reserves and Posse are organizations which provide assistance to Operations and Detentions (i.e., security for local functions, crime scene preservation and prisoner transports).
 - iii. Explorers are Boy Scouts with an interest in law enforcement.
 - iv. Specialized Volunteers are recruited for specific skills that are needed on a part-time basis or in specific circumstances.
5. Administration Division: Support Services
- a. Administrative staff are responsible for maintaining case report files, card files, civil files and all information and entries for NIBRS reporting to NCIC.
 - b. Victims Assistance Coordinator is responsible for rendering assistance, providing referrals to victims of violent crime in Morgan County, and recruitment, training and use of volunteer advocates.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

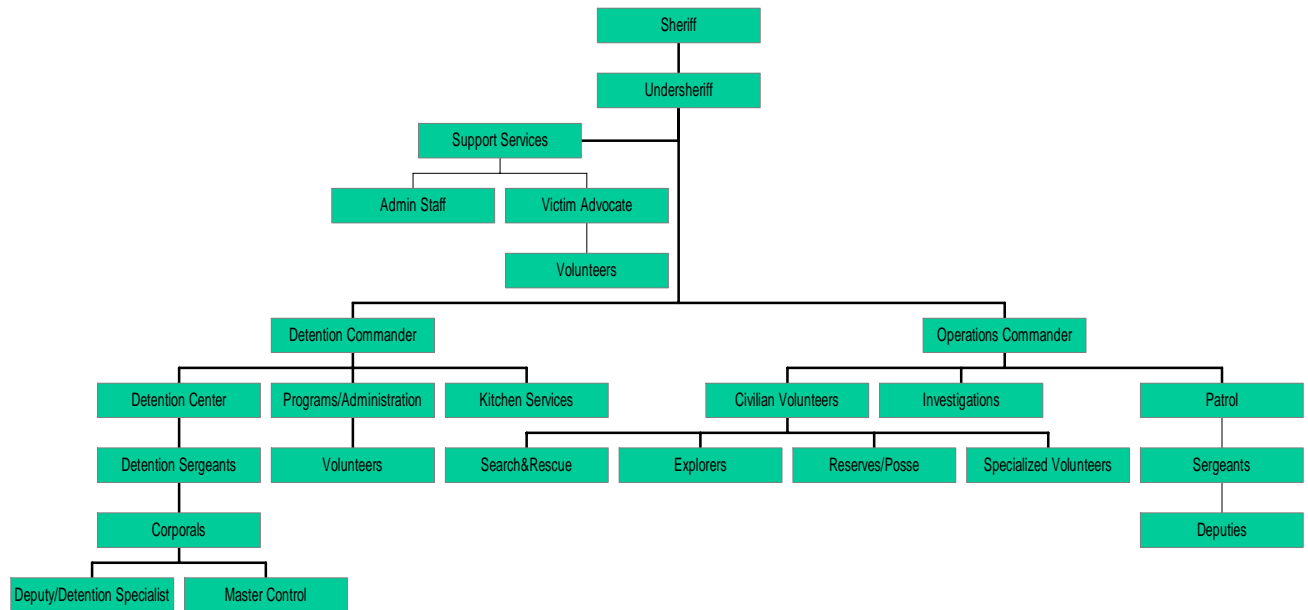
Subject: ORGANIZATIONAL CHART

Policy No: 102

Effective Date: 8-11-03

Reference:

Standards:





MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: SHERIFF'S SUCCESSION		Policy No: 103
Effective Date: 9-5-03	Reference: CRS 30-10-505, 518 and 604	
Standards:		

- I. **PURPOSE:** To set forth references for the succession of the Sheriff if circumstances arise.
- II. **DEFINITIONS:** None
- III. **POLICY:** The Sheriff's succession is set forth in State Statutes.
 - A. When a vacancy occurs in the Office of the Sheriff of any county, the Undersheriff of such county shall, in all things, execute the Office of the Sheriff, until a Sheriff is appointed or elected and qualified; and any default or malfeasance in the Office of such Undersheriff in the meantime, as well as before such vacancy, shall be deemed to be breach of the condition of the bond given by the Sheriff who appointed him and also a breach of the bond executed by such Undersheriff by whom he was appointed.
 - B. When there is not Sheriff or Undersheriff in any county, it is the duty of the Coroner to exercise all the powers and duties of the Sheriff of his county until a Sheriff is appointed or elected and qualified.
 - C. When the Sheriff, for any cause, is committed to the jail of his county, the Coroner shall be keeper of such jail during the time the Sheriff remains a prisoner.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: RANK STRUCTURE AND RESPONSIBILITY		Policy No: 104
Effective Date: 9-5-03	Reference:	
Standards:		

- I. PURPOSE:** To provide employees with guidance for the duties and general responsibilities of each rank.
- II. DEFINITIONS:**
COURT RULINGS: Changes to laws or precedents set in a court of committee of a court that may cause need to modify a current policy or procedure.
EMPLOYEE: A sworn or non-sworn employee of the Morgan County Sheriff's Office.
NON-SWORN PERSONNEL: Those employees that do not possess a Deputy Sheriff's Commission.
SWORN PERSONNEL: Those employees that possess a Deputy Sheriff's Commission.
VOLUNTEER: A person from the community who serves the Morgan County Sheriff's Office in a non-paid capacity.
- III. POLICY:** It is the responsibility of the Morgan County Sheriff's Office to provide all employees and volunteers with the information needed to understand the duties and responsibilities of each rank identified in the rank structure of the organization.
- IV. PROCEDURE:**
- A. OFFICE OF THE SHERIFF:**
1. Is the highest-ranking member of the Office and as an elected official is responsible to the community.
 2. Is responsible for the maintenance of peace and order in Morgan County, provide general law enforcement services to unincorporated areas of the county, operate all jails within the county, serve criminal warrants and civil process throughout the entire county as directed by the District and County courts, coordinate search and rescue efforts, suppress prairie and forest fires and perform other duties as directed by Colorado State Statute and the Courts.
- B. OFFICE OF THE UNDERSHERIFF:**
1. Is appointed by the Sheriff.
 2. Is the second highest-ranking official in the Office. Directly supervises the Divisions of the Office. He will assume the responsibilities of the Sheriff in his absence.
 3. Performs duties as required by State Statute and other duties as directed by the Sheriff.

4. Is responsible for the overall internal operation of the Office, for the development and implementation of policy and procedures affecting the Divisions within the Office.

C. DIVISION COMMANDERS/SUPERVISORS:

1. General:
 - a. Are appointed by the Sheriff.
 - b. Qualifications shall be set at the discretion of the Sheriff. Are all personnel in the rank of Lieutenant or above. They are responsible for their assigned personnel, division, and sections on a twenty-four hour basis.
 - c. Shall support and have direct supervision and control of all sworn and non-sworn personnel assigned to their division. They shall promote harmony among the members of their division and are responsible for the cooperation of their division with all other divisions.
 - d. Are responsible for the efficiency, discipline, and morale of all personnel assigned to their command. They shall investigate or cause to be investigated all complaints by citizens, reports of misconduct, incompetence, neglect of duty, or any violation of rules and regulations, by any personnel of the Sheriff's Office. They shall report any incompetent employee who may or may not be assigned to their command or supervision.
 - e. Is the single manager of a particular division. They are responsible for the efficiency and effectiveness of their division.
 - f. Are responsible for identifying needs for their respective divisions and recommending constructive solutions.
 - g. Will participate in budget deliberations and present justification to support the budget request.
 - h. Will review space and equipment requirements at least annually, report deficiencies and plans for the effective use of space and equipment to the Undersheriff.
 - i. Will, when notified either on or off-duty, respond to any emergency or incident of serious or unusual nature that arises within the scope of their responsibilities.
 - j. Will frequently conduct general inspections of all personnel and equipment. They are responsible for the good order and condition of their assigned work areas, and will insure they are maintained and presentable in appearance at all times.
2. Training and Evaluation:
 - a. Will evaluate their personnel on a continuing basis. They will conduct training, counseling, advise, and discipline their personnel as required. They will concern themselves at all times with the care and welfare of their personnel.
 - b. Will ensure that all of his division personnel receive the training necessary for a working knowledge of policies and procedures.
 - c. Will ensure that all of his division personnel are trained as changes are made in policy and procedures.

3. Policy and Procedure:
 - a. Will keep up to date on laws, standards, and court rulings pertaining to division practices.
 - b. Will review policy and procedure to ensure compliance with laws, standards, and court rulings.
 - c. Will submit recommendations for needed changes in policies, procedures and practices to the Undersheriff.

D. SWORN SUPERVISORY PERSONNEL:

1. Are those individuals designated as detention shift supervisors or patrol supervisors and are normally personnel in the rank of corporal or above.
2. Must accept responsibility in matters of procedure.
3. Are responsible for their own conduct and the conduct of their subordinates. They shall set a high standard. They will train, counsel, advise and discipline subordinates as needed.
4. They shall be neatly attired, clean in person and equipment, setting an example for subordinates to follow.
5. Are responsible for the proper execution of orders given to their subordinates. They shall also ensure that orders or other information is disseminated in an accurate and timely manner and ensure the information is clearly understood.
6. Will report any incidents or observations of willful neglect of duty or misconduct by a member of the Sheriff's Office not assigned to their command. In the event that conduct presents an immediate threat to the welfare of the community or the reputation of the Office, they will take immediate and direct corrective action.
7. Will concern themselves with the morale and welfare of their subordinates at all times.

E. DEPUTY SHERIFFS GENERALLY:

1. Are always subject to orders from a supervisory Deputy and to calls from private citizens as situations arise pertaining to the safety of citizens and property in Morgan County.
2. Will obtain the assistance of supervisory Deputies in the interpretation of any action that is not clearly understood.
3. Are required to know and abide by the Office rules, regulations, special orders, and the provisions of their respective operations manuals.
4. Will abide by and enforce the laws of the State of Colorado and uphold the Constitution of the State of Colorado and the United States of America. They will study and have a working knowledge of all state and federal laws that they may be required to enforce.
5. They will preserve the peace, protect life and property, prevent crime, apprehend criminals, recover lost or stolen property and enforce all laws in a fair and impartial manner.
6. Will report all crimes, suicides, attempted suicides and important happenings or other information of concern to the Office that may come to their attention. They shall not repress, conceal, or distort the facts of any incident or information that comes to their attention.

7. Will use office equipment and supplies for official use only in the manner for which it was designed or intended.

F. **NON-SWORN EMPLOYEES:** Will be knowledgeable in all aspects of their assigned duties and maintain adequate levels of proficiency to perform their assigned tasks.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: CHAIN OF COMMAND – ORDERS – SPAN OF CONTROL		Policy No: 105
Effective Date: 9-11-03	Reference:	
Standards:		

- I. PURPOSE:** To provide guidance for employees on orders and the effective and proper use of the Chain of Command.
- II. DEFINITIONS:**
CHAIN OF COMMAND: The formal channels in the Office that distributes authority and provides a path for dissemination of information both upward and downward.
SPAN OF CONTROL: The number of subordinates that a supervisor can effectively supervise.
- III. POLICY:** It is the responsibility of Office personnel to properly use their assigned chain of command to insure a high level of efficiency of Office functions and to maintain the designated levels of authority and responsibility.
- IV. PROCEDURE:**
- A. CHAIN OF COMMAND:
- GENERAL:** Rank Structure is shown in the Organizational Chart.
 - SUPERVISOR:** Each employee will be assigned a supervisor who will have direct control of and responsibility for the employee's duty assignment and performance. This supervisor is the person responsible for preparing the employee's evaluation and holds a supervisory title or supervisory rank.
 - FUNCTIONAL SUPERVISOR:** Employees may be assigned to a functional supervisor during a specific time frame or shift. This is done during the absence of the primary supervisor or for a specific task or function.
 - COMMUNICATION OF ORDERS:** All supervisors are responsible for dissemination of information to their next lower level of command.
 - BY-PASSING THE CHAIN OF COMMAND:** The Chain of Command may be by-passed when immediate action is required or when use of the Chain of Command would unduly hinder the efficient performance of the employee's assigned duty.
- B. SPAN OF CONTROL: Supervisors will be assigned to supervise only the number of subordinates they can supervise effectively. Generally, shift supervisors shall be assigned to supervise all subordinates on their shift.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: AUTHORITY AND JURISDICTION		Policy No: 106
Effective Date: 9-11-03	Reference:	
Standards:		

- I. **PURPOSE:** To provide statutory and policy standards in authority and jurisdiction.

- II. **DEFINITIONS:**
 - DISCRETION: Power of free decision or latitude of choice within certain legal bounds.
 - EMPLOYEE: For the purpose of this policy, an employee is a full time paid employee sworn and non-sworn.

- III. **POLICY:** Employees of the Morgan County Sheriff's Office will follow the Colorado State Statutes and all other applicable laws in carrying out their official law enforcement duties.

- IV. **PROCEDURE:**
 - A. **INTRODUCTION:** Regulations in this section apply to sworn personnel. This series includes regulations that apply to both on and off-duty status.

 - B. **LIMITS OF AUTHORITY**
 1. The authority of the Office of the Sheriff is statutory. Duties of the Sheriff include but are not limited to:
 - a. Custodian of the Jail (CRS 30-10-511)
 - b. Fire Warden in case of prairie or forest fires (CRS 30-10-512)
 - c. Transportation of prisoners (CRS 30-10-514)
 - d. Executor of writs (CRS 30-10-515)
 - e. Preserve peace and command aid (CRS 30-10-516)
 - f. Issue permits for concealed weapons (CRS 30-10-523 and 30-10-506)
 2. Deputies shall be administered the Oath of Office by the Sheriff, or a designee, prior to being placed on sworn status (CRS 30-10-506).
 3. Authority of Peace Officers is vested in state statute:
 - a. Powers of Arrest (CRS 16-3-101 to 108)
 - b. To command assistance (CRS 16-3-202)
 - c. Searches and seizures (CRS 16-3-301 to 305)
 - d. To enforce all laws of the state (CRS 18-1-901(l) (I to V) and county resolutions pursuant to statute.
 - e. Emergency commitments .
 - i. Mentally ill (CRS 27-10-105)
 - ii. Intoxicated or incapacitated by alcohol (CRS 25-1-310)

4. Discretion by sworn employees. Sworn employees are given discretion by law in the making of arrests. Limited discretion is given to sworn employees by policy, procedures and directives based on the seriousness of a violation, willingness of the DA's Office to prosecute and probability of a subject's appearance in court. Supervisory authority may also limit discretion.
5. **Alternatives to arrest and incarceration.** In violations of criminal law, alternatives to incarceration exist based on the seriousness of a violation, guidelines in statutes and Office policy.
 - a. Release on a summons and complaint. In the case of misdemeanor charges, a person may be released on a "promise to appear" by a signature on a summons and complaint form. A signature is desirable but is not required if the subject possesses a valid Colorado driver's license.
 - b. Release pending charges. In the case of petty offense, misdemeanor and class 6 and 5 felony cases, sworn employees have the discretion of releasing persons pending charges. This may be done when additional time is needed to develop additional leads, information or a case filing.
 - c. Juveniles, pending charges in all cases, pursuant to the Children's Code, may be released to a parent or legal guardian. In serious cases involving danger to others or to the juvenile, placement in a detention facility or placement through Social Services may be appropriate.
6. Authority and Responsibility. All employees of the Sheriff's Office are given the authority by the Sheriff to make the decisions necessary to effectively execute their responsibilities. All employees are held accountable for the use of their delegated authority, as well as their failure to use it.

C. JURISDICTION

1. The following counties border Morgan County: Weld, Logan, Washington and Adams. Incorporated cities in Morgan County are: Brush, Fort Morgan, Wiggins, Hillrose and Log Lane Village. Unincorporated towns are Orchard, Goodrich, Weldona and Snyder. Check the map for specific geographical boundaries or jurisdiction, service and reporting areas.
2. Jurisdiction within the boundaries of Morgan County:
 - a. On-duty employees have full power and authority as Peace Officers within the boundaries of Morgan County, to include incorporated municipalities. The Sheriff may limit the exercise of these powers.
 - b. Actions within Morgan County incorporated municipalities. Deputies may exercise police powers within incorporated cities in Morgan County. Under normal conditions, deputies are primarily responsible for unincorporated areas and do not provide patrol services to incorporated cities unless requested or if an infraction of law happens in their presence.
 - c. Employees shall provide law enforcement services to incorporated cities where services have been arranged for with the Sheriff.

3. On-duty jurisdiction outside the boundaries of Morgan County. An on-duty employee may take official action outside Morgan County when:
 - a. The employee is in fresh pursuit of a person who has committed a crime within Morgan County.
 - b. The employee is in the presence of a Peace Officer from that jurisdiction.
 - c. The employee is assigned to a multi-jurisdictional law enforcement group with broadly specified jurisdiction.
 - d. The employee is assigned to another jurisdiction pursuant to a bona fide mutual aid agreement.
 - e. The employee reasonably believes that immediate police action is necessary to protect human life or prevent serious bodily injury to any person.
 - f. The employee reasonably believes that, in the employee's presence, a person has, is, or is about to commit a felony involving the use or threatened use of a deadly weapon.
 - g. The employee has a valid search or arrest warrant and has notified the proper law enforcement agency of that jurisdiction.
 - h. The employee is serving a bona fide legal paper issued by a court.
 - i. If an arrest is made outside of the jurisdiction of the Office, the arrested person and all evidence will be turned over to the agency having jurisdiction immediately.

4. Off-duty jurisdiction within Morgan County: Off-duty employees retain full power and authority as Peace Officers within Morgan County. However, the Office has defined certain limitations to safeguard both the employee and the Office from unwarranted civil and criminal liability. When confronting a situation within the jurisdiction and it is reasonably assumed that law enforcement action is appropriate:
 - a. When possible, employees shall immediately identify themselves as members of the Office prior to taking action.
 - b. The employee shall take all reasonable steps, under all circumstances, to resolve the situation without the use of physical force.
 - c. The employee shall contact an on-duty deputy as soon as possible and take only the necessary actions before the on-duty deputy arrives.
 - d. An employee, who is on suspension, or in recruit training, may act with the citizen's arrest powers afforded to every citizen. The employee is still obliged to report the incident to the appropriate on-duty deputy as soon as possible.
 - e. An off-duty employee shall not stop, arrest or cite traffic violators except when the violation is flagrant and clearly dangerous enough to jeopardize the lives or safety of others and the employee is in a vehicle equipped with emergency equipment and the stop can be made safely.

- f. An off-duty employee shall not take official police action in personal disputes, or in disputes involving neighbors and close friends, unless such and intervention must be made to prevent physical injury to another.
 - g. An off-duty employee shall not take law enforcement action while under the influence or impaired, even in the slightest degree, by the consumption of alcohol or prescribed drugs.
 - h. Whenever an employee acts with the authority of a Peace Officer, the employee shall notify a supervisor as soon as possible and complete an official report of the incident.
5. Off-duty jurisdiction outside Morgan County:
- a. An employee may exercise police powers outside the jurisdiction where intervention is reasonably necessary to protect human life or prevent serious bodily injury to any person.
 - b. When an employee is requested to act by an officer/deputy from another jurisdiction.
 - c. Whenever an employee acts with authority of a Peace Officer, the employee shall notify a supervisor as soon as possible and complete an official report of the incident.
 - d. If an arrest is made outside of the jurisdiction of the Office, the arrested person and all evidence will be immediately turned over to the agency having jurisdiction.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 200 ADMINISTRATION



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: WRITTEN DIRECTIVES (POLICY, PROCEDURES, ETC.)		Policy No: 201
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** Directives establish lines of communication, authority and accountability within the Office. They also explain the Office philosophy and define the individual limits of discretion under defined circumstances.
- II. DEFINITIONS:**
POLICY: Policy is a broad statement of agency principles. Policy statements may be characterized by such words as “may” or “should” and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures, rules and regulations.
PROCEDURES: A written directive that is a guideline for carrying out agency activities. A procedure may be made mandatory through the use of “shall” rather than “should” or “will” rather than “may”. Procedures sometimes allow latitude and discretion in carrying out an activity.
WRITTEN DIRECTIVE: Any written document used to guide or affect the performance or conduct of Office employees. The term includes policy, procedures, rules and regulations, special orders, memorandums, bulletins or post orders.
- III. POLICY:** It is the responsibility of the Office to provide all employees with written directives that will serve as guidelines for procedures and conduct and in communicating changes that occur with the organization.
- IV. PROCEDURE:**
- A. **POLICY STATEMENTS:** Will be approved and issued by the Sheriff. The Sheriff may amend or cancel policy directives at any time. In the Sheriff’s absence, the Undersheriff may issue policies and procedures that may be amended upon the return of the Sheriff.
1. The Undersheriff will maintain all policy statements, amendments, and cancellations.
 2. A policy will be considered in effect when initialed by the Sheriff or his designated authority.
 3. Policies will be posted for employees access. Employees will be held responsible for reading and understanding each directive.

B. SUBJECTS OF WRITTEN POLICY

1. Organizational structure and any changes to the structure.
2. Procedures which affect one division or more.
3. Personnel rules, regulations and procedures to include: hiring, training, retraining, promoting and transferring between divisions.

C. POLICY FORMAT

1. Policies contained in this and any other Office manual shall follow the standardized form adopted by the Office.
2. All manuals shall be cited using the following outline:
Policy 201, IV, A (1), a (i)
201 is the policy
IV is the topic
A is the section
(1) is the sub-section
a is the paragraph
(i) is the sub-paragraph

D. MAINTENANCE OF POLICY

1. It is the responsibility of the Undersheriff to coordinate, review, revise, update or purge the Office policy on an annual basis or as directed by the Sheriff.
2. The Undersheriff shall coordinate the development, staffing, and issuance of all policies.
3. The staffing of proposed policies will include:
 - a. Sheriff
 - b. Undersheriff
 - c. Management Team Members selected by the Sheriff
4. When the Undersheriff receives a proposed policy or revision, it will be word processed in the proper format and forwarded to the Management Team.
5. The Sheriff and the Management Team shall review all proposed changes. The Undersheriff shall maintain copies of all proposals, as well as a permanent file of all policies prior to revision.

E. DIRECTIVES AND SPECIAL ORDERS: Any special order or directive signed by the Sheriff and posted on the bulletin board of the Office shall command the same attention and compliance as the policies in Office manuals.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: CONTRACTUAL AGREEMENTS		Policy No: 202
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** It is essential that paid law enforcement and detention service contracts are based on the needs of both the recipient and the provider.
- II. **DEFINITIONS:**
CONTRACT: A formal written agreement for services.
- III. **POLICY:** All law enforcement service contracts will include provisions for the types of services provided, the cost of the services, how payments are to be made, the issuance of reports and procedures for amendment, renewal and cancellation.
- IV. **PROCEDURE:**
 - A. **GENERAL CONTRACTS:**
 1. The Sheriff, the Board of County Commissioners and the County Attorney shall keep all contracts on file.
 2. All contracts shall specify the parameters of the contract to include its duration, how it can be modified and the procedure for renewal. Contracts for services must have the approval of the Board of County Commissioners.
 3. The Office shall be responsible for all personnel involved in fulfilling the contract. The Office will also be responsible for the equipment and facilities unless otherwise specifically noted in the contract.
 4. Only the Sheriff or his designee will have the authority to sign a Contractual Agreement.
 - B. **CONTRACTS FOR LAW ENFORCEMENT SERVICES**
 1. All contracts for law enforcement services shall be based on assessment of the recipient's needs.
 - a. The services to be provided shall be clearly identified including the nature and extent of services.
 - b. The financial agreements including time and manner of payment shall be included.
 2. Any employee of the Office assigned to fulfill a contract service shall not be penalized for exercising the same rights and benefits of other employees of the Office.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: INFORMATION SYSTEMS/INTERNET/E-MAIL	Policy No: 203
Effective Date:	Reference:
Standards:	

- I. PURPOSE:** To set forth policy and procedure governing the Office's system of data collection, storage and retrieval; and Internet and e-mail use.
- II. DEFINITIONS:**
COMPUTER RESOURCES: Any and all equipment or programs available to Office personnel, including data entry and data report information.
INFORMATION SYSTEM MANAGER (ISM): Is an employee of the Morgan County Communications Center and is responsible for the Office's information systems.
- III. POLICY:** Policies and procedures relating to Office electronic records and information management systems will be accomplished in conformance with all applicable laws concerning records, privacy and storage; and to provide employees with guidance on the proper use of computers and electronic messaging systems utilized in the Office for purposed of disseminating e-mail, utilizing services of the Internet and related electronic message transmissions, recording and storage devices.
- IV. PROCEDURE:**
- A. COMPUTER RESOURCES
1. RESPONSIBILITIES
- The Information System Manager will abide by all County Information Services guidelines, policies and procedures.
 - A coordinated process between the Morgan County Communications Center and the Office will establish priorities for data collection, hardware, and software requests which coincide with Office goals and objectives.
 - The Information System Manager will control the utilization of the computer resources, including software, hardware, and access levels.
2. PROTOCOLS
- Information system program requests, hardware requests and requests for modifications to existing programs or software must be submitted in writing to the Undersheriff for submission to the ISM.
 - Access to the system for a newly hired employee is provided by the ISM upon request by the employee's Division Commander.

- c. All personnel actions relating to transfers, promotions and terminations shall be reported immediately to the ISM by the Undersheriff.
- d. The Sheriff, Undersheriff and/or a Division Commander can restrict the use of the computer by any employee of the Office at anytime.
- e. A field training officer will do a training curriculum for employees on the use of the computer and related equipment.
- f. All software is the property of the Office and shall not be copied, used or loaded on any unauthorized computer. Likewise, only software owned by the Office will be used or loaded on Office computers.

3. SECURITY

- a. The Sheriff or Undersheriff may authorize the ISM or designee to periodically monitor all text files and documents for unauthorized use.
- b. Initial computer security is the responsibility of the individual user.
- c. Use of computer programs and access to data stored in the computer files shall be controlled by individually assigned passwords.
- d. Each employee is responsible for all reports generated, data displayed and data changes while signed onto the computer under their password.
- e. Employees should not divulge their own or another's password to anyone and will not sign onto any terminal using another's password.
- f. Employees knowing, or having suspicion, that their password has been compromised shall request a new password from the ISM.
- g. All password and computer security violations shall be reported to a supervisor immediately.
- h. Employees will not breach or attempt to breach confidential or secure/unsecured files or those belonging to another employee.

B. **OUTSIDE INFORMATION SYSTEMS (NCIC/CCIC)/INTERNET/EMAIL USE:**

- 1. The transmission of electronic messages and information on computers provided by the Office shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence.
- 2. **The computers, outside systems access, and Internet/E-mail systems are provided by the Office or in agreement with the Office and are therefore the Office's property and/or concern.**

3. Although employees have to use certain codes and passwords to restrict access to computers and e-mail to protect the system against external parties or entities obtaining unauthorized access, employees should understand that the system is intended for business use and all computer information and e-mail messages are preemptively considered the Office's records. The Office maintains the right to obtain access to all e-mail messages left on or transmitted over the system. Therefore, employees should not assume that such messages are private and confidential or that the Office will not have a need to access and review this information. Employees should also have no expectation that any information stored on their computer hard drive, computer disks, or in any other manner, will be private. Information that has been deleted from the computer may be retrievable.
4. The Office may inspect the contents of computers or e-mails in the course of an investigation.
5. The contents of computers and e-mail are subject to the Open Records Act, court orders, or properly obtained for some legitimate business purpose, and may be disclosed by the Office.
6. At the discretion of the Sheriff, the contents of an employee's computer or e-mail may be subjected to search without an employee's consent.
7. Only designated computers will have access to the Internet for limited purposes. Incidental and occasional personal use of the Internet and E-Mail is permitted.
8. Accessing or transmitting materials (other than that required for police business) that involves the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage any person, group, or classification of individuals is prohibited whether or not a recipient has consented to or requested such material.
9. Employees will NOT use the Internet for personal entertainment.
10. Because of software compatibility and virus problems, the downloading of software will only occur with specific authority.
11. Modification or destruction of system data, actions that cause loss of computer system processing capability, and loss by theft of any computer media system is expressly prohibited by this policy.
12. Violation of the policy contained herein could subject the violator to civil, criminal charges based on state law and/or Office discipline based on policy.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: FISCAL MANAGEMENT AND RESOURCE CONTROL		Policy No: 204
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide and develop sound policies on fiscal management and resource control.
- II. **DEFINITIONS:**
 - BUDGET COMMITTEE:** A group comprised of the Sheriff, Undersheriff and Division Heads.
- III. **POLICY:** The Sheriff will exercise authority and responsibility of the fiscal management of the Office's fiscal and property resources as delegated to him by the Board of County Commissioners. In turn, he can delegate the authority and responsibility to the Undersheriff, Division Heads, or other he may assign.
- IV. **PROCEDURE:**
 - A. **BUDGET PROCESS**
 1. The annual budget is the primary document used to allocate resources in support of the Office's mission, once approved by the Board of County Commissioners.
 2. The County Budget Office annually prepares and distributes a budget preparation document. The Sheriff shall coordinate the preparation of Division budgets received from each Division Commander.
 3. The Sheriff will establish a deadline for submission of all preliminary budget materials to comply with the annual budget calendar set by the Board of County Commissioners.
 4. The Division Commanders shall inform the Sheriff, in writing, of any projected or actual over-expenditure in a line item requiring supplemental or emergency appropriation, or funds transferred from one account to another. The Sheriff may coordinate the most efficient resolution with the Board of County Commissioners.
 5. The Sheriff will inform the Division Commanders of their annual authorized strength, as soon as the information is available. The Undersheriff will insure that authorized positions are filled. The Division Commanders will insure that personnel expenditures in each division do not exceed the budgeted funds.

- B. **FISCAL MANAGEMENT SYSTEM:** The Office will maintain a fiscal management system which accurately accounts for all income and expenditures on an on-going basis. A sound fiscal management system is essential to provide current financial information to:
1. Accurately account for all expenditures and income;
 2. Determine if the cash flow is proceeding as projected;
 3. Accurately plan for budget requests;
 4. Respond to emergency needs.
 - a. Division Commanders will assure that accurate financial records of their division are maintained. These will include:
 - i. all expenditures and income;
 - ii. funds collected and disbursed to the County Treasurer;
 - iii. petty cash;
 - iv. bonding;
 - v. employee reimbursement;
 - vi. inmate funds;
 - vii. annual audits; and
 - viii. signature control on checks.
 - b. Division Commanders will:
 - i. will provide Accounting will appropriate financial forms of bills to be paid;
 - ii. will review the division fiscal management system annually to ensure compliance with the policies and procedures and report the findings to the Sheriff.
 5. **Internal Fiscal Controls:** The Sheriff and Division Commanders will oversee the purchase of supplies and equipment for the Office. Purchase of equipment and supplies over five hundred (\$500) will be procured through bids obtained through the appropriate purchasing authority in compliance with County policy or directives.
- C. **PROPERTY INVENTORY CONTROL:** The Division Commanders or their designees will conduct an annual inventory of property and other assets under the control of the Office.
- D. **PETTY CASH PROCEDURES:** The Sheriff, Undersheriff, Administrative Assistants or Master Control may keep a small amount of petty cash for emergencies. Petty cash can be requested from one of these sources when necessary.
- E. **EMPLOYEE EXPENSE REIMBURSEMENT:** The Morgan County Accounting Office will reimburse Office employees for all official pre-approved purchases made. Employees must present original receipts with a voucher for reimbursement.
- F. **ISSUANCE OF VOUCHERS:** When goods or services are required expenditures, the Division Commander will issue a Requisition Voucher and forward it to the Sheriff for approval.

- G. **CREDIT CARDS:** The Office may issue credit cards to its employees under certain circumstances. The credit card shall be used for official business only. All receipts from credit card purchases shall be turned into the appropriate Administrative Assistant for submission.

- H. **OFFICE INSURANCE COVERAGE:** The Office will be self-insured through the CCI program. The self-insurance program will provide coverage for worker's compensation, civil liability and liability for official vehicles.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: TRAVEL EXPENSE POLICY		Policy No: 205
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide guidance for the issues relating to travel and reimbursement of travel expenses.
- II. **DEFINITIONS:**
 - ADVANCE TRAVEL PAY:** Approved travel costs that are received by the employee in advance for travel outside Morgan County.
 - LODGING:** Reasonable and approved housing costs. In-room movies are not reimbursable.
 - MEALS:** Reasonable and approved meal costs. Alcohol is not a reimbursable expense in the meal category.
 - MILEAGE:** Approved travel done in a privately owned vehicle measured as actual mileage traveled to and from the destination is reimbursable. The Board of County Commissioners shall establish the rate of reimbursement.
 - REGISTRATION FEES:** Approved fees for seminars, conferences, conventions are reimbursable.
 - TELEPHONE EXPENSES:** Business calls.
 - TRANSPORTATION:** Reasonable and approved coach airfare, car rental, taxi, bus fare and parking expenses.
 - TRAVEL EXPENSES:** Includes lodging, meals, transportation, mileage and other miscellaneous costs as outlined in this policy.
- III. **POLICY:** In the course of the duties of the Office, certain travel expenses will be necessary. It shall be the policy of the Office to establish guidelines for such travel and expenses.
- IV. **PROCEDURE:**
 - A. **ALLOWABLE EXPENSES:** All official travel by Office employees shall be for the benefit of the County and shall be completed at the most economical and reasonable cost. The employee shall be reimbursed for authorized expenditures, including but not limited to meals, lodging, toll fees, gas and rental cars. To be an authorized expense, it must be ordinary, reasonable and necessary.
 - B. **PROCEDURE:** Upon return from the trip, the employee shall submit an expense statement with original receipts to administration within three (3) business days of their return unless the Undersheriff or Division Commander gives an extension. This paperwork will then be submitted to the Sheriff and forwarded to the County Accounting Office no later than fourteen (14) days after the employee returns.

The paperwork should be submitted in one of the following ways depending on which applies:

1. If the employee owes the County money from an advance: The expense statement, original receipts and remaining cash must be turned in to the appropriate Division Administrative Assistant. They will process it as a credit back to the Office budget with a miscellaneous receipt from to the County Accounting Office.
2. If the employee is due additional money: The expense statement along with the original receipts will be turned in to the appropriate Division Administrative Assistant. They will then process a transaction sheet for approval and forward it to the County Accounting Office for check reimbursement to the employee.
3. If the employee is not due money and there is no advance money remaining: The expense statement and original receipts must be turned into the Administrative Assistant for submission to the County Accounting Office.
4. If the employee needs to be reimbursed: Requests for reimbursement will be completed by the employee and forwarded to the appropriate Division Commander.

C. APPROVAL: Requests for reimbursement/advance once completed by the employee and approved by appropriate Division Commander and the Sheriff.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 300 PERSONNEL



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: CLASSIFICATION / JOB DESCRIPTIONS		Policy No: 301
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To set forth the classification plan for the Sheriff's Office.
- II. DEFINITIONS:**
CLASS: A grouping of jobs for which duties and responsibilities, qualifications and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices.
JOB: One or more positions with duties and responsibilities that are identical in all significant respects so that a single job descriptive title can be used to identify the job.
JOB DESCRIPTION: A written guideline describing the essential functions of a job including a list of general duties, responsibilities, requirements and physical demands involved.
- III. POLICY:** It is the responsibility of the Undersheriff to insure that every position within the Sheriff's Office will have a written job description. The job descriptions shall be grouped in a grade according to a classification plan.
- IV. PROCEDURES:**
- A. **CLASSIFICATION PLAN:** The Sheriff's Office shall maintain a written classification plan which will be reviewed annually and revised if necessary by the Sheriff. A classification plan is comprised of positions with similar duties, responsibilities, required knowledge, skills and training. Sheriff's Office employees consist of compensated employees and non-compensated volunteers. Job descriptions are available to all employees through the Undersheriff.
 - B. **JOB DESCRIPTIONS:** All job assignments will have written descriptions of the duties, responsibilities and physical demands associated with the position.
 - C. **JOB TASK ANALYSIS:** A written job analysis shall be maintained for every position. The job analysis, at a minimum, shall include:
 - 1. The duties, responsibilities and tasks.
 - 2. The frequency with which each task is performed.
 - 3. The minimum qualifications or level of proficiency necessary to do the job.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: HIRING, RECRUITMENT AND SELECTION PROCEDURES		Policy No: 302
Effective Date:	Reference:	
Standards: CLEPS		

I. PURPOSE: To establish a standardized procedure to select the most qualified applicants.

II. DEFINITIONS:

BACKGROUND INVESTIGATION: An investigation that includes verification of the applicant's qualifying credentials, a search for any prior criminal record and verification of at least three (3) personal references not related to the applicant.

COMMISSIONED PERSONNEL: Those employees that possess a Deputy Sheriff's commission and are POST Certified.

PHYSICAL EXAM: This exam is conducted by a physician selected and paid by the County and the applicant must allow the release of the results to the County.

PSYCHOLOGICAL EXAM: An evaluation by a qualified professional or professional service to assess emotional stability and psychological fitness and must allow the release of the results to the County.

III. POLICY: It is the policy of the Sheriff's Office to recruit, select, appoint and employ those persons who successfully meet the selection procedures and standards. All such employment or appointments will be determined without regard to an applicant's or employee's race, creed, sex, national origin, age or disability.

IV. PROCEDURE:

A. PRE-SELECTION STANDARDS

1. COMMISSIONED SWORN PERSONNEL

- a. At least 21 years of age.
- b. Possess a valid Colorado Drivers License at the time of employment.
- c. High school diploma or GED.
- d. Able to pass qualifying exams and an intensive background investigation.
- e. Able to pass written, polygraph, voice stress analyzer, psychological, medical and physical exams.
- f. Possess a Basic Peace Officers Level 1 Certificate from Colorado POST.
- g. Be able to perform the essential functions of the position.

2. NON-COMMISSIONED SWORN PERSONNEL

- a. At least 21 years of age.
- b. Possess a valid Colorado Drivers License at the time of employment.
- c. High school diploma or GED.
- d. Able to pass qualifying exams and an intensive background investigation.
- e. Able to pass written, polygraph, voice stress analyzer, psychological, medical and physical exams.
- f. Be able to perform the essential functions of the position.

3. CLERICAL, NON-COMMISSIONED AND VOLUNTEER PERSONNEL

- a. Ability to pass qualifying exams and background investigation.
- b. May be required to pass polygraph, psychological and/or medical exams.
- c. High school diploma or GED.
- d. Each job description may require some acceptable experience in specific functions.

B. REJECTION OF CANDIDATES: A candidate for employment or appointment may be rejected from further consideration as a candidate under the following conditions where the candidate:

1. is not qualified for the position.
2. does not meet or complete the standards or requirements outlined in Section A.
3. has a record of unsatisfactory employment.
4. has been terminated for cause by Morgan County.
5. has been convicted of a felony crime or any crime which would preclude the candidate from effectively performing the duties of the position applied for.
6. has practiced or attempted to practice deception or fraud in any portion of the selection process.
7. is a “current” user of illegal drugs. “Current” use is any use of illegal drugs or inappropriate use of prescription drugs within three (3) years of the date of application.
8. is unable to perform the “essential job functions” of the position sought without unreasonable accommodation. This will be decided on a case by case basis.
9. or where other circumstances indicate the candidate is unfit for the employment sought.

C. SELECTION PROCEDURES: The following process shall be used to select appointees for the positions indicated.

1. **Deputy Sheriff**

Process	Pre-Offer	Post-Offer
Resume Review (if presented)	X	
Written Examination	X	
Application review	X	
Oral Interview	X	
Background Investigation	X	X
Polygraph/Voice Stress (Optional)	X	
Psychological Exam		X
Medical/Physical Exam		X

2. **Detention Specialist And Master Control Operator**

Process	Pre-Offer	Post-Offer
Resume Review (if presented)	X	
Written Examination	X	
Application review	X	
Oral Interview	X	
Background Investigation	X	X
Polygraph/Voice Stress (Optional)	X	
Psychological Exam		X
Medical/Physical Exam		X

3. **Clerical/Civilian/Volunteer**

Process	Pre-Offer	Post-Offer
Resume Review (if presented)	X	
Application review	X	
Oral Interview	X	
Background Investigation	X	X
Medical/Physical Exam		X

D. HIRING LIST: Qualified candidates shall be placed on a hiring list based on their overall scores. This list will be maintained for a period no longer than six (6) months. If an applicant has not been selected prior to the termination of the list, that person will be required to re-test. The Sheriff shall interview for vacancies from that list at his discretion.

E. VETERANS PREFERENCE: To the extent permitted by law, preference may be given to veterans of the US Armed Forces.

F. ESSENTIAL JOB FUNCTIONS: See attached “Essential Job Function” Schedules for the specific job.

G. SELECTION NOTIFICATION:

1. Following the examination and rating of the candidates, the Sheriff shall make an offer of employment, in writing, to the selected candidate.
2. A candidate's refusal to accept an offer of employment within seven (7) days following the mailing of the letter making such offer shall be deemed a refusal.
3. Candidates not selected will be notified as soon as practical.

H. AFTER HIRED PROCESS:

1. Oath of Office
2. Benefits/Personnel Issue Briefing usually with County Personnel Staff
3. FTO Program Briefing



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: PHYSICAL AND PSYCHOLOGICAL REQUIREMENTS		Policy No: 303
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** The Sheriff's Office encourages all employees to maintain the proper level of physical and psychological fitness to accomplish their essential job functions. It is essential that employees possess the proper level of physical conditioning to effectively conduct their duties.
- II. DEFINITIONS:**
LIGHT DUTY: Duty performed by an employee who is recovering from a long term injury or illness. The duty is performed in a position authorized by the Sheriff's Office.
- III. POLICY:** It shall be the policy of the Sheriff's Office to insure personnel meet the necessary physical and psychological requirements of their assigned position. Furthermore, it is the policy of the Sheriff's Office to comply with the provisions of the **Americans with Disabilities Act (ADA)** and the Equal Employment Opportunity Commission (EEOC).
- IV. PROCEDURE:**
- A. PHYSICAL AND PSYCHOLOGICAL REQUIREMENTS:**
1. Because it is the mission of the Sheriff's Office to protect the public safety, all employees are to be physically and psychologically able to perform their assigned duties. Therefore, employees may be required to undergo physical or psychological examinations if the Sheriff or Undersheriff has reason to believe that an employee's fitness for duty is questionable.
 2. Non-sworn employees must possess the physical and psychological ability to perform the duties of their position.
- B. TEMPORARY PHYSICAL AND PSYCHOLOGICAL CONDITIONS:**
1. Employees with temporary physical or psychological conditions which may prohibit them from performing the full duties of their position will not be permitted to work. They may be eligible for light duty.
 2. If the employee does not have enough accrued sick or vacation time to remain on the payroll, they may request a medical leave of absence without pay until they have the ability to return to full duty. See Family Medical Leave Act – County Personnel Policy.
 3. Employees who are pregnant will perform the full duties of their position to the degree that is reasonable for their condition. They will not be required to use physical force or perform other duties that would jeopardize their health and welfare or that of their unborn child.

C. PERMANENT PHYSICAL AND PSYCHOLOGICAL CONDITIONS:

1. Employees who suffer permanent physical or psychological conditions that hinders their ability to perform all the duties of their position, will not be retained in their position.
2. Any employee who can no longer perform all the duties of their position because of permanent physical or psychological condition, will be handled on an individual basis. The Sheriff's Office shall treat them in a manner that is fair and equitable and will make every reasonable accommodation to retain them in the Sheriff's Office or within Morgan County.

D. DETERMINATION OF TEMPORARY OR PERMANENT CONDITIONS:

1. The Undersheriff will normally decide if an employee has a temporary or permanent physical or psychological condition that does not permit the employee from full performance of duty.
2. The Undersheriff may order a physical or psychological fitness for duty evaluation if there is doubt about the employee's ability to perform the duties of the position.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: SALARY AND BENEFITS PLAN		Policy No: 304
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** A salary and benefits plan is maintained to insure fair compensation and proper benefits are provided for all employees. This plan may deviate from the County plan.
- II. DEFINITIONS:**
None
- III. POLICY:** The Sheriff's Office will strive to insure that all its personnel are provided with fair compensation and benefits. The Board of County Commissioners establishes the salary and benefit plan.
- IV. PROCEDURE:**
- A. **SALARY**
1. A salary plan is maintained and salaries are determined annually in accordance with Morgan County policy. A list of salaries for Sheriff's Office positions showing entry-level salaries, salary differential with ranks and salary levels for special positions are provided to employees upon request.
 2. Overtime is paid in accordance with Morgan County policy as it pertains to the Sheriff's Office.
- B. **PAYDAY:** Employees shall be paid once per month on the last working day of the month.
- C. **BENEFITS**
1. Vacation: Employees earn vacation per Morgan County policy.
 2. Sick Leave: Sick leave is accrued per Morgan County policy.
 3. Worker Compensation: All employees are covered for work-related injury and illness per Morgan County policy.
 4. Holidays: This time is accrued and rules for its use is contained in the Morgan County policy.
 5. Military Leave: Up to fifteen (15) calendar days per year may be used for National Guard or Reserve duty.
 6. Jury Duty: Employees will be paid their normal salary while serving on jury duty per Morgan County policy.
 7. Bereavement Leave will be handled in accordance with Morgan County policy.
 8. Insurance: Employees are provided with medical, life and long-term disability coverage per Morgan County policy.

9. Retirement: It is mandatory that Sheriff's Office employees participate in the County retirement plan per Morgan County policy.
10. Flexible Spending Account: This plan is designed to assist in defraying the cost of child care or cover medical costs per Morgan County policy.
11. Deferred Compensation Plan: This plan is available to all employees per Morgan County policy.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: AWARDS		Policy No: 305
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide a system of identifying and recognizing employees, volunteers and citizens whose actions are above and beyond the call of duty or shows exceptional bravery in the face of personal danger.

- II. **DEFINITIONS:** Classification of Awards: Different awards are authorized for recognizing commendable and honorable deeds or acts by Sheriff's Office employees in the line of duty and citizens involved in critical incidents.
 1. **Medal of Valor:**
 - a. Employees who give their lives in the line of duty and the circumstances indicate an act of valor was performed, will be eligible for a posthumous award, or
 - b. Employees who distinguish themselves conspicuously by gallantry and integrity at the risk of their lives above and beyond the call of duty, while engaged in the performance of duty, are eligible.
 - c. The employee must have been aware of great personal danger prior to the performance of the act and the act must have involved a risk of life.
 2. **Medal of Distinction:**
 - a. Employees, who distinguish themselves by extraordinary heroism, not justifying the Medal of Valor, are eligible.
 - b. Employees who were unaware of the great personal danger prior to the performance of the act, but performed in a commendable manner upon becoming aware of great personal danger are eligible.
 3. **Purple Heart:**
 - a. Employees who are injured in the line of duty, and
 - b. Are involved in activities that would qualify them for the Medal of Valor, Medal of Distinction, Commendation Medal, or Life Saving Award.
 4. **Commendation Medal:**
 - a. Employees who have performed above and beyond what is normally expected and who accomplished the actions by use of exemplary initiative rather than the successfully carrying out of an assigned task, are eligible.
 - b. This award is for outstanding police action rather than unusual attention to duty.

- c. Employees may receive this award in lieu of either the Medal of Valor or Distinction when it is determined that the circumstances surrounding a particular act do not warrant the other medals but does warrant commendation.
5. **Meritorious Service Commendation-“Shining Star Award”:**
- a. Employees who display unusual attention to duty and the performance of assigned functions in an outstandingly effective manner are eligible.
 - b. This award may be bestowed upon employees for an exceptional contribution to the progress of the Sheriff’s Office, including the submission of an idea, service or method. The Sheriff’s Office must have adopted the contribution.
6. **Life Saving Award:**
- a. Employees through their own efforts saves the life of another in the line of duty. (e.g., CPR, Drowning, Choking)
7. **Letter of Recognition or Commendation:** Employees, who through their own efforts perform their jobs in such a manner as to reflect high quality and professionalism in performance of their duties, are eligible.
8. **Safe Driving Award:**
- a. An employee will be eligible for a letter of commendation if he/she is not found to the direct contributing cause of an accident for five (5) years.
 - b. An employee will be eligible for a commendation medal if he/she is not found to the direct contributing cause of an accident for 10, 15 or more years.
9. **Longevity Awards:**
10. **Citizen Awards for Distinguished Service:**
- a. ***Life Saving Commendation:*** Citizens through their own efforts saves the life of another in the line of duty. (e.g., CPR, Drowning, Choking)
 - b. ***Eyes and Ears Commendation:*** Citizens who by performance render assistance to the Office in solving significant crimes.
 - c. ***Hero Commendation:*** Citizens who distinguish themselves by extraordinary heroism or actions that put them in personal danger while assisting an employee or another citizen.
 - d. ***Volunteer of the Year:*** A citizen who provides consistent assistance to the Office during a specified period of time.

III. POLICY: The Sheriff's Office shall maintain an internal program to recognize those deserving individuals or groups of individuals.

IV. PROCEDURE:

A. Procedure for Recommending Awards:

1. Any employee may recommend another employee as a candidate for an award. The recommendation must be for a specific award. The circumstances of a particular act of duty or contribution to the Sheriff's Office objectives must meet the prerequisites of the specific award.
2. Any third party may recommend an employee or citizen as a candidate for an award. The circumstances of a particular act of duty or contribution to the Sheriff's Office objectives must meet the prerequisites of the specific award.
3. A detailed, written report must be prepared on each recommendation for an award. Written reports will be forwarded through the chain-of-command to the Sheriff.
4. The Sheriff will examine and evaluate the circumstances for which the employee has been recommended for an award.

B. Approval and Presentation of Awards:

1. The Sheriff shall make the final decision on all awards after receiving the recommendations.
2. The Sheriff shall make formal presentation of all awards.
3. Office recipients of the Medal of Valor, Medal of Distinction, Commendation Medal, Meritorious Service Commendation and Life Saving Award shall be presented a pin (as prescribed by the Sheriff) to be worn on the right side of the uniform shirt as prescribed by policy or on the left lapel of civilian clothing.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: LIGHT DUTY		Policy No: 306
Effective Date:	Reference:	
Standards:		

I. PURPOSE: The purpose of this policy is to provide guidance for personnel requesting light duty while recovering from a non-duty related injury or illness.

II. DEFINITIONS:

LIGHT DUTY: Duty performed by an employee who is recovering from a long term non-duty related injury or illness. Duty is performed in a position authorized by the Sheriff.

NON-DUTY INJURY/ILLNESS: An injury or illness that does not occur while in the performance of duty and would not be covered under worker's compensation.

III. POLICY: It is the policy of the Sheriff's Office to provide employees guidelines concerning temporary duty assignments while recovering from a non-duty related injury or illness.

IV. PROCEDURE:

A. Responsibility:

1. The Sheriff will decide on the application process and duty assignments that are appropriate for light duty.
2. The Undersheriff will notify the Division Commanders about light duty statuses to avoid duty, scheduling or procedural conflicts.

B. Procedure:

1. The employee must notify their immediate supervisor as soon as possible following a non-duty injury or illness.
2. Employees requesting light duty must be recovering from an extended illness or injury from a non-duty medical problem that can be verified by a competent medical authority.
3. A light duty request will not be considered until adequate time has elapsed to accommodate recovery.
4. The application will give the following information:
 - a. a description of the limitations
 - b. the anticipated duration of light duty status
 - c. the anticipated date of total recovery
 - d. the anticipated physical limitations after recovery
5. Prior to being considered for light duty, a medical statement will be required from the employee's doctor identifying the need and indicating any physical limitations.

6. The Division Commander that is affected by the application will determine if there is light duty “work” available before approval of the application.
7. Personnel on light duty will
 - a. be paid at their normal base salary.
 - b. not be eligible to work overtime or Office volunteer activities.
 - c. not be allowed to work off-duty employment.
 - d. meet dress requirements appropriate for the position assigned.
 - e. provide an update to their physical condition and recovery status at least on a bi-weekly.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: ENDING EMPLOYMENT		Policy No: 307
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** The Sheriff's Office strives to make the process of ending employment an uncomplicated procedure.
- II. **DEFINITIONS:** None
- III. **POLICY:** The Sheriff's Office shall provide guidelines for employees ending employment. The guidelines shall create an organized and uncomplicated process to benefit the employee, the Office and other County Offices.
- IV. **PROCEDURE:** There are a number of ways to end employment with the Sheriff's Office. The methods are designed to assist the employee, Sheriff's Office staff, County Human Resources and County Payroll. All employees, at the end of their employment, must follow these procedures to receive their final paycheck.
 - A. **REASON FOR ENDING EMPLOYMENT:**
 1. **Retirement:** Employees who have worked for at least a year and one-month will have an amount in a retirement account. Details on receiving that money can be obtained by calling the Payroll Department. There are multiple avenues available.
 2. **Resignation:** An employee has the right to resign at any time. The Sheriff's Office expects at least a two week notice be provided by the employee. Employees are to provide, to their supervisor, a work schedule identifying their last day of work and any compensatory, vacation or sick time to be used.
 3. **Termination:** The Office is an "employment at will" employer. Sworn employees serve "at the pleasure" of the Sheriff. Both the employee and the Sheriff's Office have the right to end employment at any time. Employees may also be dismissed for disciplinary action.
 4. **Death:** If an employee dies, County Payroll Office will work with the person identified as the "emergency contact" to insure that the final paycheck, insurance benefits and all necessary forms are completed.
 - B. **EXIT INTERVIEWS ARE REQUESTED UPON SEPARATION:**
 1. The Division Commander conducts an exit interview. The Sheriff may conduct another interview at his discretion.
 2. The County Personnel Office also conducts an exit interview.

C. SEPARATION PAPERWORK:

1. In order to receive an accurate final paycheck, the employee must give his supervisor the following:
 - a. Final time sheet for hours worked.
 - b. All issued equipment. (**The replacement cost of damaged or missing equipment will be deducted from the final paycheck.)
2. The final paycheck may include other compensation. Refer to the County Policy.



**MORGAN COUNTY SHERIFFS OFFICE
ADMINISTRATIVE
POLICY AND PROCEDURE MANUAL**

Subject: WORKERS COMPENSATION		Policy No: 308
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide guidance for the employee that suffers a duty related injury or illness.
- II. **DEFINITION:**
 - MODIFIED DUTY:** Duty performed by an employee who is recovering from a duty-related injury or illness. This duty is performed in a position authorized by the Sheriff or Undersheriff.
 - WORKDAY:** Any portion of an employee's regularly scheduled work shift.
- III. **POLICY:** It is the policy of the Sheriff's Office to insure a safe work environment for its employees. However, work conditions may arise that lead to the injury or illness of an employee. When injury or illness occurs, the first priority is to get the employee the best medical attention possible and secondly to insure that the employee is returned to duty with full recovery.
- IV. **PROCEDURE:** All employees are covered by the State of Colorado Workers Compensation Act, CRS 8-40-101, for injuries and illnesses sustained in the scope and course of employment.
 - A. **NOTIFICATION:** The employee must notify their immediate supervisor of any work-related injury or illness on **the same day or by the end of the shift** in which the injury or illness occurs. The supervisor will notify their chain-of-command of any injuries. Injuries and illnesses that are serious and result in hospitalization or death must be reported as soon as possible to all levels of the chain-of-command.
 - B. **FORMS AND REQUIRED ACTION:** County Workers Compensation Pool forms must be completed accurately by hand (not typewritten) by the employee and submitted to their immediate supervisor. If the injured employee is unable to complete the necessary paperwork immediately, his/her supervisor will complete all necessary forms and submit to them to the Division Commander within **twenty-four (24) hours** for compilation of their paperwork and submission to Morgan County Personnel. The forms are available through the administration office and are listed below.
 1. **Employees written notice of injury to Employer:** This form should be completed and signed by the employee. This form must be completed and received by administration within twenty-four (24) hours. The immediate supervisor is responsible for Part B that pertains to "Action Taken". The three-part form will be turned into County Personnel in its entirety.

2. **Incident Report:** Injuries that result in a need for medical attention will be documented by the injured employee or their supervisor. A copy will be forwarded to the Undersheriff.
3. **Excuse from Duty:** A physician's statement must be submitted to the Undersheriff on any injury or illness that requires a doctor's care excusing the employee from work.
4. **Return to Duty:** A physician's statement must be submitted for any duty related injury or illness that requires a doctor's care, no matter how long the employee was absent from duty. This statement will be submitted to the Undersheriff.

C. **MEDICAL TREATMENT:**

1. Morgan County has the option of designating physicians for treatment of Worker's Compensation injuries or illnesses as prescribed by the Act. In situations where emergency care is needed, employees or supervisors should go to the nearest medical facility that can offer the needed treatment. Where time is not a significant issue, the employee should go to a doctor or facility that is designated by the County. The County Personnel Office or a posted list in the Sheriff's Office can identify those facilities.
2. Deviation from the above choice will only be accepted under the following circumstances:
 - a. when life or limb is endangered.
 - b. when the employee is transported directly to the nearest hospital.

D. **MEDICAL PAYMENTS:** With complete information and timely submission to the administration, all medical expenses for treatment by designated physicians are covered as prescribed by the Act.

E. **EMPLOYEE BENEFITS:**

1. Any employee who becomes incapable of performing his/her normal work duties as a result of illness or injury incurred within the scope of employment will be deemed to be on work-related absence until the employee is medically released to resume normal work duties or modified work duties as may be allowed. Employees who sustain a work-related illness or injury are eligible to receive statutory benefits pursuant to state statute. Current statutes provide that an employee will not receive wage loss benefits for the first three (3) working days of absence unless the period of the employee's absence from work exceeds two (2) weeks from the day the employee leaves work. If an injured employee returns to work before the end of that two-week period, the employee must either take three days of absence from accrued leave or use sick leave.
2. Injured employees eligible to receive wage loss benefits and who have not been medically released to return to any work will receive sixty-six and two-thirds percent (66 2/3%) of their average weekly wage, not to exceed a specific maximum weekly amount calculated by the State on annual basis.

3. Absence due to a work-related illness or injury will be authorized only in those cases where:
 - a. a first report of injury has been completed, and;
 - b. an employee obtains a written statement from a designated physician concerning the employee's medical treatment and inability to return to work.
4. An employee who is absent from work due to a work-related illness or injury may be required to undergo a periodic medical examination at the County's request. The failure to comply with such request may result in the loss of worker's compensation benefits.
5. During the period an employee is absent from work due to a work-related illness or injury, the employee must notify the Undersheriff of their medical status. This notification will be a minimum of one time per week. The Undersheriff will then notify County Payroll.
6. It is the policy of the Sheriff's Office to return employees to full or modified duty as soon as medically possible. Accordingly, employees who have been released to return to full or modified duty will immediately notify the Undersheriff and provide written documentation verifying that release.
7. An employee who sustains a work-related injury or illness that qualifies as a "serious health condition" under the Family Medical Leave Act (FMLA) will be placed on a FMLA leave on the date he qualifies for it.

F. MODIFIED ASSIGNMENT:

1. The Modified Assignment Program provides temporary work that is performed by employees unable to return to their normal job duties as a result of a work-related illness or injury during recuperation period.
2. The application will give the following information:
 - a. a description of the limitations
 - b. the anticipated duration of light duty status
 - c. the anticipated date of total recovery
 - d. the anticipated physical limitations after recovery
3. The Division Commander that is affected by the application will determine if there is modified duty available before approval of the application.
4. Personnel on modified duty will not be eligible to work overtime or Office volunteer activities.
5. An employee who is not working because of a duty related injury shall not work at any secondary employment until cleared to return to full duty.
6. Employees assigned to light duty will meet dress requirements appropriate for the position assigned.
7. The Sheriff's Office will be given the first option of using the employee in a modified assignment.

8. An employee who is provided with a modified assignment will receive full wages based on the amount the employee was earning at the time the Worker's Compensation injury/illness occurred. Non-sworn employees may be medically released to their regular job on a part-time basis. These employees will receive a proportional amount of the regular pay for those part-time hours worked. For the remainder of hours for which the employee has not been medically released, the employee will receive 66 2/3% of their average weekly wage. Sworn employees must possess the ability to perform their modified duty assignment and are not subject to partial release to their original positions.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: PERFORMANCE EVALUATIONS		Policy No: 309
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** The purpose for evaluating employees is to serve both the individual and the Sheriff's Office. Evaluation provides a system for recognizing excellence and areas that need improvement.
- II. **DEFINITIONS:** None.
- III. **POLICY:** It is the policy of the Sheriff's Office to insure that the performance of each employee is accurately evaluated based on observable behavior. The evaluation will be used to determine training opportunities, suitability for assignment, promotion and response to disciplinary action.
- IV. **PROCEDURE:**
 - A. **PROCESS:**
 1. **When:** The Sheriff's Office will evaluate every non-FTO based employee's performance at least semi-annually. These evaluations will take place according to a schedule set by the Sheriff.

NOTE: If an employee is performing above average or unsatisfactorily at anytime during the evaluation period, he/she shall be notified in writing of the performance issue and advised of the corrective actions where a deficiency is recognized.

2. **Who:** The evaluator shall be the employee's immediate supervisory group or a person designated by the Sheriff.
3. **What:**
 - a. The evaluation will be based on the performance of the employee's fundamental duties during the evaluation period with emphasis on the "performance improvement comments" from the previous evaluation.
 - b. The evaluator will write specific comments about how the employee has met or failed to meet the performance standards for each category. Comments by the evaluator are required when the performance level is either outstanding or unsatisfactory. These comments should be supported by performance notes or notable action forms.
4. **Format:** A standard format, based on job classification, will be used for all evaluations.
5. **Presentation:**
 - a. Where possible, the evaluation shall be presented to the employee by the evaluation group and reviewed by the employee and evaluator(s) together.

- b. The employee signs the original and receives a copy of the evaluation. This acknowledges that the employee has read and had the opportunity to discuss the evaluation with his/her supervisor or supervisory group. If the employee refused to sign the form, the evaluator shall note “refused to sign” on the form.
 - 6. **Appeal:** In the event that the employee wishes to contest the evaluation, the employee may appeal within five (5) days of receipt of the evaluation. This appeal will go to the evaluator’s immediate supervisor.
 - a. The appeal must be made in writing.
 - b. It must substantiate the basis for the appeal.
 - c. The evaluator may provide additional information to document the evaluation.
 - d. The Undersheriff has the final authority regarding contested evaluations.
- B. **RECORDS MAINTENANCE:**
 - 1. After the evaluation process is completed and reviewed by the employee, it will be forwarded to the Undersheriff for inclusion into the employee’s personnel file.
 - 2. A supervisor may review an employee’s evaluation for the following reasons:
 - a. determining suitability for future assignment.
 - b. employee training needs and further career development opportunities.
 - c. determining ability to accept additional responsibility.
 - d. effectiveness in the assigned position.
 - 3. A supervisor shall not access a personnel file or past evaluation forms for personal use or any reasons other than those that are lawful and job related.
- C. **TRAINING:** Employees who conduct performance evaluations shall receive periodic training on the following areas:
 - 1. general subordinate counseling and evaluation.
 - 2. skills, knowledge and abilities assessment techniques.
 - 3. use of Sheriff’s Office evaluation forms.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: INTEROFFICE TRANSFERS		Policy No: 310
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide personnel with the guidelines for cross-divisional transfers.
- II. DEFINITIONS:**
- POSITION:** The duties and responsibilities or work assigned to one employee. Any position may be filled at the discretion of the Sheriff.
- SPECIAL ASSIGNMENT:** A special assignment of unspecified duration may be made to a Critical Incident Response Team, Honor Guard, Public Information, Field Training Officer, Internal Affairs and Dive/Search and Rescue. Special Assignments are in addition to regular assignments.
- TEMPORARY ASSIGNMENT:** A temporary assignment is made for an unspecified duration that is determined by the nature of the task(s) to be performed or expertise needed.
- TRANSFER:** The lateral movement or reassignment from one division within the Sheriff's Office to another division.
- III. POLICY:** It is the policy of the Sheriff's Office to provide employees with cross-divisional transfers in filling the personnel needs of a particular division. In order to insure effective and efficient daily operation, personnel assignments could vary by nature and duration.
- IV. PROCEDURES:** The interoffice transfer process is as follows:
- A. Permanent:**
1. Written notice shall be posted at least five (5) calendar workdays prior to the beginning of the selection process and include the position, minimum requirements, any special restrictions and the start date.
 2. In order to participate in the selection process, an employee must be eligible, not be on any type of disciplinary review/assignment, meet the requirements, and have had satisfactory performance evaluations in the current position.
 3. An interested employee shall submit a memorandum to the Undersheriff indicating intent to compete for the position.
 4. Upon receipt of the memorandum, the Undersheriff will contact the appropriate Division Commander and determine if the employee is recommended for the new position.
 5. The selection criteria and process shall be at the discretion of the Sheriff.
- B. Temporary:** Temporary interoffice transfers shall be done at the discretion of the Sheriff with cooperation from the effected Division Commanders.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: GENERAL RULES OF CONDUCT		Policy No: 311
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** It is the purpose of this policy to provide additional specificity to the standards of conduct embodied in the Law Enforcement Code of Ethics so that employees will better understand prohibitions and limitations pertaining to their conduct and activities while on and off-duty. Some rules of conduct are covered in other policies.

The rules of conduct set forth in this policy are not intended to serve as an exhaustive treatment of requirements, limitations, or prohibitions of employee conduct and activities established by this agency. Rather, they are intended to (1) alert employees to some of the more sensitive and often problematic matters involved in police conduct and ethics; (2) specify, where possible, actions and inactions that are contrary to and that conflict with the duties and responsibilities of law enforcement employees, and (3) guide employees in conducting themselves and their affairs in a manner that reflects standards of deportment and professionalism. Additional guidance on matters of conduct is provided in specific policies, procedures, and directives disseminated by this agency and from immediate supervisors and commanders.

- II. **DEFINITIONS:**

ACCOUNTABILITY: In the context of this policy, accountability means the duty of all employees to truthfully acknowledge and explain their actions and decisions when requested to do so by an authorized employee without deception or subterfuge.

EMPLOYEE: A sworn or non-sworn employee of the Morgan County Sheriff's Office.

GRATUITY: A free or reduced priced service or item given to or accepted by an identified employee of the Sheriff's Office, with the anticipation of influencing or gaining additional presence or service for the employee or other employees.

VOLUNTEER: A person who assist the Sheriff's Office without compensation . (Cadet, Reserve, Victim Advocate, Posse, Search and Rescue, Specialized Volunteer)

- III. **POLICY:** Actions of employees that are inconsistent, incompatible, or in conflict with the values established by the Office negatively affect its reputation and that of its employees. Such actions and inactions thereby detract fro the agency's overall ability to effectively and efficiently protect the public, maintain peace and order, and conduct other essential business. Therefore, it is the policy of this Office that employees conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this manual and other disseminated by this Office. The foundation of this policy is the "Law Enforcement Code of Ethics".

LAW ENFORCEMENT CODE OF ETHICS

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

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or 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 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 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 of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other 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.

IV. PROCEDURE: Rules and regulations are designed as guidelines for behavior in an organization. They are not intended to cover every case that may arise, but help establish a base by which individuals will make acceptable decisions in areas that may not be specifically addressed. Each employee of the Sheriff's Office shall be provided access of this policy.

A. General Rules of Conduct

1. *Obedience to Laws, Regulations, and Orders.* Employees shall:
 - a. maintain familiarity with and not violate any law or any agency policy, rule, directive or procedure nor shall any employee aid or abet another to do so.
 - b. obey all lawful orders and no employee shall aid or abet another to do so.
 - c. shall not issue any order that they know or should know to be a violation of law or policy.

- d. shall not obey any order they know or should know to be in violation of law or policy.
 - e. when he receives any order that conflicts with any law or policy, must advise the person giving the order that there is a conflict. If the employee giving the order insists that the order be followed, the order should be followed. It then becomes the responsibility of the employee receiving the order to report the conflict to their immediate supervisor or higher.
 - f. if he receives an unlawful order or any order that will place another employee in jeopardy, the employee will not follow the order and will immediately report the incident to their immediate supervisor or higher.
2. *Conduct Unbecoming and Officer:* Employee shall not engage in any conduct or activity on or off-duty that brings discredit on other employees, tends to bring the Office into disrepute, or impairs its efficient and effective operation.
3. *Accountability, Responsibility, and Discipline:* Employees:
- a. are directly accountable for their actions to the chain of command and to the Sheriff.
 - b. shall treat the confidentiality of their duties with proper regard for the safeguarding of information to which they become cognizant of in their employment. Such information shall not be imparted to anyone that is not intended or who is not duly authorized to receive it.
 - c. shall be accurate, complete, and truthful in all matters.
 - d. shall maintain themselves at a level of fitness to adequately perform the essential functions and physical demands of their position.
 - e. shall accept responsibility for their actions without attempting to conceal, divert, or mitigate their true culpability nor shall they engage in efforts to thwart, influence, or interfere with an internal or criminal investigation.
 - f. who are arrested, cited, or come under investigation for any criminal offense in this or another jurisdiction shall report this fact to a superior as soon as possible.
 - g. Performance:
 - i. Employees shall maintain sufficient competency to properly perform the duties and assume the responsibilities of the employee's position. Each employee shall perform their duties in a manner that will maintain the highest standards of efficiency and effectiveness in carrying out the functions and objectives of the Sheriff's Office.
 - ii. Employees shall not willfully or through negligence or insubordination, fail to perform the duties and responsibilities of their rank or position.
 - iii. Employees are expected to perform their duties in spite of personal danger. Foolhardy actions are not expected; however, employees are to answer calls

- for help from fellow officers and private citizens despite the personal danger involved.
 - iv. Employees will not linger or loiter in or about any Sheriff's Office facility, public or private places unless their duties require it of them.
 - v. Employees shall not interfere with Sheriff's Office operations.
 - vi. Employees shall not use the Sheriff's Office as a mailing address for receiving personal mail or as a "home address".
 - h. shall not accept rewards from individuals or organizations for an act that is their duty to perform or is done during the normal course of duty. If an individual or organization desires to make a contribution to the Sheriff's Office or its employees, the funds will be deposited into the Special Account and used to benefit all employees.
 - i. shall not, while in an on-duty status or in uniform, post or furnish bail for any person.
4. *Conduct Toward Fellow Employees:* Employees shall:
- a. conduct themselves in a manner that will foster cooperation among employees of this agency, showing respect, courtesy, and professionalism in their dealings with one another.
 - b. not use language or engage in acts that demean, harass, or intimidate another person.
 - c. promptly obey any lawful order. Failure to do so, subject to other governing regulations, shall be considered insubordination and is prohibited.
5. *Conduct Toward the Public:*
- a. Employees shall be courteous to the public, being tactful and restrained in the performance of assigned duties. An employee shall never express any prejudice concerning race, sex, religion, creed, politics, national origin, lifestyle or other personal characteristics. Employees shall exercise patience and discretion, and shall control their temper and not engage in argumentative discussions or malicious physical retaliation even in the face of extreme provocation.
 - b. Employees shall courteously and promptly record or report to higher authority any complaint made by a citizen regarding the employee, another employee, or action of the Sheriff's Office. Complaints will be handled pursuant to policy.
 - c. An employee's on-duty conduct when dealing with citizens, victims, inmates and the general public shall stay within the professional scope of their assigned duties. Employees are prohibited from exchanging personal information or conducting personal business while on duty.
 - d. Employees will politely give their name and other pertinent identifying information to violators or other persons requesting it unless such action may jeopardize a mission.

Business cards are provided by the Sheriff's Office and are appropriate for a situation of this type.

6. *Use of Tobacco Products:* As a condition of employment, employees hired on or after 9-1-99, are prohibited from use of any tobacco products while on-duty, including meal and rest breaks. 'Tobacco products' include, but are not limited to, cigarettes of any kind (lighted or unlighted), pipes (lighted or unlighted), snuff and chewing tobacco.

7. ***Abuse of Law Enforcement Powers or Position:***

- a. Employees shall not abuse the power and public trust vested in them and is prohibited from using their credentials, badge, identification or position in any unofficial or unauthorized capacity.
- b. Employees shall report any unsolicited gifts, gratuities, or other items of value that they receive and shall provide a full report of the circumstances of their receipt if directed.
- c. Employees shall not use their authority or position for financial gain, for obtaining or granting privileges or favors not otherwise available to them or others except as a private citizen, to avoid the consequences of illegal acts for themselves or for others, to barter, solicit, or accept any goods or services (gratuities) whether for the employee or for another.
- d. Employees shall not purchase, covert to their own use, or have any claim to any found, impounded, abandoned, or recovered property, or any property held or released as evidence.
- e. Employees shall not solicit nor accept contributions for the Office or for any other agency, organization, event, or cause without the express consent of the Sheriff.
- f. Employees are prohibited from using information gained through their position to advance financial or other private interests of themselves or others.
- g. Employees who institute or reasonably expect to benefit from any civil action that arises from acts performed under the color of authority shall inform the Sheriff.

9. ***Prohibited Associations and Establishments:***

- a. Arresting, investigating, or custodial employees shall not commence social relations with the spouse, immediate family member, or romantic companion of person in the custody of this Office.
- b. Employees shall knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another police or criminal justice agency, and/or who has an open and notorious criminal reputation in the community, except as necessary to the performance of official duties, or where unavoidable because of familial relationships.

- c. Except in the performance of official duties, employees shall not knowingly enter any establishment in which the law is regularly violated.
- d. Employees shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies.
- e. Employees shall not belong to or be affiliated with any person or group that advocates insurrection, treason, anarchy or the overthrow of the government, through unconstitutional means, or purports one race over another.
- f. Relationships with Inmates or Arrestees:
 - i. Employees shall not fraternize with or engage the services of any person in custody.
 - ii. Employees shall not mistreat persons who are in their custody.
 - iii. Employees shall not become socially or emotionally involved with prisoners while in custody, or who are known felons. Employees shall not borrow money or any type of property, or lend money or any property, to any inmate, arrestee, or detainee while in custody.

B. Public Statements, **Appearances, and Endorsements**

- 1. Employees shall not, under color of authority,
 - a. make any public statement that could be reasonably interpreted as having an adverse effect upon Office morale, discipline, operation of the agency, or perception of the public;
 - b. divulge or willfully permit to have divulged, any information gained by reason of their position, for anything other than its official, authorized purpose; or
 - c. unless expressly authorized, make any statements, speeches, or appearances that could reasonably be considered to represent the views of this Office.
- 2. Endorsements: Employees may not, under the color of authority, endorse, recommend, or facilitate the sale of commercial products or services. This includes but is not limited to the use of tow services, repair firms, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to the endorsement of appropriate governmental services where there is a duty to make such endorsements.

C. Political Activity: On-duty employees shall not actively participate in political or election activities of the County on behalf of themselves or any candidate or any issue. This policy does not prohibit an employee from seeking election to, or serving as a member of the governing board of a school district, or serving as a member of any municipal, county, district or state office which he is not an agent or employee. Nothing in this policy shall be construed to prevent any employee from becoming or continuing to be a member of a political club, organization or party, or from attending

political meetings, or from enjoying entire freedom from interference in casting his vote. Nothing in this policy shall be construed to prevent any employee from engaging in activities relative to the retirement laws of police. Where state law is silent on this issue, officers shall be guided by the following examples of prohibited political activities during working hours, while in uniform, or otherwise serving as a representative of the Office.

1. Engage in any political activity;
2. Place or affix any campaign literature on county-owned property;
3. Solicit political funds from any member of the Office or another governmental agency of this jurisdiction;
4. Solicit contributions, signatures, or other forms of support for political candidates, parties, or ballot measures on property owned by the county;
5. Use official authority to interfere with any election or interfere with the political actions of other employees or the general public;
6. Favor or discriminate against any person seeking employment because of political opinions or affiliations;
7. Participate in any type of political activity while in uniform.

D. Expectations of Privacy:

1. Employees shall not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, County vehicles, file cabinets, computers, or similar areas that are under the control and management of the Office. While this Office recognizes the need for employees to occasionally store personal items in such areas, employees should be aware that these and similar places may be inspected or otherwise entered--to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the Sheriff or his designee.
2. No employee shall maintain files or duplicate copies of official files either manual or electronic formats at his/her place of residence or in other locations outside the confines of this agency without express permission.

E. Residence Telephone and Address:

- a. Employees shall provide the Sheriff's Office with the address and telephone number of their current residence, and advise their immediate supervisor and the administration staff of any changes within 24 hours of the move or change.
- b. Employees shall have a telephone at their place of residence to permit notification in case of emergency.
- c. Phone answering devices shall not be used on telephones during "on-call" status.
- d. Employees shall not divulge the home address or phone number of other employees to anyone outside the Sheriff's Office without the permission of the employee affected.

- F. **Compensation for Damages Sustained on Duty:** Employees shall not seek or accept from any person or organization, money or other compensation for injuries or illness, sustained in the line of duty, without prior notification of the Sheriff.
- G. **Financial Obligations:** Employees shall avoid incurring financial obligations that are beyond their ability to reasonably satisfy them with their anticipated earnings.
- H. **Neglect of Duty: Employees**
- a. shall not engage in any activity or personal business that would cause neglect or inattention to duty. This includes recreational reading, game playing, watching television or movies, or otherwise engaging in entertainment. Neglect also involves loafing, abusing lunch and break privileges and failing to efficiently perform job tasks.
 - b. shall remain awake while on-duty. If unable to do so, it shall be reported to the employee's immediate supervisor who will determine the proper course of action.
 - c. shall not leave an assigned post during a tour of duty, except when authorized by a supervisor.
- I. **Providing Assistance:**
- a. Employees shall try to render assistance to anyone who may be in danger or distress, or otherwise in need of law enforcement assistance.
 - b. When any person requests assistance, advise or reports an incident, either by telephone or in person, all pertinent information shall be obtained in a courteous and professional manner and shall be properly and judiciously acted upon in conformance with appropriate policy.
- J. **Impartiality:** Employees shall display a strictly impartial attitude toward all persons regardless of sex, age, race, religion, creed or national origin.
- K. **Patriotic Courtesy:**
- a. Uniformed employees shall render full military honors to the national colors and to the playing of the National Anthem. Employees in uniform shall salute the national flag during its passing in a marching formation or during the hoisting or lowering of the flag.
 - b. Civilian employees or sworn employees in civilian attire shall render proper honors to the national flag and the playing of the National Anthem by placing the right hand over the heart.
- L. **Disciplinary Actions – Specific Violations:** Disciplinary action may be taken against an employee based upon the occurrence of, but not limited to, the violations in this policy.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: HARASSMENT/DISCRIMINATION IN THE WORKPLACE		Policy No: 312
Effective Date:	Reference: CTSI; TITLE VII OF THE 1964 CIVIL RIGHTS ACT	
Standards:		

I. PURPOSE: The purpose of this policy is to maintain a healthy work environment and to provide procedures for preventing, reporting, investigating and resolving complaints of discrimination, including harassment, sexual or otherwise.

II. DEFINITION:

EMPLOYEE: A sworn or non-sworn employee, or volunteer (Reserves, Posse, Chaplains, Victim's Advocates, Search and Rescue) of the Morgan County Sheriff's Office.

TITLE VII OF THE 1964 CIVIL RIGHTS ACT: As Amended, states that men and women must be treated equally in all job matters.

DISCRIMINATION: An act expressing prejudice concerning race, sex, religion, creed, politics, national origin, physical or mental disability or martial status.

SEXUAL HARASSMENT: Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of work; or
- B. Submission to or rejection of such conduct by a employee is used as the basis for employment decision affecting the employee; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or offensive work condition.
 1. Both A and B are examples of *Quid Pro Qou* or conditional sexual harassment, C is an example of hostile work environment.
 2. The following list is intended to be a list of sexual harassment but not intended to be all inclusive:

VERBAL:

- Making sexual comments about a person's body.
- Turning work discussions into sexual topics.
- Making sexual comments/innuendoes or telling sexual jokes.
- Asking about sexual preferences, history, fantasies, or personal questions about one's sexual life.
- Making sexual comments about a persons clothing, anatomy or looks.
- Repeatedly asking a person out who is not interested.

- Making kissing sounds, whistling, howling.
- Telling lies or spreading rumors about a person's personal sex life.
- Referring to an adult as hunk, doll, babe, or honey.

NON VERBAL:

- Displaying sexually suggestive visuals.
- Making facial expressions such as throwing kisses, or licking lips.
- Making sexual gestures with hands or through body movements.

PHYSICAL:

- Giving an unwelcome/unwanted massage around the neck or shoulders.
 - Touching a person's clothing, hair or body.
 - The unwelcome hanging around/stalking of a person.
 - Hugging, kissing, patting, or stroking of another.
 - Touching or rubbing oneself sexually around another person.
- Standing close or brushing up against a person intentionally.

III. POLICY: It is the policy of the Sheriff's Office to provide a work environment free from all forms of discrimination / harassment. Discrimination or Harassment of any kind will not be tolerated. All employees are expected to respect the rights of all persons and are cautioned to consider their behavior and comments from the perspective of anyone who might be offended by them. No employee shall be subjected to discrimination or unsolicited and unwelcome sexual overtones or conduct, either verbal or physical, nor any form of ethnic humor.

IV. PROCEDURE:

A. Prohibited Activity

1. No employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
2. Employees, including agents of the facilities, contractors and vendors, shall not make offensive or derogatory comments based on race, sex, religion, or national origin either directly or indirectly to another employee or person. Such harassment is a prohibited form of discrimination under state and federal law and is also considered misconduct subject to major disciplinary action by the Sheriff's Office. Contractors, agents, and vendors who violate this policy may subject themselves to termination of contracts.
3. Discrimination includes, but is not limited to: ethnic humor or jokes, verbal or written, posters, pictures, and comments.

B. Supervisor's Responsibility

1. Each supervisor shall be responsible for preventing, reporting, accepting complaints and doing timely investigation of acts of harassment or discrimination. This responsibility includes:

- a. Monitoring the unit work environment on a daily basis for signs that harassment /discrimination may be occurring.
 - b. Counseling employees on the types of behavior that is prohibited and the agency procedures for reporting and resolving complaints of harassment/discrimination.
 - c. Stopping any observed acts that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his chain of command.
 - d. Taking immediate action to limit the work contact between two employees where there has been a complaint of harassment/discrimination, pending an investigation.
 - e. The supervisor receiving the complaint shall meet with the employee and document the incidents complained of, person or persons doing or participating in the harassment/discrimination, and the dates on which the harassment occurred.
 - f. The supervisor taking the complaint shall, without delay, forward the complaint to the Undersheriff who will see that it is investigated.
2. Each supervisor has the responsibility to assist any employee of this agency, who comes to that supervisor with a complaint of harassment or discrimination, in documenting and filing a complaint with the Division Commander or Undersheriff.

C. Employee Responsibilities

1. Each employee of the Sheriff's Office is responsible for assisting in the prevention of harassment/discrimination through the following acts:
 - a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment or discrimination;
 - b. Reporting acts of harassment/discrimination to a supervisor; and :
 - c. Encouraging any employee, who confides that he or she is being harassed, to report these acts to a supervisor.
2. Employees should tell the person that their actions are unwelcome and offensive. The employee shall document all incidents of harassment/discrimination in order to provide the fullest basis for the investigation.
3. Any employee who believes that he/she is being harassed or discriminated shall place the offender on notice of the unwelcome behavior and report the incident to their supervisor, immediately, so that steps may be taken to protect the employee from further harassment, and appropriate

investigative and disciplinary measures may be taken. The employee may also file the complaint directly with the Undersheriff.

4. Failure to take action to stop known harassment/discrimination shall be grounds for discipline.
5. This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency.

D. Undersheriff and Investigator Responsibilities

1. The Undersheriff shall be responsible for conducting investigations of complaints alleging sexual harassment/discrimination that are serious in nature.
 - a. Internal Affairs shall notify the Undersheriff and the District Attorney's Office if the complaint contains evidence of criminal activity, such as rape, or attempted rape.
 - b. Internal Affairs will document the investigation as prescribed in policy.
 - c. Both parties shall be advised of the outcome of the investigation.
2. There shall be no retaliation against any employee for filing a harassment/discrimination complaint, assisting, testifying or participating in the investigation of such a complaint. However, if through the investigation it is discovered a person provided a malicious and intentional false report, that person may be disciplined and subject to criminal and civil action.

E. Training: The Office will provide periodic training and policy review to prevent sexual harassment and discrimination prevention.

E. Disciplinary Action: Disciplinary action will conform with Section 317 of this policy.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: PERSONNEL RECORDS		Policy No: 313
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide guidance on the access and the control of employee personnel records.
- II. DEFINITIONS:**
PERSONNEL RECORDS: Those records pertaining to an employee's selection, testing, medical and psychological reports, background investigation, training, discipline, attendance, evaluation and internal investigations.
- III. POLICY:** It is the policy of the Office to maintain personnel files on each employee. The Office shall make provisions whereby an employee's personnel file is reviewed in a structured and controlled manner and not indiscreetly viewed for non-official purposes; and release of information follows a protocol based on current law.
- IV. PROCEDURES:**
- A. Review of Records:**
1. **Documentation:** Any person reviewing a personnel file will be required to complete the review log enclosed in each file. If copies are required, it must be annotated on the log. Copies will not be released outside the Office without proper release authorization.
 2. **Internal Review:**
 - a. Personnel records may be viewed by the employee in interest and;
 - b. Supervisory personnel with the rank of Sergeant or above with purpose.
 3. Personnel records may be reviewed only when access is necessary in the performance of duty, i.e.;
 - a. Promotional recommendation
 - b. Performance evaluation
 - c. Transfer consideration
 - d. Disciplinary issues
 - e. Award consideration
 - f. Training issues
 4. **External Review:** Access may be granted to individuals outside the Office with one or more of the following:
 - a. Personnel information release form that has been signed by the employee.
 - b. A subpoena or request for records from an officer of the court upon request for en-camera review.

- B. Location of Records:
1. Personnel records are maintained in the Undersheriff's office. Personnel records will not be removed from this office unless directed by the Sheriff or Undersheriff.
 2. Personnel records will **only** be maintained in the Undersheriff's office. They will not be maintained in any other location such as a computer, manual filing system, desk or filing cabinet.
 3. The following information will not be stored, printed, reprinted from Office rosters transmitted or distributed in any form unless authorized by the Sheriff or Undersheriff.
 - a. Social Security number
 - b. Date of Hire
 - c. Date of Birth
 - d. Home address
 - e. Date Terminated
 - f. Spouse's Name
 - g. Rate of Pay
 - h. Telephone Numbers

- C. Contents of Records: The following information is contained in a personnel file but is not limited by this list.
1. Original Application/Background Packet
 2. Background Investigation
 3. Criminal/Driving Histories
 4. Initial Testing/Selection Documents
 5. HBV Verification
 6. Evaluations (including FTO evaluations)
 7. Disciplinary Actions
 8. Verification of Employment
 9. Letters of Appreciation, Commendation, Promotion or any other forms of recognition.
 10. Certificates of Training
 11. Demographic Information
 12. Personnel Action Requests (promotion, transfer, demotion)
 13. Requests of Transfer or Promotion
 14. Payroll Change Forms
 15. Workers Comp Documents
 16. Physical and Psychological Exam Results/**In a separate sealed envelope.**

- D. Accuracy of Records:
1. An employee who wishes to challenge information contained in his/her personnel file will notify the Undersheriff in writing. The request will include:
 - a. the specific information challenged; and
 - b. any argument, evidence or documentation the employee may have to support his/her position.

2. The Undersheriff will respond in writing with his findings within ten (10) days.
3. Copies of the employee's request for personnel file revision and the Undersheriff's reply will be placed in the personnel files except if the Undersheriff granted the request for the revision.

E. Release of Personnel Information/Employment Inquiries:

1. Information will be released in writing only. All written inquires must go through the Undersheriff. The Undersheriff will check for verification of the signature on the release of information waiver and personally provide the appropriate information.
2. All oral employment verifications and inquiries will also go through the Sheriff or Undersheriff.
3. Employees shall not give information concerning employment history of past or present employees.
4. Employees that are used as references for former employees shall notify the Sheriff or Undersheriff and receive approval for information release.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: COMPLAINTS, INTERNAL INVESTIGATIONS, & DISCIPLINE		Policy No: 314 (C)
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide guidance for the proper and consistent handling of both internal and external complaints; to provide guidelines concerning internal investigations rules and procedures; and to provide guidance on the proper administration of discipline to employees of the Office.

- II. **DEFINITIONS:**
 - ADMINISTRATIVE LEAVE:** Relieved temporarily from duty with pay. It is not exclusively for pre-disciplinary situations. Administrative leave will not be considered disciplinary action.
 - COMPLAINT FORM:** Is used to indicate any written complaint regardless of form.
 - CONFIDENTIAL INVESTIGATION:** An allegation of misconduct in which it would be detrimental to the investigation to follow the standard notification of investigation procedures. The Undersheriff or his designee will conduct these investigations.
 - DISCIPLINARY DEMOTION:** Reduced by one or more levels of rank. Disciplinary demotion may be imposed when the accused employee willfully engages in misconduct or intentionally violates policy or procedure. The Sheriff or Undersheriff will only authorize it.
 - EXTERNAL COMPLAINT:** Complaints made by civilians or employees of other agencies.
 - FORMAL INVESTIGATION:** Any investigation of LEVEL I or II complaints.
 - GARRITY ADVISEMENT:** An advisement of rights and responsibilities in a non-criminal/internal affairs investigation.
 - INTERNAL INVESTIGATION:** Investigations conducted and documented by an employee/agency designated by the Sheriff or Undersheriff.
 - INTERNAL COMPLAINT:** Complaints made by an employee of the Office.
 - LETTER OF COUNSELING:** Memorandum, performance review, or noticeable action form documenting the accused employee's verbal counseling for a policy violation.
 - LETTER OF REPRIMAND:** Memorandum documenting the accused employee's reprimand for a policy violation.
 - LEVEL I COMPLAINTS:** Serious policy violations such as discrimination, sexual harassment, violations of laws, incidents that involve NCIC/CCIC policy violations, use of force or allegations that may result in criminal charges.
 - LEVEL II COMPLAINTS:** Policy violations such as disobedience to orders, performance of duty, conduct unbecoming, willful misconduct and repeated LEVEL III complaints.

LEVEL III COMPLAINTS: Courtesy complaints of rudeness, disrespect, impartiality, procedural complaints specifically related to the accused employee's duty assignment such as handcuffing, traffic stops, supervisory issues such as tardiness, minor procedural errors, traffic accidents, failure to report for court and minor sick time abuse.

NAME-CLEARING PROCESS: Written notice of charges, evidence supporting the charges, an opportunity to respond orally or in writing and to have that response reasonably weighed.

PERSONNEL INVESTIGATION: Investigations conducted and documented by the accused employee's immediate supervisor.

PRELIMINARY INVESTIGATION: The initial gathering of memos, reports and other evidence used to establish the validity of the complaint and identify the investigating authority.

PROBATION: An evaluation period not less than 30 days and not to exceed 180 days. The Undersheriff may impose probation when the accused employee willfully or intentionally violates policy and procedure. It may also include gross or wanton negligence in the performance of duty or when the employee's performance is unsatisfactory.

REMEDIAL TRAINING: A process used to correct a specific performance deficiency.

SUSPENSION WITHOUT PAY: Relieved from duty for a specified number of days without pay or any other type of compensation. Only the Sheriff and Undersheriff are authorized to suspend an employee without pay.

TERMINATION: Termination of employment with the Office. Only the Sheriff, or Undersheriff in the Sheriff's absence, may terminate an employee.

III. **POLICY**: It is the policy of the Office to conduct fair and impartial investigations of legitimate complaints; to clear employees who are falsely accused and discipline those who violate law, policy or procedures; to investigate allegations of misconduct by any employee in a fair and thorough manner; and to teach and correct the inappropriate behavior of employees through fair and consistent disciplinary sanctions without regard to race, creed, color, sex, age, or national origin. This will be accomplished by conforming to the established due process, a defined and formal process. The Office will respect the rights of the employee.

IV. **PROCEDURES**:

A. **PROCEDURES FOR AND DOCUMENTATION OF COMPLAINTS**:

1. **Disciplinary Process (Overview)**: Allegations of employee misconduct will be thoroughly investigated and documented.
 - a. The process will include but not be limited to:
 - i. Complaint receipt
 - ii. Preliminary investigation
 - iii. Notice to the accused employee
 - iv. Investigation-formal/internal/personnel
 - v. Opportunity for the employee to respond (oral or written)
 - vi. Consideration of that response
 - vii. Findings
 - viii. Supervisor's recommendations
 - ix. Name clearing meeting
 - x. Discipline imposed

- xi. Appeal
- xi. Notice of findings/conclusions
- xii. Notice to the complainant.

2. Receipt Of Complaint:

- a. Whether they were generated internally or externally, all complaints will be accepted, in person, by a third party, over the telephone, by mailed, anonymously or through the media. When possible, the complaint will be handled by a supervisor. If the complainant is intoxicated, they will be advised to make an appointment when their condition improves.
- b. Upon receipt of a complaint, a Complaint Form when possible will be completed by the person taking the complaint.

Complaint

3. The Complaint Form will be given to the appropriate supervisor (shift Sergeant, Shift Commander, Lieutenant) who will conduct a preliminary fact-finding investigation. Effort should be made to conduct this investigation within 24 hours of complaint receipt. An extended period may be approved by the Undersheriff.

Prelim Investigation
Fact-finding

W/I 72 hours

4. The complaint and a written record of any information gathered will be forwarded to the Division Commander and Undersheriff within 48 hours.

5. The Undersheriff will review the information, classify the alleged offense, and determine if further investigation is necessary.

Classification
Referral
Closure

W/I 24 hours

- a. If no further investigation is necessary, the Undersheriff shall file the information or refer it to the Division Commander for disciplinary recommendations.
- b. If further investigation is necessary, the Undersheriff will designate an investigator/supervisor who will conduct a thorough, fair and impartial investigation.

Further Investigation

6. Notification Of Investigation: The "Notification of Investigation" letter will be issued to the accused employee and their Division Commander prior to a formal interview. This does not preclude a supervisor from conducting a preliminary interview. Unless it is confidential, this letter shall contain the following:

Notice to the employee

- a. Name of the complainant(s).
- b. Date of alleged incident(s).
- c. Possible policy violation(s).
- d. Report and summons number(s).
- e. Brief summary of the allegation(s)

Notice suspended

The notice can be suspended if notification would seriously hinder the investigation.

7. An interview will be done with the complainant, witnesses and the accused. A record of these interviews will be kept.

8. A report will be done and evidence collected if appropriate. The report will annotate any previous complaints or discipline that are related to the current investigation.

Initial Findings

W/I 72 hours

9. When possible, an initial finding will be reached within 72 hours. The possible findings are as follows:
 - a. Sustained: The allegation is substantiated. The misconduct did occur.
 - b. Non-Sustained: The allegation was not substantiated. There is not sufficient evidence to prove or disprove the allegation.
 - c. Unfounded: The allegation is false. No misconduct occurred or it did not involve the accused employee.
 - d. Exonerated: The incident occurred but the accused employee acted lawfully and properly.
 - e. Misconduct Not Based On Complaint: An allegation not included in the complaint was substantiated by the investigation.
10. The accused will be asked to respond to the allegations if the complaint is sustained or other misconduct not based on the complaint is found.
11. Internal investigations should be completed within twenty (20) working days. This does not include the review period unless exigent circumstances exist. The Undersheriff will determine these circumstances.
12. Upon review by the accused employee's Division Commander, the investigation will be forwarded to the Undersheriff with recommendations for further investigation or final action.
13. Accused employees will be notified in writing at the conclusion of the investigation. This notification will include the following:
 - a. findings of the allegation.
 - b. a brief statement summarizing the allegation as it relates to policy violation.
 - c. intent of disciplinary action, if any.
14. Name-Clearing Process:
 - a. After the notice, the accused employee will be given the opportunity to respond either orally or in writing. This response will be to the Undersheriff.
 - b. Upon hearing the response, the Undersheriff will reasonably weigh the response in light of the circumstances of the incident.
15. A notice of the final findings and recommendations will be presented to the accused employee.
16. **Appeal Process:**
 - a. The accused employee will have three (3) working days to request an appeal to the findings or intended disciplinary action. The request will be in a written form containing the basis for the appeal. The request will be sealed in an envelope and submitted to the Undersheriff. The Undersheriff will set an appointment for the appeal with the Sheriff. The employee will receive written notice of the date, time and location of the appointment.
 - b. Legal Representation: Employees who desire legal representation during the appeal process may do so at their own expense. The legal representative will not use the appeal process for the purpose of challenging policies or procedures. The legal representative and the employee will follow the following guidelines:
 - i. The Sheriff or Undersheriff will set the appeal date.

Employee Response

Notice of Findings

Name-clearing Hearing

Appeal

- ii. The expense of legal representation falls on the employee requesting the appeal.
- iii. The employee or their legal representative may provide an opening statement. At the conclusion of the opening statement, the discussion will be limited to the Sheriff or Undersheriff and the employee unless the Sheriff or Undersheriff invites comment from the legal representative. During this discussion, the legal representative will not interfere in any manner during the appeal or answer any questions for the employee or cross-examine the employee, the Sheriff, the Undersheriff or anyone present.

Notice to Complainant

- 17. Notification Of Complainant: Upon completion of the investigation and approval of the Undersheriff, the complainant shall be notified in writing of the results of the investigation. The investigating authority will complete this letter. A copy of the letter will be placed in the personnel file. This applies to all levels of investigation.
- 18. Records:
 - a. Internal affairs investigation documentation will be considered confidential.
 - b. Employees will not be authorized to review these documents.
 - c. Active employees may inquire as to their own internal affairs history. They will be provided the following:
 - i. Date of the investigation.
 - ii. Case number
 - iii. Allegations
 - iv. Findings of the investigation
 - v. Disciplinary action taken, if any.

B. CLASSIFICATION OF THE COMPLAINT:

- 1. LEVEL I: Serious policy violations such as but not limited to: discrimination, sexual harassment, violations of criminal or civil law, use of force violations, employee against employee complaints, repeated Level II & III sustained complaints.
 - a. Time Limitations: Complaints of this nature will be accepted indefinitely.
 - b. Investigating Authority: Internal investigation supervised by the Undersheriff.
- 2. LEVEL II: Policy violations such as but not limited to: disobedience of orders, poor/improper performance of duty, willful misconduct and repeated LEVEL III complaints.
 - a. Time Limitations: Complaints of this nature will be accepted up to 180 days after the act.
 - b. Investigating Authority: Accused employee's immediate supervisor or an investigator appointed by the Undersheriff.

3. LEVEL III: Courtesy complaints of rudeness, disrespect, impartiality, procedural complaints specifically relating to the employee's duty assignment, handcuffing, traffic stops, supervisory issues such as tardiness, minor procedural errors, traffic accidents, failure to show up for court, minor sick time abuse.
 - a. Time Limitations: Complaints of this nature will be accepted up to 90 days after the act.
 - c. Investigating Authority: Accused employee's immediate supervisor. If an employee has three or more LEVEL III complaints within any one-year period, the complaint should be investigated as a LEVEL II complaint.

C. CONSIDERATIONS:

1. Cooperation: Employees shall cooperate fully in any internal administrative investigation conducted by this agency or any other authorized agency and shall provide complete and accurate information in regard to any issue under investigation.
2. Confidentiality:
 - a. Employees will not discuss or attempt to solicit any details concerning a matter under investigation.
 - b. Internal Investigations will be treated in strict confidence. This information will not be disseminated and will be used on a need to know basis only. The exception would be when it is for the good of the Office.
3. Interviews:
 - a. Before interviewing any accused employee, the employee will be given a Garrity Advisement that he/she will read, have explained and sign. In an interview with an employee, the questions shall be narrowly and directly related to the matter under investigation or in reference to a performance of duty issue.
 - b. The investigator and the accused employee may record the contents of the interview or request an audiotape copy of the interview if recorded by the investigator. The Office will not be responsible for any of the cost associated with the request.
 - i. If the accused employee chooses to tape an interview, he will advise the interviewer of the taping prior to recording.
 - ii. If the taped interview is transcribed, the accused employee may receive a copy of their interview.
 - c. An accused employee may have legal representation present during the interview. The cost of representation will be at the employee's cost and the legal representative will comply with the following guidelines:
 - i. will not interfere with any portion of the actual interview.
 - ii. will not answer any questions for the accused employee.
 - iii. will not cross-examine the accused employee or the authority conducting the interview.
 - iv. if the legal representative has procedural questions for the investigator, those should be asked after the interview.

- d. An employee may be ordered, at any time, to truthfully answer questions and cooperate with an internal investigation.
 - e. Employees will be interviewed on duty whenever possible. A log of all employees interviewed during off duty hours will be maintained. After the investigation is complete, all Office employees who were involved in the investigation on their off duty hours will be entitled to compensation.
 - f. If criminal violations are apparent, the investigator will immediately notify the Undersheriff.
4. Searches:
- a. Upon reasonable suspicion that a crime or Level I or II policy violation has occurred or is occurring, an employee may be ordered to submit to a blood test, urine test, breath test, lineup, voice print, handwriting exam, have photos taken, or other non-testimonial evidence test. Refusal to submit can result in disciplinary action up to and including dismissal. If criminal prosecution of the employee is contemplated, the employee shall be entitled to counsel or other representation where provided by law.
 - b. Office property, such as vehicles, work areas, workstations or lockers may be searched without consent at any time even if assigned to or used exclusively by a single employee. An employee's personal property located in the areas described above shall be subject to search and seizure without probable cause or a warrant where required by law.
 - c. Office communication equipment may be monitored at any time and under conditions permitted by law.
5. Administrative Leave: the accused employee's Division Commander or the senior supervisor in the chain of command may order administrative leave. The Undersheriff will be notified of the action and reasons on the next duty day. The following circumstances may be considered in determining if administrative leave is appropriate. The accused employee:
- a. is pending disciplinary action and the Division Commander determines that the employee would cause a disruption to the good order of the Office.
 - b. has used his/her firearms in the performance of duty.
 - c. is involved in a serious accident involving a county vehicle.
 - d. is not fit for duty due to alleged drug or alcohol use, or some other physical impairment.
 - e. has been accused of a serious offense or crime and an investigation is pending.
6. Suspension Without Pay: Only the Sheriff or Undersheriff can order Suspension without pay. The following circumstances may be considered in determining if the accused employee should be placed on suspension without pay:
- a. If the accused employee has pending criminal charges or criminal action.
 - b. If the accused employee engaged in misconduct that would endanger the public's trust in the employee if he remained on duty.

- c. Under other circumstances that the Sheriff or Undersheriff find appropriate.
- d. Employees on suspension status shall not wear the Sheriff's Office uniform, carry the badge or ID card, carry a concealed weapon or exercise law enforcement powers until returned to full duty.

D. DISCIPLINARY RANGES:

- 1. LEVEL I complaints may carry any of the following disciplinary actions or any combination of them.
 - a. Letter of counseling
 - b. Remedial training
 - c. Letter of reprimand
 - d. Probation
 - e. Suspension without pay, not to exceed thirty (30) days
 - f. Disciplinary demotion
 - g. Termination
- 2. LEVEL II complaints may carry any of the following disciplinary actions or any combination of them.
 - a. Letter of counseling
 - b. Remedial training
 - c. Letter of reprimand
 - d. Probation
 - e. Suspension without pay, not to exceed ten (10) days
- 3. LEVEL III complaints may carry any of the following disciplinary actions or any combination of them.
 - a. Letter of counseling
 - b. Remedial training
 - c. Letter of reprimand
 - d. Probation



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: ATTENDANCE RECORDS AND POLICY		Policy No: 315
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide a structure for the monitoring, managing and controlling employee attendance and for the lawful and proper completion and retention of attendance records.
- II. DEFINITIONS:**
- ATTENDANCE RECORDS:** Approved forms for recording the attendance and hours worked by employees.
 - BOCC:** Morgan County Board of County Commissioners.
 - COMPENSABLE HOURS:** Other hours considered hours worked such as vacation, sick time, holiday hours and training hours.
 - EXEMPT:** Employees classified by the Sheriff as administrative or executive employees. Normally the ranks of Lieutenant and above are considered exempt employees.
 - EXTRA DUTY:** Hours worked for an established rate of pay such as security and DUI grant time.
 - FLSA:** Fair Labor Standards Act. [29 USC 207(a)] Federal law regulating wages and work hours.
 - HOURS WORKED:** Includes all hours, include exact minutes worked in the performance of an employee's duties. This does not include contract or grant extra duty.
 - NON-EXEMPT:** Employees classified by FLSA as non-administrator or non-executive employees.
 - ON-CALL:** Those times where an employee is directed to be prepared to respond to a work related event with little or no notice.
 - OVERTIME:** Work performed in excess of 40 hours in one week (Non-law enforcement) or 171 in a monthly pay period (Law enforcement) or as otherwise established by state law.
 - SALARIED HOURS:** Non-sworn seven (7) day cycle is 40 hours and sworn employees on a twenty-eight day cycle will be 171 hours.
 - TIME EARNED:** Those hours actually worked by non-exempt employees.
 - WORK CYCLE:** Attendance record cycle of seven (7) days for non-sworn and twenty-eight days for sworn employees.
- III. POLICY:** It is the policy of the Office that each Division Commander track and submit all hours worked, overtime, vacation, sick and other leave, as necessary, of employees under his/her supervision.

PROCEDURES:

A. GENERAL:

1. Reporting for Duty:
 - a. Employees shall report for duty at the time and place required by assignment (which may include briefing periods), schedule or orders, including judicial subpoenas, notice of hearing, and off-duty law enforcement related employment. Employees should be ready to begin duties at the shift start time.
 - b. Physically/Mentally Prepared: An employee shall be physically and mentally fit to perform all duties.
 - c. Employees shall be properly equipped and cognizant of information required for the proper performance of duty.
2. Illness or Injury Reporting/Sick Time Use:
 - a. Employees shall, if possible, personally report their absence due to illness or injury at least 8 hours prior to the start of each scheduled shift. Employees shall report their absence to their immediate supervisor or designee and may be asked to supply a telephone number where they may be reached.
 - b. Employees shall not feign illness or injury, falsely report themselves ill or injured or otherwise deceive or attempt to deceive any employee of the Office as to the condition of their health.
 - c. If any employee misses three (3) consecutive days of work because of illness or injury, a written release by the employee's doctor is required before returning to work.
 - d. If an employee has missed 40 hours or more in any rolling 12-month period, the appropriate Division Commander can request a written release by the employee's doctor before returning to work.
 - e. If an employee has missed 40 hours or more in any rolling 12 month period, the Undersheriff can require a fitness for duty evaluation to determine if the employee is still physically able to perform the required duties of the employee's job.
 - f. Reporting sick leave on a time sheet when the missed work doesn't fall into the allowed sick leave uses allowed by policy, should be considered falsifying that time sheet and subject to disciplinary action.
3. Overtime:
 - a. Reporting, recording and analysis. The appropriate supervisor shall approve all overtime worked.
 - b. Monitoring. Division commanders and supervisors shall monitor individual and summary data of overtime expenditures.
 - c. Management.
 - i. No task or function shall be performed on overtime that could otherwise be performed during regular work hours.
 - ii. Supervisors shall establish and hold personnel responsible for a level of performance during standard work hours that minimizes the need for overtime and/or the need for additional personnel.
 - iii. Only overtime required to meet vital service demands shall be authorized.

- iv. All tasks and functions that require the use of overtime shall be routinely evaluated in terms of their cost effectiveness. Alternatives to the use of overtime pay to accomplish these tasks shall be evaluated and implemented where appropriate.
- v. All overtime must receive advance authorization unless unreasonable due to emergency overtime.
- vi. Supervisors and command staff shall take measures and issue directives where reasonably possible to reduce or limit the demand for overtime.

B. ATTENDANCE RECORDS:

- 1. An attendance record form will be maintained for each non-exempt and exempt employee.
- 2. Each employee is responsible for the initial recording of work times whether by time clock, log or radio traffic.
- 3. When an employee performs compensable work outside of their assigned position, it is the responsibility of the employee to have had those hours pre-approved by the Division Commander and to report that those hours were actually worked to the Division Commander.
- 4. The respective Division Commander will maintain copies of the attendance records.
- 5. All hours worked or compensable hours will be recorded on the appropriate attendance record.
- 6. On-call times will be recorded on the employees daily activity log.
- 7. The employee will be required to verify and sign the record at the end of each work cycle.
- 8. Records will contain the following categories of time worked:
 - a. Actual hours worked
 - b. On-call hours
 - c. Training
 - d. Court
 - e. Sick leave
 - f. Vacation
 - g. Holiday

C. HOLIDAY TIME:

- 1. The BOCC authorizes the amount holiday time and its allocation. This is subject to change.
- 2. Employees that normally work a 5/2 schedule and are normally off on observed holidays should be granted their holiday on the observed holiday.

D. ON-CALL TIME:

- 1. There are two forms of on-call.
 - a. Immediate Response. This form of on-call is generally involves patrol operations where a deputy will be required to immediately respond to a call for service or assistance. The time frame is normally those hours preceding or following the deputy's duty shift. This response would normally be in uniform and in a patrol

vehicle. The on-call deputy is required to have his pager, uniform and patrol vehicle immediately available to him.

- b. Timed Response. This form of on-call is generally involves investigations where an investigator will be required to respond within a reasonable amount of time based on a call for assistance. The on-call period may range from one day, one week, or one month. The uniform and vehicle would be flexible.
- c. Supervisory Response. This form of on-call generally involves staff grade personnel where they would be available to answer questions and possible respond to a scene if necessary. The pager is mandatory but there are no uniform or vehicle requirements.

E. EXEMPT EMPLOYEES:

- 1. Will be permitted to work volunteer hours without compensation.
- 2. Except as authorized by the Sheriff or Undersheriff and the BOCC, they will not be compensated for overtime hours worked.

F. RECORD RETENTION: Attendance records will be kept for the time required by the direction of the State Archivist.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: REQUESTS FOR LEAVE		Policy No: 316
Effective Date:	Reference:	
Standards:		

I. PURPOSE:

- A. To provide guidance on the use of leave and the regulation that may apply to the different types of leave.
- B. To provide and insure equal treatment of any employee who is active or enlisting in a military reserve unit that will require future leave.
- C. To provide guidance on issues relating to the Family Medical Leave Act.

II. DEFINITIONS:

FMLA: Family and Medical Leave Act

RESERVE COMPONENT: Army and Air National Guard and all branches of the Armed Forces Reserves.

RESERVIST: Any employee of the Office who is a member of a Reserve Component.

III. POLICY:

- A. The Office encourages employees to use that time made available to them by State and Federal Law and authorized by the BOCC. The Office will provide guidelines for the request of leave time.
- B. It will also to insure compliance with Federal law concerning employees who are reservists and veterans' re-employment rights. (Public Law 93-508; Veteran's Re-employment Rights Act, VRR, Chapter 43, Part III of Title 38, US Code)
- C. It is the policy of the Office to comply with the provisions of the Family and Medical Leave Act.

IV. PROCEDURES:

A. VACATION:

1. Employees will attempt to submit a vacation request to the Division Commander thirty (30) days prior to the time off so that there is adequate time to assure that shifts are covered. Vacation is scheduled based on Office obligations. The amount of vacation time taken will be determined by the amount the employee has accrued, as of the date the vacation will be begin.
2. The order that the requests are submitted will usually be the priority consideration for granting vacation requests. If two or more requests are submitted at the same time, seniority and vacation already taken or requested will be considered.
3. Vacation time will be calculated in hours based on the normal shift schedule.

B. LEAVE OF ABSENCE:

1. Leave of absence without pay must be approved by the Sheriff.
2. Leave of absence without pay is governed by the rules of County Policy.
3. Employees requesting a leave of absence without pay will submit a memorandum through their chain of command to the Sheriff.

C. **ARMED FORCES** OR RESERVE DUTY:

1. EMPLOYEES AND APPLICANTS WHO ARE ACTIVE RESERVISTS:
 - a. Any person who seeks or holds a position in the Office will not be denied hiring, retention in employment, promotion, training opportunities, entitlements, or any other “incident or advantage” of employment because of any obligation as a reservist.
 - b. Employees who are reservists shall be granted leave of absence, not exceeding 15 days in any calendar year, without loss of pay, seniority, status, efficiency rating, vacation, sick leave, or other benefit during the time when he/she is engaged in training or active service ordered or authorized by proper authority.
 - i. Reservists will submit a request, in writing, for leave as soon as he knows the dates of the training.
 - ii. The appropriate military orders will be submitted with the request or as soon as they become available.
 - iii. The reservist cannot be denied the opportunity to take vacation just prior to or after reserve duty so long as the vacation would fall in normal vacation rotation.
 - c. Reservists shall, upon request, be granted time off from work for the period required to perform active duty training (summer camp, schools) or inactive duty training (drills).
 - i. The law places no limit on the duration or frequency of military training.
 - ii. Reservists will submit a request, in writing, for leave as soon as he knows the dates of the training.
 - d. Reservists must return to work at the beginning of the next scheduled workday after the completion of training plus travel time. Failure to report for work at the proper time will subject the reservist to the normal sanctions for that infraction.
 - e. When drill dates fall on scheduled work days, the reservist will be allowed to make up the time missed in accordance with the following stipulations:
 - i. Switch workdays with an employee that is willing to do so.
 - ii. Work scheduled days off.
 - iii. Not to exceed three (3) days in any one month.
 - iv. Use holiday or comp time to offset that time missed.
 - f. Reservists cannot be required to use vacation time to attend military training, however the employee can request that vacation be used.
2. RE-EMPLOYMENT RIGHT FOR VETERANS RETURNING FROM ACTIVE DUTY:

- a. Employees who leave a position for the purpose of enlisting for active duty in the United States Armed Forces will have re-employment rights. With the following conditions:
 - i. The period of active duty does not exceed four (4) years with a possible one- (1) year extension.
 - ii. The employee returns after an honorable discharge.
 - iii. The employee must apply for re-employment within ninety (90) days after discharge.
 - iv. The employee is still qualified to perform the duties of his/her former position.
 - v. The employee shall be restored with seniority, status and rate of pay of the former position.
 - vi. If not qualified because of disability, he/she still has the right to re-employment in an open position that he/she is qualified for.
 - b. An employee re-employed in accordance with this policy shall be entitled to the benefits available to the other employees in this position.
 - c. An employee re-employed under this policy shall not be discharged without cause within one (1) year.
3. RE-EMPLOYMENT RIGHTS FOR EMPLOYEES WHO ON INITIAL ACTIVE DUTY FOR TRAINING UPON FIRST JOINING THE NATIONAL GUARD OR RESERVES: Employees who join a Reserve Component and are ordered to basic training and later advance individual training, shall have re-employment rights if the following criteria are met:
- a. The training period was not less than twelve (12) weeks and it was completed satisfactorily.
 - b. The employee reapplies for employment within 31 days after release from training.
4. EMERGENCY CALL UP FOR THE COLORADO NATIONAL GUARD:
- a. Employees who are in the Colorado National Guard will be granted leave for the period they are called to active duty.
 - b. They will submit a request for absence as soon as possible upon call for duty.
- D. FAMILY MEDICAL LEAVE: Pursuant to the Family and Medical Leave Act of 1993, an "eligible" employee may be granted a total of twelve (12) weeks of leave in a twelve (12) month period for certain circumstances outlined below. The twelve-month period begins on the first date the employee's FMLA leave is taken and is measured forward 12 months from that initial date. An employee who utilizes up to twelve weeks of FMLA leave and returns to employment is entitled to restoration to the same position or to one equivalent in pay, benefits and other terms and conditions of employment.

1. An "eligible" employee is one who has been employed with Morgan County for at least twelve months prior to requesting or being placed on FMLA leave. FMLA leave of absence may be taken for the following events:
 - a. Birth, adoption or foster care placement of a child;
 - b. Care of the employee, employee's spouse, child or parent with a "serious health condition." A "serious health condition" is defined as:
 - i. any period of incapacity or treatment in connection with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - ii. any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment or supervision by a health care provider; or
 - iii. continuing treatment or supervision by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity of more than three calendar days; or for prenatal care.
2. In the event both spouses are employed by the County, each employee is entitled to twelve weeks of FMLA leave, except for FMLA leave requested for the birth, adoption or foster care placement of a child. In that event, FMLA leave for both spouses combined is limited to a total of twelve weeks of leave.
3. FMLA leave may be taken intermittently, which means taking leave of absence in blocks of time, or by reducing the normal weekly or daily work schedule, whenever it is medically necessary to care for a seriously ill family Employee, or when the employee is seriously ill and unable to work. If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to approval by the Sheriff or Undersheriff.
4. Employees must first have exhausted all accrued leave prior to being granted unpaid FMLA leave. No vacation, sick leave or personal day accrues during any unpaid FMLA leave.
5. An employee requesting FMLA leave or determined to be eligible for FMLA leave will be required to provide:
 - a. a completed Application for FMLA Leave, signed by the Sheriff or his designee; and
 - b. a completed and signed physician certification form, if the need for FMLA leave is due to a serious health condition of the employee or family Employee. All FMLA leave documentation will be deemed confidential and placed in a file separate from the employee's personnel file.
6. An employee is required to provide at least thirty (30) days advance notice of the need to take FMLA leave when the leave is foreseeable, such as for the birth, adoption or placement of a child or planned medical treatment for the serious health condition of the employee or family Employee.

7. An employee on FMLA leave may be required to provide to the Office periodic reports concerning their status and intent to return to work. In addition, the Office may require the employee to undergo additional medical examinations and periodic re-certifications at the Office expense while the employee is on FMLA leave.
8. During FMLA leave, the employee's health coverage, if any, will be continued. If FMLA leave is unpaid, arrangements will be made for the employee to pay for the employee's share of the insurance premium while on leave. Premiums must be paid with certified funds payable to Morgan County. Continuation of voluntary life insurance also is available; however, the employee must pay the required amount during unpaid FMLA leave with certified funds payable to Morgan County.
9. Employees on leave due to their own serious health condition and who have accrued leave in excess of twelve weeks will be placed on a paid medical leave of absence by the Office for at least the duration of their accrued leave.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: TELEPHONE USE		Policy No: 317
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide guidance on the use of telephones and ensure that the service given through telephone communications is one of professionalism, courtesy and helpfulness.
- II. **DEFINITIONS:** None
- III. **POLICY:** Employees shall, when using phone service, incorporate practices that best accomplish the ideals of the Office.
- IV. **PROCEDURES:** The procedures involving the use of wired and cellular phones are markedly different since the nature of the use is remarkably different. The wired phone will have a phone number associated with it that readily identifies it to the client as being associated with the Office. The cellular phones that are presently in use by the Office are not readily available to the citizenry and hence not subject to direct contact with the public on an incoming call basis. Etiquette for wired phone use will be accomplished as follows.
 - A. **PHONE ANSWERING:** The employee shall courteously identify the office, and where appropriate, their name.
 - B. **CELLULAR PHONE USE:** Conversations shall be restricted to brief necessary communication.
 1. Use of the cellular phone is to enhance call/case resolution and foster goodwill through direct phone contact with the citizenry that we serve.
 2. Use of cellular phones creates a financial responsibility for the Office. Personal use should be drastically limited. Excessive use for personal calls can result in the employee being held responsible for the cost of personal calls. Disciplinary action may be warranted after warning or excessive use.
 3. Any phone use between an employee and a citizen that results in the initiation of a contact shall be radioed to dispatch as to its address and nature per Office protocol.
 4. Cellular phone use can cause significant distraction while driving. It is encouraged that an employee using the phone while driving should pull over and stop to complete a call.
 - C. **RECORDED NUMBERS:** Some telephones within the Office may be recorded. This also includes an automated listing of numbers called from any phone within the facility.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: LINE OF DUTY INJURY/DEATH/SURVIVOR SUPPORT		Policy No: 318
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To provide guidance for the handling of a duty death or serious injury.
- II. **DEFINITIONS:**
LIAISON EMPLOYEE: An employee appointed to assist the family of an employee seriously injured or killed in line of duty.
- III. **POLICY:** This policy is meant to support families of employees who die or are injured in the line of duty and to prepare the Office to handle surviving families as professionally and compassionately as possible. It is to be used as a guide in dealing with spouses and families, and to provide a standard of professionalism in critical incidents.
- IV. **PROCEDURES:**
 - A. **INITIAL ASSIGNMENT OF A LIAISON EMPLOYEE:**
 1. The appropriate Division Commander should assign a Liaison Employee from the ranks as soon after the incident as possible. The purpose of this is to provide the family assistance with paperwork, benefits and questions that they might have.
 2. This employee should have a pager to be contacted, at any time, by the family, and to assist with any diversion of the media. Liaison Employees should be at the hospital at the time of the incident, and provide a liaison between the family and medical staff, if necessary.
 3. The Liaison Employee can also assist with information to the family on how the Office will proceed with the investigation, arrests, and trial, as well as the Office's wishes for any involvement in the funeral, which comes secondary to the wishes of the family.
 - B. **GUIDELINES FOR NOTIFICATION OF THE SPOUSE:**
 1. Division Commanders will arrange for two (2) employees (preferably one (1) who knows the family) to make **personal notification** and provide any assistance required.
 2. It is preferable to transport the spouse or family employee or to arrange for transportation.
 - C. **GUIDELINES FOR ASSISTING THE FAMILY AT THE HOSPITAL:**
 1. A Staff level employee should be at the hospital when the spouse arrives.

2. There should be a medical update for the family as soon as they arrive.
3. This medical update may be performed by hospital personnel when certain hospital policies are in question. This may include visitation with the injured employee, and/or visitation with the body following the demise and an explanation of why an autopsy may be necessary.
4. Arrange for all medical bills to be forwarded to the office. None should go to the injured or deceased employee's residence.
5. Arrange transportation for the family back to their residence.

D. SUPPORT OF THE FAMILY DURING THE WAKE AND FUNERAL:

1. This is an important time for the Liaison Employee. The Liaison Employee will meet with the family and let them know what his/her responsibilities will be during this time.
2. The Liaison Employee should provide as much assistance as possible. Know information concerning the investigation and death to answer family questions. Help screen media calls or interviews.
3. Let family know of possible Office wishes for the funeral, (21 gun salute, Honor Guard, etc.). Suggest, if appropriate, a church large enough to accommodate attendance at the funeral.
4. Make available Office vehicles if they desire transportation to the funeral and back home. Make available support groups such as the Office counselors for help immediately following the death. This is not for long term therapy.
5. Provide routine residence checks on the survivor's home for several weeks. There is often large amounts of money passing through the residence, and survivors are spending a good deal of time away on legal matters. Check with survivors for any possible harassing phone calls that they may have received.
6. If criminal violations surround the death, the family should be informed of all new developments prior to any press release.
7. If there will not be any court proceedings surrounding the circumstances of the employee's death, at its earliest opportunity, the office should relay all details of the incident to the family.

E. PROVIDING INFORMATION AND ASSISTANCE ON BENEFITS:

1. The Liaison Employee, or a Benefit Coordinator should gather information on all benefits and/or funeral payments available to the family.
2. The Liaison Employee must have the Office's support in filing appropriate paperwork for insurance policies, and other death benefits.

3. The Liaison Employee must follow through to insure that these benefits have been received.
4. The Benefits Coordinator should visit with the family to discuss the benefits they receive within a few days following the funeral.
5. A written list of benefits and/or funeral payments, listing of named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefits should be provided.
6. This procedure should be repeated within a month following the initial contact to ensure the family understands the benefits. Another check should be made in about six (6) months to make sure the family is receiving or has received every payment possible.
7. The Benefits Coordinator should pay special attention to the problems with revocation of health benefits to the family. Many are given a 30 day grace period before being canceled from the coverage or of being responsible for monthly payments for coverage.
8. If there are children from a former marriage, the guardian should be informed of what benefits the child or children will be receiving.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: EMPLOYEE ALCOHOL/DRUG USE POLICY & DRUG TESTING PROGRAM		Policy No: 319
Effective Date: 7-16-03	Reference: CTSI	
Standards:		

- I. PURPOSE:** To provide all Office employees with notice of the provisions contained in the Office drug-testing program.
- II. DEFINITIONS:**
- DRUG TEST:** The compulsory production and submission of urine by an employee in accordance with Office procedures, for chemical analysis to detect prohibited drug usage.
- EMPLOYEE:** All applicants, probationary, sworn, and non-sworn employees, reserves, posse members, volunteers, search and rescue, and dive team members.
- RANDOM DRUG TESTING:** Used to refer to an unpredictable method of referring a portion of all employees for drug testing on a random neutral selection process that ensures that all employees have an equal possibility of being selected for the random testing.
- REASONABLE SUSPICION:** That quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inferences from those facts about the conduct of an individual that would lead the reasonable person to suspect that the individual is or has been using or is under the influence of drugs while on or off-duty.
- SUPERVISOR:** Those employees assigned to a position having day-to-day responsibility for supervising subordinates, or who are responsible for commanding a work element.
- III. POLICY:** It is the policy of the Office that the critical mission of law enforcement justifies the expectations of a drug-free work environment through the use of a reasonable suspicion employee drug-testing program. The law enforcement profession has several uniquely compelling interests that justify the use of employee drug-testing. The public has a right to expect that those who protect them and serve them are, at all times, both physically and mentally prepared to assume these duties. There is sufficient evidence to conclude that the use of controlled substances, and other forms of drug abuse will seriously impair an employee's physical and mental health, and thus, their job performance. If law enforcement officials participate in illegal drug use and drug activity, the integrity of the law enforcement profession and community confidence is destroyed. This confidence is further eroded by the potential for corruption created by drug use. Therefore, in order to ensure the integrity of the Office, and to preserve public trust and confidence in a fit and drug-free law enforcement profession, this Office shall implement a drug testing program to detect prohibited drug use by its employees.

IV. PROCEDURE:

- A. Prohibited Activity: The following rules shall apply to all employees, while on and off duty:
1. No employee shall illegally possess any controlled substance.
 2. No employee shall ingest any controlled or other dangerous substance, unless prescribed by a licensed medical practitioner and used in the manner prescribed.
 - a. Employees shall notify their immediate supervisor when required to use medicine that they have been informed, are aware or should have been aware has the potential to impair their job performance. The employee shall advise the supervisor of the known side effects of the prescribed medication and the prescribed period of use.
 - b. The supervisors shall document this information through the use of a memorandum and forward it through the chain of command to their Division Commander who shall determine whether the employee will be permitted to work in their assigned duty.
 - c. The employee may be temporarily reassigned to other duties, where appropriate or placed on sick leave.
 3. Any employee having a reasonable basis to believe that another employee is illegally using, or in possession of any controlled substance shall immediately report the facts and circumstances to their supervisor.
 4. Violation of this policy may result in disciplinary action up to and including dismissal.
 5. Employees will not drink alcoholic beverages while on-duty, either in or out of uniform, except in an approved performance of duty (e.g., undercover duty).
- B. Use of Alcohol Off-Duty:**
1. Employees, while off-duty, shall refrain from consuming intoxicating beverages to the extent that the consumption results in behavior which tends to discredit the Sheriff's Office or renders them unfit to report for the next tour of duty.
 2. Employees shall not publicly consume alcoholic beverages in uniform or in partial uniform where association with the Sheriff's Office is apparent.
 3. In a public place, off-duty employees shall not possess any type of firearm while consuming intoxicating beverages.
- C. Applicant Drug-Testing:
1. Applicants applying for a position within the Office shall be required to take a drug test as a condition of employment during a pre-employment medical examination.
 2. Applicants shall be disqualified from further consideration for employment under the following circumstances:
 - a. Refusal to submit to a required drug-test; or
 - b. A confirmed positive drug-test indicating drug use prohibited by this policy.

- D. Employee Drug Testing: Employees will be required to take drug tests as a condition of continued employment in order to ascertain prohibited drug use, as provided below:
1. A supervisor may order an employee to take a drug test upon reasonable suspicion that the employee is or has been using drugs. A summary of the facts supporting the order shall be made available to the employee prior to the actual test.
 2. Testing done immediately after any traffic accident.
 3. At anytime during an administrative/internal investigation. This could include incidents such as an officer involved shooting or an accident involving serious bodily injury.
 4. Random testing is regularized period testing of all employees conducted in compliance with a valid neutral selection process.
- E. Drug-Testing Procedures:
1. No drug or alcohol testing is conducted without an employee's consent, but refusal to provide a sample within the required time frames will be considered a positive drug test followed by appropriate disciplinary action(s).
 2. The testing procedures and safeguards provided in this policy are to ensure the integrity of this Office and shall be adhered to by any personnel administering drug tests.
 3. Testing personnel shall conduct a pre-test interview with each employee in order to ascertain and document the recent use of any prescription or non-prescription drugs, or any indirect exposure to drugs that may result in a false positive test result.
 4. The bathroom facility of the testing area shall be private and secure.
 - a. Authorized testing personnel shall search the facility before an employee enters it to produce a urine sample, and document that it is free of any foreign substances.
 - b. Testing personnel of the same sex as the employee shall observe production of the urine sample.
 5. If the employee appears unable or unwilling to give a specimen at the time of the test, testing personnel shall document the circumstances on a drug-test report form. The employee shall be permitted no more than two hours to give a sample, during which time he/she shall remain in the testing area, under observation. Reasonable amounts of water may be given to the employee to encourage urination. Failure to submit a sample shall be considered a refusal to submit to a drug test.
 6. Employees shall have the right to request that their urine sample be split and stored in the event of a legal dispute. The urine samples must be provided at the same time and marked and placed in identical specimen containers by authorized testing personnel. One sample shall be submitted to immediate drug screening.
 7. If a positive result occurs, the specimen samples shall be sealed and labeled. Samples shall be delivered to the testing lab representative usually by mail.

8. Whenever there is a reason to believe that the employee may have altered or substituted the specimen to be provided, a second specimen shall be obtained immediately under direct observation of the testing personnel.
9. With random testing, in the event a selected employee is on vacation, sick leave or otherwise not at work, another random selection may be substituted or the first drawn employee may be tested when the employee returns to work.

F. Drug-Testing Confirmation:

1. The testing or processing phase shall consist of a two-step procedure:
 - a. initial screening test, and
 - b. confirmation test.
2. The urine sample is first tested using the initial drug screening procedure. An initial positive test result will not be considered conclusive; rather, it will be classified as "confirmation pending." Notification of test results to the Undersheriff shall be held until the confirmation test results are obtained.
3. A confirmatory test will be conducted after a positive initial screening result. The confirmation procedure shall be technologically different and more sensitive than the initial screening test.
4. The drug screening tests selected shall be capable of identifying marijuana, cocaine, and every major drug of abuse, including heroin, amphetamines and barbiturates. Personnel utilized for testing will be adequately trained in collection procedures.
5. Concentrations of a drug at or above the following levels shall be considered a positive test result by using a technologically different method than that used in the initial screening:

Confirmatory Test	(Level ng/ml)
Marijuana Metabolite	15 (1)
Cocaine Metabolite	150 (2)
Opiates:	
Morphine	300
Codeine	300
Phencyclidine	25
Amphetamines:	
Amphetamine	500
Methamphetamine	500

6. The laboratory selected to conduct the analysis shall be experienced and capable of quality control, documentation, chain-of-custody, technical expertise, and demonstrated proficiency in urinalysis.
7. Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. If the employee requests such, a copy of the letter will be placed in the employee's personnel file.

8. Adulterated and/or tampered samples will be considered a positive drug test and treated as such.
 9. Any employee who breaches the confidentiality of testing information shall be subject to discipline.
- G. Chain of Evidence-Storage: Each step in the collecting and processing of the urine specimens shall be documented to establish procedural integrity and the chain of custody.
- H. Drug-Test Results: All records pertaining to department required drug tests shall remain confidentially placed in the Undersheriff's possession and shall not be provided to other employers or agencies without the written permission of the person whose records are sought.

REASONABLE SUSPICION FORM

Name of Employee:	
Date of Observation:	Time:
Location:	

OBSERVATIONS

Behavior	✓	Visual	✓	Audible	✓	Smell	✓
Unsteady, stumbling		Flushed face		Slurred speech		Frequent use of mints, mouthwash, eye drops	
Agitated, anxious		Profuse sweating		Exaggerated		Alcohol	
Unusually hostile, joyful		Red eyes		Incoherent		Marijuana	
Drowsy, sleepy		Tearing, watery eyes		Loud, boisterous		Body odor	
Irritable, moody		Dilated pupils		Rapid, pressured			
Depressed, withdrawn		Constricted pupils		Excessively talkative			
Unresponsive, distracted		Unfocused, blank stare		Nonsensical, silly			
Clumsy, uncoordinated		Hair/clothing disheveled		Cursing, inappropriate speech			
Tremors, shakes		Unkempt grooming		Suspicious, paranoid			
Inappropriate, uninhibited behavior		Flu-like illness					

Notes:

Evaluator Name:	Signature:	Date:
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MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: EMPLOYEE GRIEVANCES		Policy No: 320
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish policy concerning the appropriate handling of employee grievances in a quick and equitable manner.
- II. **DEFINITIONS:**
 - GRIEVABLE: Issues that fall into categories that can be redressed by an employee through a formal process.
 - GRIEVANCE: A formal complaint on the part of an employee, that an action or omission violates the Office Policy in such a way as to adversely affect the employee.
 - GRIEVANT: The employee that files the complaint.
- III. **POLICY:** The Office shall have a formal and open grievance procedure designed to improve management practices, increase employee confidence and reduce personnel dissatisfaction, coordinated by the Undersheriff.
- IV. **PROCEDURE:** Operational matters such as disagreements over performance appraisals, personality or supervisory/subordinate relationships, FLSA and issues related to the **Americans with Disabilities Act of 1990 (ADA)** are all grievable by a Employee. The grievance procedures are not to be used as an appeal process in disciplinary actions or replace any portion of the disciplinary process.
 - A. Employees with grievances will be encouraged to resolve the matter as close to its point of origin as possible. Grievances will first be addressed to the immediate supervisor. If the grievance concerns the immediate supervisor, the next supervisor in the chain-of-command will receive the grievance for resolution. Grievances must be presented in writing and include a statement of facts and allegation and the harm done along with the remedy or adjustment sought.
 - B. Grievances must be filed within five working days of the incident for which relief is sought. In the event that a series of events or cumulative conduct is grieved, the last single incident may be used as the date of incident leading to the grievance. At each level of the chain-of-command that the grievance is presented for resolution, there will be an additional five working day period for resolution of that grievance.
 - C. Each supervisor receiving a grievance shall acknowledge receipt by noting the time and date, signing the written grievance, then providing the employee with a photocopy of the acknowledgment. The grievance will be analyzed and the facts or allegations investigated. The supervisor must affirm or deny the grievance within a five working day period and identify any adjustment or remedy to be made.

- D. In the event that resolution of the grievance is not met to the satisfaction of either party (supervisor and/or grievant), appeal to the next step in the chain-of-command may be made within five working days, by either party.
- E. The Undersheriff shall be the final authority in grievances and must rule in writing on any appeal within ten days. Prior to a decision on any appeal, the Undersheriff will schedule a meeting with the grievant, for the purpose of determining factual information concerning the grievance. Those in attendance at the meeting shall include the grievant, supervisors involved in the grievance process, and any representative from within the Office selected by the grievant or the Undersheriff.
- F. All original documents concerning grievances will be forwarded to the Undersheriff who is responsible for maintenance, control and security of grievance records. Only the Undersheriff shall have immediate access to grievance records. The grievant shall have access through the Undersheriff to only those grievances that the grievant is directly associated. This will only be for the purpose of review and/or copy.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: ADVERSE WEATHER REPORTING		Policy No: 321
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide guidance to employees for reporting for duty during periods of dangerous or adverse weather conditions.
- II. DEFINITIONS:**
 - ESSENTIAL PERSONNEL:** Patrol deputies, detention specialists, master control operators, and other employees needed to maintain the safety and well being of the public and the incarcerated are considered essential personnel.
 - NON-ESSENTIAL PERSONNEL:** Those personnel not meeting the definition of essential personnel and identified by their Division Commander as non-essential personnel.
- III. POLICY:** As a public service agency, the Office is committed to providing service even during periods of adverse weather. All essential personnel are expected to report to duty on all scheduled duty days regardless of the weather. When all Morgan County Offices are officially closed, non-essential personnel are not required to report.
- IV. PROCEDURES:**
 - A. On days when adverse weather might indicate a possible hazard to the employees, the Sheriff or Undersheriff may announce a partial closure or delayed reporting time. Upon the decision, arrangements for notification of the news media will occur prior to the beginning of the workday.
 - B. All patrol deputies, detention specialists, master control operators, and other employees needed to maintain the safety and well being of the public and the incarcerated are required to report unless personally excused by a supervisor. Essential personnel will be designated by their Division Commanders.
 - C. Non-essential employees are not required to report during adverse weather when Morgan County Offices are officially closed, or when the Sheriff or Undersheriff announces partial closure due to weather. Employees will be advised by phone by their shift supervisor.
 - D. If an employee has a problem getting to work during adverse weather, they should not call Communications. Instead, they should call their supervisor who will determine when the employee must report and/or help make arrangements for alternate transportation.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: OFF-DUTY EMPLOYMENT		Policy No: 322
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To establish policy concerning off-duty employment.
- II. DEFINITIONS:**
OFF-DUTY EMPLOYMENT: Employment for a private person or business, on a full or part-time basis, either compensated or non-compensated, or any employment outside the Office.
- III. POLICY:** Certain occupations inherently conflict with an employee's primary responsibility to the Office. Accordingly, the Office may impose conditions on outside employment or may prohibit it altogether. Determination of the degree of limitation will be based upon the interest of the Office in furthering professionalism, protecting the reputation of the officer and the Office, and ensuring that the Office receives full and faithful service from the officer.
- IV. PROCEDURES:**
- A. ELIGIBILITY REQUIREMENTS:** Employees who fall under the following situations shall not request or participate in off-duty employment if;
1. during the initial observation period or while on probation for any reason, to include OJT/FTO when new to a job/division for nine (9) months; or
 2. on sick leave, administrative leave, injury leave or light duty status; or
 3. on suspension, or have been relieved of duty as a result of a disciplinary action, or pending disciplinary action; or
 4. has failed to report the off-duty employment to their Division Commander; or
 5. ineligible to work the employment based on the employment's duties; or
 6. if it would interfere with the scheduling or duty status; or
 7. if it would occur while the employee is on scheduled on-call status; or
 8. where a conflict of interest exists. Any actual or potential conflict or interest shall be brought to the attention of the employee's Division Commander.
- B. OFFICE APPROVAL REQUIRED.** Employees who wish to accept outside or part-time employment shall first notify their Division Commander. Notification shall be in memo form at least ten (10) days prior to employment and contain the following:
1. Date of request
 2. Location of event/employment
 3. Telephone numbers for verification

4. Description of duty requirements
5. Uniformed or not
6. Name of employer
7. Dates and times of employment
8. Category of employment.

C. CATEGORIES OF EMPLOYMENT:

1. Part-time. Does not require use of law enforcement powers.
2. Regular off-duty. Is conditioned on the actual or potential use of law enforcement powers for an employer other than the Department.
3. Temporary off-duty. Employment lasts for less than thirty (30) days.

D. PROHIBITED EMPLOYMENT:

1. Establishments that promote pornography or obscenity.
2. Where the principle business is the sale, manufacture, transport or dispensation of alcoholic beverages.
3. Where the owners have been convicted of a felony.
4. Where obvious potential for illegal activities exists.
5. Work as a process server, participate in repossessions, debt collector or bondsman.
6. Personnel investigations for the private sector.
7. Conduct tasks in uniform that are not of a law enforcement nature.
8. Assist in preparing outside criminal or civil cases by working for an attorney.
9. Act as an independent contractor for police services.
10. Outside work done during on-duty time.
11. Any job that would use confidential information from the Office computer, NCIC, CCIC, official records, files or DMV Records.

E. LIMITS ON OUTSIDE EMPLOYMENT HOURS:

1. No more than twenty (20) hours per week.
2. No more than fourteen (14) hours total in both jobs in any 24 hour period.

F. IF A DEPUTY WISHES TO WORK OFF-DUTY IN A JOB THAT REQUIRES PEACE OFFICER POWERS:

1. The Sheriff must approve it.
2. He must work in full uniform with his official badge plainly visible or if in plain clothes, he must be specifically exempted, in writing, by the Division Commander.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: RELEASE OF INFORMATION TO THE MEDIA		Policy No: 323
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To provide guidance governing the release of information to the public and to enhance relations between the Sheriff's Office and the news media.

II. DEFINITIONS:

PUBLIC INFORMATION: That information which may be of interest to the general public regarding policy, procedure and events which concern the Sheriff's Office and its employees and/or other newsworthy events in which the Sheriff's Office is involved.

NEWS MEDIA: Those people who are directly employed by entities of the electronic and printed media, such as television, radio and newspapers.

PIO: Public Information Officer.

III. POLICY: It is the policy of the Morgan County Sheriff's Office to inform the community through the news media of events which involve the Sheriff's Office and its employees. A cooperative climate in which the media may obtain information of public interest shall be maintained. Occasionally, certain information must be withheld from the news media in order to protect the Constitutional rights of the accused, to avoid interfering with an ongoing investigation or because it is legally privileged.

IV. PROCEDURES: The Sheriff shall designate a Public Information Officer (PIO). The Public Information Officer serves as a central source of information for release by the Sheriff's Office and responds to requests for information by the community and the news media.

A. RESPONSIBILITIES: The Public Information Officer or his Designee:

1. shall assist the news media in adequately covering routine news stories and assist them at the scenes of incidents whenever possible.
2. shall be available on a 24-hour basis for on-call responses to the news media.
3. shall be responsible for preparing and distributing Office media releases.
4. shall be responsible for arranging for, and assisting at, news conferences.
5. shall be responsible for the release of information about victims, witnesses and suspects of crimes that occur within Morgan County.
6. shall be responsible for coordinating and authorizing the release of information concerning confidential investigations and operations.
7. may arrange interviews with investigators and other Sheriff's Office employees at the request of the news media.
8. Information shall be released as soon as possible concerning specific incidents within the Sheriff's Office's jurisdiction.
9. After normal business hours, the Shift Commander shall contact the PIO for guidance..

- B. **RELEASE OF INFORMATION:** The following are guidelines governing the content of media releases by way of the blotter.
1. Information to be released pertaining to victims, witnesses and suspects prior to any arrests:
 - a. A description of the exact offense including a brief summary of events.
 - b. Location and time of offense.
 - c. Type of property loss, injuries sustained or damages resulting from the action.
 - d. Identity of the victim, except for a victim of a sexual offense, a death, a situation where the next of kin have not been notified by the Coroner.
 - e. Information about unidentified suspects such as physical description, vehicle description when the information may help in the identification/apprehension and will not hinder the investigation.
 - f. Identification of fugitive suspect(s) for whom arrest warrant(s) have been issued.
 2. Information that may be released after the arrest of a suspect(s).
 - a. Time and place of arrest.
 - b. Defendant's name, age, residence, employment and similar background information.
 - c. The exact charge.
 - d. Facts and circumstances relating to the arrest, such as resistance, pursuit and use of a weapon.
 - e. Identity of the agency responsible for the arrest.
 - f. The name of the arresting employee, unless there are unusual circumstances where it is believed that the employee would be jeopardized.
 - g. Pretrial release or detention arrangements, including amount of bond and location of detention.
 - h. Scheduled dates for various steps of the judicial process.
 3. Information NOT to be released pertaining to victims, witnesses and suspects prior to any arrests:
 - a. Identity of suspects who are interviewed but not charged.
 - b. Identity of witnesses who can positively identify the suspect.
 - c. The identity of the victim of a sexual offense.
 - d. Identity of any juveniles when restricted by law. (18 years old unless previously adjudicated)
 - e. Exact information about the weapon or other physical evidence.
 - f. Any information that could be known only by the guilty party.
 - g. Opinions about suspects or fugitives.
 - h. Misleading or false information.
 - i. Mug shot of a suspect, unless appropriate.
 - j. Any statements made prior to Miranda such as "okay, I did it" or "I've always had a drinking problem."
 - k. Statements information provided by suspect concerning Constitutional rights such as refused to sign search waiver, refused to provide a statement or requested attorney.

4. Information NOT to be released after the arrest of a suspect(s)
 - a. Comments about the character or reputation, including any criminal history of the defendant.
 - b. Information about the existence or content of a confession, admission or statement by the suspect.
 - c. The refusal of the suspect to make a statement.
 - d. The refusal of the accused to submit to tests or examinations.
 - e. Results of any exam or tests.
 - f. Description or results of laboratory examination and/or testing of physical evidence.
 - g. Re-enactment of the crime.
 - h. Information that the suspect directed investigators to the location of a weapon or other evidence.
 - i. Comments about the credibility of testimony, or other merits of the case or quality of evidence gathered.
 - j. If the information for the arrest was obtained from an informant.
 - k. Opinions of Sheriff's Office employees regarding the guilt or innocence of the suspect.
5. Release of information during combined operations with other agencies:
 - a. Whenever an agency other than the Morgan County Sheriff's Office initiates an activity within the unincorporated area of Morgan County, the outside agency may be responsible for releasing information about its activity to the news media, regardless of the degree of activity of the Morgan County Sheriff's Office.
 - b. In a situation when multiple agencies are involved in a law enforcement action in conjunction with the Morgan County Sheriff's Office, all involved agencies will be consulted during initial strategy meetings regarding the release of information to the media.
 - c. In any death investigation jointly conducted by the Sheriff's Office, the Coroner and the District Attorney, the primary responsibility of releasing information regarding the investigation to the media lies with the Sheriff's Office. The Coroner will release information regarding the cause and manner of death, unless the Coroner has agreed to allow the Public Information Officer to do so. The Public Information Officer will coordinate any release involving a death investigation with the Coroner's office and the District Attorney's Office, and will release only that information pertaining to the Sheriff's Office involvement in the investigation, or information concerning the death authorized by the Coroner.

C. MEDIA ACCESS TO CRIME SCENES, FIRES, NATURAL DISASTERS AND OTHER CATASTROPHIC EVENTS.

1. Sheriff's Office employees will not give photographs to the media or allow interviews with persons in custody without first consulting the District Attorney having jurisdiction over the matter. Employees may not prevent photographs of persons in custody while in public places.

2. The news media shall not be allowed to photograph persons in custody within restricted areas of the Office buildings which are generally considered off limits to the public at large.
3. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed or secured by Sheriff's Office personnel, the media may be allowed to enter by the appropriate Division Commander or ranking employee on the scene.
4. The news media will not be allowed access to any area or scene where such access would obviously disrupt Sheriff's Office operations. Nor will the media be allowed access to an area where the presence of the media would jeopardize the life of, or present substantial risk of injury to any employee of the Sheriff's Office or citizen.
5. The news media should not be prevented from having access to an area solely because of the possibility of their injury or death. If that is the only consideration, the media employee should be advised of the danger, then allowed to make the decision to enter on their own volition.
6. Any time the news media is denied access to an area or to information, the media representative will be given a courteous explanation of the reason for the denial.
7. The ranking employee at the scene of a crime, fire, natural disaster or other catastrophic event will be responsible for determining and establishing a perimeter, which employees of the media and general public may not cross.
8. The boundary line over which media may not cross shall be a reasonable distance away from the scene in order to ensure the protection of the scene, yet giving the media an ample opportunity to adequately report the incident.
9. At the discretion of the ranking employee, a perimeter which is closer to the scene than the line for the general public may be established for the media. Security of the scene, admissibility of evidence when publicized and general safety rules shall still be taken into consideration.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: Physical Performance Standards/Sworn Personnel		Policy No: 324
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** The purpose of this policy is to inform sworn personnel about the Office's total fitness program. The program has been designed to provide reasonable assurance that each sworn employee can perform the essential physical functions of the job, regardless of rank, position, or assignment held by that employee, while enhancing the physical fitness and well being of the individual employee and the Office.
- II. DEFINITIONS:**
- ESSENTIAL JOB FUNCTIONS:** A particular job function is essential if removing it would fundamentally alter the position: because the position exists to perform that function; because of the limited number of employees available among whom performance of that function can be distributed; or because of the highly specialized nature of the function. For sworn positions, those functions include, but are limited to, safely effecting forcible arrest(s), suspect pursuit(s), and safely controlling combatants(s).
- FITNESS PROGRAM:** For the purposes of this policy, the fitness program will consist of training of coordinators, screening for safe participation, assessments, goal setting, exercise prescription, ongoing total fitness education, and reassessments.
- QUALIFIED PERSON WITH A DISABILITY:** An individual with a disability who, with or without reasonable accommodation can perform all essential functions of the job.
- TOTAL FITNESS:** The result of correct lifestyle choices in the areas of exercise, diet and nutrition, tobacco usage, substance abuse prevention, stress management, and weight control upon performance and health.
- III. POLICY:** Law enforcement requires a level of fitness. The performance of most critical, essential job functions may be infrequent, but the consequences of non-performance or improper performance can be staggering. The ability of each sworn employee to perform those functions is affected by exercise, diet, tobacco usage, substance abuse, stress management, and weight control. To help employees maintain the level of fitness necessary to safely and effectively perform the essential functions of the job, it shall be the policy of this agency to provide a total fitness program.
- IV. PROCEDURES:**
- A. Program Components.
- Trained leaders.** The agency will provide assistance for employees participating in the program. A component of this assistance will be leaders trained in the application of the principles of fitness. The agency will strive to maintain a ratio of one trained fitness coordinator per 25 sworn employees.
 - Screening for safe participation.** The agency will require screening of employees before they are allowed to participate. The purpose of this

screening is to identify those employees who should seek medical clearance before being tested or beginning an exercise program. Those identified as requiring medical attentions prior to being tested or beginning an exercise program will be referred to the County physician or be required to obtain clearance from their personal physicians.

3. **Assessment and reassessment.** The agency views the assessment of whether a person has the fitness necessary to perform essential function as a measure of the fitness program's rather than as a punitive or culling out process. The fitness coordinators will administer the assessments, and use the results to design individual programs for participants. The agency will administer assessments twice a year.
4. **Goal setting.** People are more likely to adhere to a program when effective goal setting principles are employed. Fitness coordinators will assist participants to establish realistic, yet challenging, goals to enable them to achieve and maintain the level of fitness necessary to perform the essential functions of the job.
5. **Exercise prescription.** New exercisers left on their own devices fall out of a program. The fitness coordinators will prescribe exercise based on an individual's current level of fitness, individual preferences, and available facilities and equipment.
6. **On-going education.** The agency recognizes that adults want to know the reason(s) why they are required to do various things. Therefore, on-going education is an important part of an effective fitness program. As another way of assisting participants, the agency will provide on-going education on the fitness program and on pertinent fitness-related subjects. These topics will include exercise, back pain, cholesterol, stress, tobacco cessation, and nutrition.
7. **Monitoring.** In addition to assessments, goal setting, exercise prescription, and on-going fitness education, fitness coordinators will monitor each participant's progress. Employees needing motivation and additional guidance can contact a fitness coordinator to obtain help.
8. **Remedial fitness training.** Employees failing the fitness assessment will be placed in a mandatory remedial fitness training program. This program will be developed by a fitness coordinator to specifically address the individual's needs. **On-duty time will be allotted for completion of this training.**

B. Assessment Program:

1. Beginning in 2004, all sworn personnel hired on or after January 1, 2004 will undergo mandatory fitness testing twice a year. Beginning in 2007, all sworn employees hired prior to January 1, 2003, who have served continuously, will undergo mandatory fitness testing twice a year. Management will publish a schedule no later than two weeks prior to the beginning of each testing period. Except for the first year, those personnel who meet the job related fitness standards and perform at or above the 70th percentile level of agency personnel on each test will be required to test only once each year in the subsequent years. They can, however, choose to undergo testing.
2. Testing will be conducted by the fitness coordinators.
3. Testing Procedures:

- a. Each sworn employee over the age of 40 years of age who is scheduled for fitness testing shall have undergone a medical examination at Office expense within the 6 months prior to being tested. The examining physician shall assess whether the employee can safely take the fitness test and participate in an exercise program. Prior to conducting the test, each member shall complete a medical history questionnaire which will be reviewed by a fitness coordinator. If the physical fitness coordinator determines that it is unwise to conduct the test for medical reasons, the employee shall be referred to the County physician (or his/her private physician) for further medical assessment, at agency expense, before testing.
 - b. The battery of physical fitness tests consists of a cardiovascular assessment (1.5 mile run), assessments of upper and lower body muscular strength (bench press and leg press), assessment of anaerobic power (300 meter run) and assessment of lower body muscular power (vertical jump). Employees must pass all tests in the test battery in order to pass the test.
 - c. The Office recognizes that body composition (percentage of body fat) has an impact on both performance and health. As part of the total fitness program, the agency will provide an estimate of body composition for health and wellness purposes for those employees desiring it. No agency standard will apply to this assessment.
4. The fitness test results for each employee will be forwarded to Division and Office management for evaluation. All test results will be treated as confidential medical information. Only those individuals in the employee's direct chain of command will have access to fitness testing information
 5. Employees unable to pass all of the tests in the fitness battery in either annual testing after 3 testing sessions will be tested on a timed job task simulation test (JTST). The JTST consists of three job related scenarios: pursuit and subdue, rescue, and body drag.
 6. Any employee who is medically exempted from undergoing fitness testing will be placed on temporary limited duty, as long as that employee is able to perform the essential functions of the temporary duty; otherwise, the employee will have to utilize leave, consistent with Office and County policy. The employee will be scheduled for another fitness test upon receiving medical clearance to be tested.
- C. Compliance Requirements:
1. First failure: Any employee failing to meet the minimum standard on each component of the fitness test battery during the first test attempt during either of the annual mandatory tests will be placed on light duty or on approved leave and counseled by the fitness coordinator. The coordinator will assist the officer in developing a personal fitness plan in order to assist in meeting the agency standard. Unless the failure was the result of an apparently disabling condition, the employee will be scheduled for a retest within 15 calendar days of the failure.
 2. Second failure: Any employee failing to meet the minimum standard on each component of the fitness test battery during the second test attempt will continue on light duty or approved leave. The fitness coordinator will continue to counsel the employee and to help refine the employee's personal fitness program. Unless the failure was the result of an apparently

disabling condition, the employee will be rescheduled for the 3rd retest within 15 calendar days of the second failure.

3. Third failure: Any employee failing to meet the minimum standard on each component of the fitness battery during the third test consecutive attempt will continue on light duty or approved leave. Adverse personnel action will be taken to include exclusion from consideration for promotion, transfer, merit pay increase, participation in career development programs, continued assignment in a specialized assignment or off duty employment. These actions are taken in order to allow the employee more time to devote to meeting the organizational fitness standards. The fitness coordinator will continue to counsel the employee and will develop a remedial fitness program for the employee. Completion of this remedial program is mandatory. Staff will schedule a date for job task simulation testing within 30 days of the third failure to pass all parts of the fitness battery. Failure to successfully complete the JTST within the prescribed time limits renders that member unfit for duty. Unless a medical doctor, with the satisfaction of the agency, certifies that the employee has a temporary disabling condition which caused the failures, that employee cannot return to sworn duty, but can seek civilian employment elsewhere in the agency or elsewhere in the County government. In the event that a medical doctor, certifies that a temporary disabling condition caused the failure, the member is eligible for limited duty or approved leave, but must within 210 days of failing the job task simulation test be cleared to undergo fitness testing and meet standards. The failure to do so within 210 days of failing the JTST results in that employee being permanently ineligible for return to sworn duty.
4. Any sworn employee who is medically exempted from undergoing fitness testing and/or JTST must have certification from a medical doctor, with the satisfaction of the agency, that the condition(s) forming the basis for the medical exemption are temporary. Within 210 days of the doctor's certification, the employee must be cleared to undergo fitness testing and meet the standards. The failure to do so results in that employee being permanently ineligible for return to sworn duty.
5. Any employee who twice fails to appear in any 6 month period at his/her scheduled time for mandatory testing or training without approval is subject to discipline for insubordination.

D. Education Program

1. Educational classes will be conducted on a monthly basis. The exceptions will be the months when the assessments are conducted.
2. Each sworn employee will be required to attend at least six of the ten educational sessions.
3. Management will develop a yearly plan of educational classes based on the needs and desires of the agency's employees and will conduct periodic surveys to determine areas of interest and need.
4. Education topics initially identified are exercise planning, stress management, diet and nutrition, weight management, tobacco cessation, (others).

E. Implementation Procedures

1. With respect to all sworn personnel on December 31, 2003, the Office will phase-in the fitness program. The education and training components will begin for those personnel effective January 1, 2004.
2. For sworn personnel as of December 31, 2003, the program is as follows:
 - a. Phase 1: (2004) Mandatory participation in:
 - i. Medical/health screening
 - ii. Yearly physical fitness training
 - iii. Physical fitness and health education
 - iv. Individualized exercise prescription
 - b. Phase 2: (2005) Same as Phase 1, plus the opportunity for self assessment on each component of the fitness battery subject to medical/health screening.
 - c. Phase 3: Effective January 1, 2006, mandatory fitness testing and mandatory compliance to physical fitness standards. The elements of this phase include:
 - i. Mandatory participation as defined in Phase 1.
 - a. Medical screening
 - b. Twice yearly physical fitness testing
 - c. Physical fitness and health education
 - d. Individualized exercise prescription
 - ii. A compliance process with procedures for helping non-compliers meet the standard.
 - a. A specified time period with improvement goals and no sanctions for non-compliance on the first and second failure in any testing period.
 - b. A remedial program designed to achieve the specified improvements.
 - iii. Progressive sanctions for continued non-compliance as outlined in paragraph C.

F. Organizational Responsibilities

1. Creating a climate in which fitness is more than a job requirement, making fitness a valued characteristic of the Office's employees.
2. Providing training and educational opportunities for employees.
3. Maintaining records to evaluate the total fitness program's effectiveness in accordance with the following procedures:
 - a. Recording dates, test scores, personnel actions, and correspondence for each individual applicant and incumbent.
 - b. Summarizing the agency's data by race, sex, age, rank, and position.
 - c. Ensuring confidentiality of fitness records.
4. Evaluating the program.
 - a. Evaluate the program annually, summarizing all program events, number of employees tested and trained, pre-post-reporting period fitness scores, and number of personnel actions.
 - b. Develop a monitoring system to evaluate the use of facilities and amount of on-duty exercise by employees.
5. Periodically reviewing and revising the policy as required.
6. Maintaining fitness coordinators and instructors.
7. Allowing on-duty time for fitness education and training.

8. Ensuring that job descriptions accurately reflect the physical demands of the job.
9. Providing incentives for performance beyond the minimum necessary to perform the job.

G. Individual Responsibilities

1. Every sworn employee, regardless of rank, is responsible for attaining and maintaining a level of fitness adequate for performing the essential physical tasks required of sworn personnel.
2. Employees will complete the fitness assessment battery in accordance with the published schedule twice each calendar year.
3. Employees who do not meet the agency standards will meet with a fitness coordinator to develop an individualized fitness plan.
4. Employees will attend a minimum of sit fitness education classes per year.
5. Employees failing to meet the standards are subject to the provisions of this policy.

H. Performance and Medical Review Procedures

1. Employee performance review ratings will address the following:
 - a. Supervisors will rate sworn employees on their observed and perceived ability to perform the essential physical functions of the job.
 - b. Supervisors will address the ability of each individual employee to perform all essential job functions, effective immediately.
2. If an employee cannot take the physical fitness test or participate in an exercise program because of medical exemption or apparent injury/disability condition, he/she will take leave or be placed on limited duty or take some form of approved leave, until he/she can take the test and exercise.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 400 TRAINING



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: TRAINING OVERVIEW AND PROGRAM		Policy No: 401
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish a training program to meet continuous training needs of the Office.

- II. **DEFINITIONS:**
FTO: A Field Training Officer that has been specially trained to do such duties and given the responsibility to guide a new hire successfully through his training schedule.

- III. **POLICY:** It is the policy of the Office to encourage and facilitate training. Training is one of the most important administrative responsibilities in any law enforcement agency. Well trained employees are generally better prepared to act decisively and correctly in a broad spectrum of situations. Training is will be provided to all employees to accommodate the professional needs, productivity and effectiveness of the Office.

- IV. **PROCEDURE:**
 - A. **Function Responsibility:**
 1. The Undersheriff is responsible for:
 - a. Supervision of the overall training functions of the Office.
 - b. Coordination of the Training Budget process.
 - c. Supervises the developing, scheduling, coordinating, documenting and evaluating of the training for all employees.
 - d. An annual review or inspection of the training facility, training equipment, and programs. He will provide a written report of the review/inspection to the Sheriff.
 2. The Detention Commander is responsible for:
 - a. Assuring that those employees under his command have received all mandatory training and actively encourages specialized and advanced training.
 - b. Oversee the Detentions FTO Program.
 3. The Operations Commander is responsible for:
 - a. Assuring that those employees under his command have received all mandatory training and actively encourages specialized and advanced training.
 - b. Oversee the Patrol FTO Program.
 - B. **Program Responsibility:**
 1. **Program Development:** The development of training programs may originate with Division Commanders, the Undersheriff or Sheriff.

2. Training needs should be driven by the following:
 - a. Review of new laws, court decisions and Office directives.
 - b. Evaluation of the success of training programs in meeting Office objectives.
 - c. Identification of problems associated with physical facilities, materials or scheduling.
 - d. Consultation with the Sheriff and Command Staff.
 - e. Other resources such as inspection reports, staff reports, consultation with field personnel, training needs questionnaires and internal affairs reports.
3. Performance Objectives: Training programs must relate to job task analysis and incorporate performance objectives which acquaint the training participants with the information they are required to know, the skills, knowledge and abilities which must be demonstrated and the circumstances under which the skills, knowledge and abilities will be used. Objectives should:
 - a. Focus on the elements of the job task analysis for which formal training is needed.
 - b. Provide clear statements of what is to be learned.
 - c. Provide the basis for evaluating the participants.
 - d. Provide a basis for evaluation the effectiveness of the training program.
4. Lessons Plans. Lesson plans shall be required for all training courses and must include a statement of performance objectives, length of instruction, as well as the content of the training and specification of the instructional techniques. Instructors are encouraged to continuously review their lessons plans for an on-going process of improvement.
5. Guidelines for Development of Lesson Plans. The objective of lesson plans should insure that the subject to be covered in training is addressed completely and accurately and is in proper sequence with other training materials. Lesson plans bring together the purpose of the instruction, set forth the performance objectives, relate the training to critical job tasks and identify matters which will be taught. Lesson plans should include references, teaching techniques, responsibilities of the participants and plans for evaluation of the participants. Instructional plans may include techniques such as discussion groups, seminars, field experiences, presentations, demonstrations or role playing simulations.
6. Approval of Lesson Plans. Lesson plans for training programs must be approved by the Undersheriff to ensure that the plans are complete and consistent with Office policies and procedures, existing state requirements and current applicable law. All handout material shall be submitted with the lesson plan for approval and retention.
7. Use of Lesson Plans. Lesson plans developed and approved for Office training programs shall be adhered to by the designated instructor to insure consistency.
8. Evaluation of Training Programs. Training records shall provide a basis for evaluation of the training program and resources. This evaluation is the responsibility of the Undersheriff.

- a. This review may include a tabulation of the number of persons trained, the extent of the training provided, and may also analyze the need for modification or additions to existing programs.
 - b. This review should evaluate FTO's and instructors.
9. Attendance Requirements:
- a. Documentation: Attendance of personnel at training programs shall be documented by the Undersheriff and will become a permanent training record.
 - b. Notification: Advanced notice of training programs will be made available to all employees. Required training will be attended by employees on administrative leave, unless an injury prohibits their attendance.
 - c. Exceptions: Personnel who are on vacation shall not be required to attend training programs. Exceptions may be granted by the Division commanders for reasonable justification (i.e., court appearances, illness, other Office business of an emergency or serious nature, personal emergencies or personal conflicts). Each employee shall be responsible for arranging to make up any required training which was missed whether excused or not.
10. Testing:
- a. For the purpose of evaluating the participants in a training program, a pretest and/or post- test may be required. Instructors may use competency-based testing which uses performance objectives and measures participant knowledge of job related skills. Passing and failing scores may be incorporated into the lesson plan.
 - b. Whenever an employee does not successfully complete a training program or achieve a passing score, the instructor shall submit a written report to the employee=s Division Commander and the Undersheriff.
 - c. The written report will include at a minimum:
 - 1) Date the training was held.
 - 2) Type of training.
 - 3) Performance score or percentage achieved by the employee as related to the minimum acceptable score.
 - 4) Identification of specific problem areas or portions of the training with which the employee had difficulty.
 - 5) Reschedule date for additional training and retest.
 - 6) If after additional training, the employee does not successfully complete the training program or achieve a passing score, a written report shall be submitted to the Division Commander.
 - 7) Documentation of the test score(s) will be made and become a part of the employee=s training record.
- C. Training Records: Upon completion of each training section, program or course, employee files will be updated to reflect the acquired training. Training records shall include:
- 1. Name of the personnel attending.
 - 2. Type of training, subject matter and course content.

3. Hours spent in training.
4. School, agency or instructor providing the training.
5. Measured performance, if testing is administered.
6. Certification, if appropriate.
7. FTO records:
 - i. shall include daily evaluations and skill checklists.
 - ii. notable action forms/performance logs
 - iii. final release letters
 - iv. daily evaluations will be kept for one year, then removed and destroyed.

D. Release of Training Records: Office training records shall only be released to outside agencies by the authority of the Sheriff, his designee or subpoena.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: Training Overview - Orientation, Basic, and In-service Training		Policy No: 402
Effective Date:	Reference: CLEPS	
Standards: CLEPS		

I. PURPOSE: To provide guidelines for the orientation of new employees, basic on-the-job training, and in-service training for sworn and non-sworn employees. This policy shall set standards for training and establish procedures for implementation of training.

II. DEFINITIONS:

ADVANCED TRAINING: Training which is designed to impact higher levels of training, supervisory, or management skills.

BASIC TRAINING: Development of basic job knowledge, skills and abilities.

IN-SERVICE TRAINING: On-going training in addition to recruit training and a law enforcement or detentions academy which may include but is not limited to: periodic retraining, refresher training, specialized for remedial training.

POST: Peace Officers Standards of Training, a Colorado State Department

SPECIALIZED TRAINING: Training to provide knowledge and skills in specialized areas such as narcotics and sex assault investigations.

III. POLICY: It is the policy of this office to provide an orientation process for all new employees which may include sessions provided by County Administration along with those presented by the Office. Employees will then complete the prescribed basic training program for respective entry level positions. Employees, sworn and non-sworn will complete orientation and basic training.

IV. PROCEDURE:

A. Orientation may include the following:

1. The Sheriff's Office – it's organization, role, purpose, and goals.
2. Policy and Procedures Manual.
3. Working conditions.
4. Employee responsibilities and rights.
5. Employee benefits and compensation.

B. Basic training will include but is not be limited to the contents of the FTO guidelines for Detentions and Patrol and the following:

1. Detention security
2. Booking procedures
3. In-house and inter-agency computer systems
4. CCIC/NCIC certification
5. Detentions Academy
6. Law Enforcement Academy and certification

7. Intoxylizer training and certification

C. In-service training. During the course of the year, each employee will attend mandatory training sessions, staff meetings and complete reading assignments scheduled to learn new law enforcement methods, case law, investigative techniques and other pertinent information including but not limited to the items following. This training is divided into two categories, Mandatory Annual Review and Mandatory Annual Training.

1. Mandatory Annual Review

- a. Policies and procedures
- b. Case law and constitutional issues
- c. The criminal justice system including civil process
- d. Discretion in the use of the power of arrest
- e. Interrogation and interview techniques
- f. Investigative techniques
- g. Emergency medical services
- h. The performance evaluation system
- i. Emergency fire suppression techniques
- j. Procedures for hazardous material incidents
- k. Contingency plans for special operations and unusual incidents
- l. Crime prevention techniques
- m. Evidence collection techniques and crime scene control
- n. Report writing and record keeping
- o. Officer safety
- p. Domestic Violence
- q. Off- duty employment
- r. Juvenile contacts and status offenders

D. Mandatory Annual Training and Hour requirement. Each sworn employee and any employee that has contact with inmates **must complete 40 hours of training each calendar year.** The Division Commander may include any employee not described above in the list of employees subject to this requirement. Those 40 hours will include the mandatory training listed below and any Advanced or Specialized training approved by a Division Commander or the Undersheriff.

1. Law Enforcement Vehicle Operations
2. Use of force including deadly force
3. Arrest/control procedures
4. Firearms qualification
5. Infectious diseases
6. Sexual Harassment/Discrimination
7. Racial Profiling Prevention

E. Medical Training Requirements. All employees shall possess a valid First Aid and CPR Certificate. Should an officer's certification expire without training being offered by the Office, this provision will not apply until a refresher course is provided by the Office. Neither shall this provision apply to recruit employees until the completion of the FTO program.

- F. Physical Fitness.** All employees are encouraged to develop and maintain a level of fitness that allows for task completion and good health. Focus should be on aerobic endurance, strength and muscular endurance and lower body fat.
- G. Educational Encouragement.** In fulfilling its commitment to provide professional police service, the Office encourages all employees to further their education to the highest level possible.
- H. Individual Training Program.** Each employee shall take part in a program to design an individual program for career and training goals. This will be reviewed annually.
- I. Advanced and Specialized Training.**
1. Selection criteria for advanced or specialized training:
 - a. Must possess above average skills and work dedication.
 - b. Must possess above average performance evaluations.
 - c. Must be willing to contribute handout materials to the training resource library.
 - d. Must be willing to provide training and/or information to other employees.
 - e. Based on the discretion of the Division Commanders, Undersheriff and Sheriff.
 2. Division Commanders are responsible for the following:
 - a. Bringing training opportunities to their employees and attempting to match opportunities to their employees.
 - b. Forwarding requests to the Undersheriff and Sheriff in a timely manner.
 - c. Making the necessary work schedule arrangements for attendance of approved training courses. And can cancel approved training based on manpower considerations or other work priorities of the Office.
 3. The employee is responsible for coordination of registration, lodging, transportation, fees and reimbursements for mileage, meals and materials when training is obtained from outside sources.
 4. The Office is responsible for:
 - a. Reasonable lodging costs when pre-approved by the Sheriff.
 - b. Transportation when pre-approved by the Sheriff.
 - c. Purchase of training materials and aids when pre-approved by the Sheriff.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: FIREARMS TRAINING AND QUALIFICATION		Policy No: 403
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide guidelines for firearms training and qualifications.
- II. DEFINITIONS:**
- III. POLICY:** The primary purpose for carrying and use of firearms is the safety of the public and Office employees. It is the policy that employees should use firearms in a manner that is consistent with training, policy, procedure and law.
- IV. PROCEDURES:**
 - A. KNOWLEDGE OF FIREARMS POLICY, PROCEDURES, REGULATIONS AND LAWS:** All employees shall read and thoroughly know the policies, procedures, regulations and laws concerning firearms and the user of force before being allowed to carry a weapon.
 - B. DEMONSTRATING AND MAINTAINED PROFICIENCY:**
 1. Qualification with the on and off duty weapons is mandatory for all employees and volunteers who are authorized to carry by the Sheriff. This qualification is mandatory at least one (1) time per year. This qualification requirement pertains to the handguns, shotguns and rifles that the employee is carrying on or off duty or is available to him in the course of duty.
 2. A passing score is required on the qualification course. This score will vary according to the course being made available by the Office.
 3. The qualification course will be one which the employee is most likely to need under combat situations, but this in no way means training with other police weapons and courses of fire will not be needed.
 4. The Office firearms instructors will also schedule no less than two additional shoots per year that specifically address training and skill development.
 5. If in the opinion of the firearms instructor, there is a significant or continuing deficiency in the skills of an employee, mandatory remedial training and/or appropriate disciplinary action may be taken.
 6. Failure to qualify:
 - a. At the qualification, each employee will be allowed one (1) attempts to successfully complete the course.
 - b. If on the second attempt a passing score is not met, the employee will be put on 30-day notice period and his authority to carry a weapon on or off duty will be rescinded. This may affect the employee's duty assignment. During this period, instructors will be made available to the employee for additional help.

- c. If after the remedial training, the employee is still unable to qualify with two (2) attempts, the employee will be required to complete a transition course prior to another attempt at qualification.
- d. Employees who repeatedly fail to qualify will be required to show cause why he should not be terminated or permanently reassigned to a position not requiring an employee to be armed. This is based on the availability of such a position.
- e. An employee carrying a weapon on or off duty that he is not qualified with will be subject to disciplinary action.

C. TRANSITION TRAINING:

1. Employees and volunteers authorized to carry a firearm on or off duty must successfully complete a thirty-(30) hour transition course administered by the Office. This may be waived for certified employees who can document firearms competency and qualification within the six-(6) months prior to hire.
2. The content of the training will include firearm skills, safety, law, procedure, qualification and use of force determination criteria.
3. In order to satisfactorily complete the course, the employee must demonstrate firearms skills (written and skill testing) and pass the qualification course.

D. RANGE ATTIRE:

1. All employees must wear eye and hearing protection while engaged in firearms training and qualification.
2. When not wearing a prescribed duty uniform, employees must wear a shirt or blouse, trousers, and either shoes or boots. Shorts, cut-offs, halter tops, tank tops, and sandals are not allowed.

E. RANGE RULES: Employees will obey the rules of the range on which they are qualifying and if there are none, the following apply:

1. Safety. The safety of shooters and range personnel requires continuous attention by all to the careful handling of firearms and caution moving about the range. Where self-discipline is lacking, it is the duty of the range officer to enforce discipline and the duty of the employee to assist in such enforcement.
2. Cease-fire. On the command, CEASE FIRE, by a range officer, all firing shall stop.
3. No smoking. No smoking shall be allowed on the range.
4. Firing Line Directions. When standing on the firing line in a ready-to-fire position with a loaded weapon in the holster, the safety strap shall be fastened and the hand may not touch the weapon or holster until the command to do so is given.
5. Target check. Employees may advance to check their targets only upon command by the range officer.
6. No horseplay. While at the range, employees shall refrain from any type of horseplay or dangerous actions.

F. TRAINING **AMMUNITION**;

1. The Office will provide .40 Smith and Wesson and 12 gauge ammunition for use in training and qualification.
2. All employees, to include reserve employees, are encouraged to enhance their marksmanship ability by utilizing range facilities.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: FIELD TRAINING PROGRAM		Policy No: 404
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish a field training program for recruits and new hires and provide the Field Training Officers and Command Staff with program guidelines.
- II. **DEFINITIONS:**
FTO: Field Training Officer
- III. **POLICY:** In addition to classroom training, to provide the recruit and new hires with on-the-job experiences that provide specific direction and practice of skills, knowledge and abilities needed for successful job completion.
- IV. **PROCEDURE:**
 - A. Field Training Program Structure
 1. Observation Period. Every newly hired employee will be subject to a one year observation period that may be extended or shortened by the Sheriff based on the employee's performance during the Field Training Program.
 2. Field Training Program – Patrol. The employee's education and experiences will be evaluated by the Division Commander. Based on his findings, a field training program will be structured for the individual employee. Consideration will be given to training and experience that the trainee brings to the job. Each division will prepare a program that provides the training necessary for successful performance of duties.
 3. Field Training Program – Detentions. The employee's education and experiences will be evaluated by the Division Commander. Based on his findings, a field training program will be structured for the individual employee. Consideration will be given to training and experience that the trainee brings to the job. Each division will prepare a program that provides the training necessary for successful performance of duties.
 4. Duration: The duration of the FTO program depends on the performance of the recruit's ability to perform and become proficient in the necessary basic skills.
 5. Program Structure. The structure and content of the programs are tailored the job appropriate descriptions. The programs will maintain curriculum and task lists separate from this policy that may be changed as innovation and research dictate changes.
 6. Evaluations. Daily evaluations should be completed on each recruit during their FTO program. The Office will provide the format for those evaluations.

- B. FTO Selection. The training, selection, supervision and assignment as field training officers will be managed by the Division Commander followed by the approval of the Sheriff.
- C. Supervision of FTO's will be done by the appropriate Division Commander or his designee.
- D. Assignment of recruits and FTO's will be done by the appropriate Division Commander or his designee.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 500 SHERIFF'S PROGRAMS



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: CONCEALED WEAPON PERMITS		Policy No: 501
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To establish policy and procedures concerning concealed handgun permits; (1) to protect the safety of both the public and the permitted person by reasonably insuring that permitted person is capable, mentally and physically, of the proper conduct while handling a firearm; and (2) to provide a reasonable assurance that the permitted person is knowledgeable in the use of firearms and is informed of the statutory restrictions on such use of firearms; and (3) to prevent the permitting of persons who are prohibited by law from possession of such firearm.
- II. DEFINITIONS:**
CBI: Colorado Bureau of Investigation
CCIC: Colorado Crime Information Computer
CWP: Concealed Weapon Permit
FBI: Federal Bureau of Investigation
NCIC: National Crime Information Computer
- III. POLICY:** It is the policy of the Office to deny concealed handgun permits to applicant who are likely to abuse such privilege or who present a danger to themselves or others because by their present or past conduct, they have demonstrated they are unsuited to be entrusted with such privilege. Accordingly, a permit will routinely be denied to those who fall outside Office policy.
- IV. PROCEDURES:**
- A. REASONS FOR DENIAL:** Where the applicant,
1. whose criminal record indicates convictions or charges involving felonies, misdemeanors or ordinance violations relative to physical violence; or
 2. who, at the time of the application, is under indictment for, or charged with any felony, misdemeanor, or ordinance violation with the exception of minor traffic violations; or
 3. who has a prior history of mental disorder or treatment thereof, which would indicate that the permitted person could be a danger to his or herself or others.
 4. who, in the sole opinion of the Sheriff, the character, record and reputation of the applicant is such that it could constitute a hazard or risk to the safety and general welfare of the public or otherwise renders a person unfit for the privilege of carrying a firearm.

- B. APPLICATION CRITERIA: The application packet is to be read thoroughly, printed or typed and completed in full. Upon completion, the application is to be mailed or delivered to the Sheriff for processing. Only an original application will be accepted. The application is not to be photocopied nor will photocopies, faxed copies or e-mail applications be accepted.
1. The applicant must meet the following criteria:
 - a. must successfully complete a background investigation which includes, but is not limited to information obtained from NCIC, CCIC, FBI, CBI and other law enforcement agencies.
 - b. must be a legal and physical resident of Morgan County and actually live in Morgan County.
 - c. must be at least twenty-one (21) years of age.
 - d. must demonstrate competence with a firearm by submitting proof of completion of an acceptable firearm safety or training course or class.
- C. PROCESS:
1. Application forms are available at the Office and may be picked up during normal business hours. Applications will only be mailed upon written request. Upon receiving an application, the applicant will be notified of the dates the application and other paperwork may be turned in.
 2. Applications are to be completed in full. Any applicant who knowingly and intentionally makes any false or misleading statement on the application or deliberately omits any material information requested on the application commits the crime of perjury as defined in Section 18-8-503, CRS. In addition, the applicant shall be denied the right to obtain or possess a permit and the Sheriff shall revoke any prior issued permit.
 3. The applicant must return fully completed application to the Office, on one the dates specified. The applicant must then produce a valid Colorado driver's license or other acceptable identification card.
 4. The completed application must be signed in person before the Sheriff, or his designee in his absence. The signature shall be given voluntarily upon a sworn oath that the information contained in the application is true and correct.
 5. In addition, upon submitting the application, the following shall be submitted:
 - a. For new and renewal applications, a processing fee in the form of a cashier's check, money order, personal or business check (no cash), made payable to the "Morgan County Sheriff's Office". The processing fee is set and posted by the Sheriff and is non-refundable in the event the permit is denied.
 - b. New applicants must submit a money order with the application made payable to "Colorado Bureau of Investigation" as required by law. This for the cost of the CBI/FBI background checked. This is non-refundable in the event the permit is denied.
 - c. A copy of the applicant's training. The applicant shall submit the original certificate or a photocopy thereof that is certified by a notary public as to its accuracy.

- d. A copy of the applicant's drivers license.
 - e. Two sets of legible fingerprints for the CBI/FBI fingerprint check and a photograph for the ID card. This photograph will be obtained from Office personnel.
6. Within ninety (90) days of receipt of a completed application, and after a background and fingerprint check is completed, the Sheriff shall,
 - a. approve the application and issue a permit to the applicant; or
 - b. deny the application based solely on the ground that the applicant fails to qualify under the criteria outlined in Section 18-12-203, CRS; or
 - c. deny the application based on the ground that the applicant would be a danger as described in Section 18-12-203(2), CRS.
 7. If the application is denied, the Sheriff will notify the applicant in writing, stating the ground for denial.
 8. If the Sheriff does not receive the results of the CBI/FBI checks within ninety (90) days after receiving the application, the Sheriff shall determine whether to grant or deny the application without considering those results. If, upon receipt of such information, the Sheriff finds that the permit was issued or denied erroneously, based on the criteria specified in Section 18-12-203(1) and (2), CRS, the Sheriff shall either issue or revoke the permit, whichever is appropriate.

D. PERMIT FEE, EXPIRATION PERIOD AND PERMIT REVOCATION

1. Permit Fee. The non-refundable fee must accompany the application. This fee shall be paid in the form of a cashier's check, money order, personal or business check made payable to "Morgan County Sheriff's Office". Prior to the application being submitted, the applicant may request a "pre-background" meeting with the Sheriff or his designee to discuss any questions the applicant may have about his/her background. This would help the applicant avoid paying the fee if the applicant knew prior to the background check, that the application would be denied based on the policy herein.
2. Expiration Period. The permit is valid for at least one (1) year from the date of issuance but not more than the current Sheriff's term of elected office. Upon renewal, the permit will be valid for the specified number of years, not to extend beyond the current Sheriff's term of elected office or a period of time set by the Sheriff. There will be a renewal fee for each year payable at the time of renewal.
3. Permit Revocation. The Sheriff may revoke the concealed handgun permit at any time when the permitted person no longer meets the criteria for issuance or falls into a category for which the permit would not have been issued initially. Any peace officer in the State of Colorado may suspend or confiscate any concealed handgun permit issued by the Office for delivery to the Sheriff, when the peace officer has reasonable suspicion that the permitted person falls into a category for which the permit would not have been initially issued. The revocation of the permit may be appealed directly to the Sheriff, if the permitted person believes the permit was unfairly confiscated or revoked.

- E. **TRAINING REQUIREMENTS:** The applicant must demonstrate competence with a firearm by any one of the following:
1. Completion of any hunter education or hunter safety course taught by instructors approved by the Division of Wildlife of the Department of Natural Resources or a similar agency of any other state.
 2. Completion of any National Rifle Association firearms safety or training course.
 3. Completion of any firearms safety or training course of class available to the general public offered by a law enforcement agency, junior college, college or university, or private firearms training facility.
 4. Completion of any law enforcement firearms training or safety course or class conducted by a state certified or National Rifle Association certified firearms instructor.
 5. Completion of any firearms training or safety course or class conducted by state certified or National Rifle Association certified firearms instructor.
 6. Military service discharge certificate (DD-214) that reflects pistol qualification within 10 years of the application date.
- F. **EMERGENCY PERMITS:**
1. The Sheriff may issue a temporary emergency permit to carry a handgun to any person who is a resident of Morgan County and who the Sheriff has reason to believe may be in immediate danger.
 2. To receive a temporary emergency permit, a person shall submit to the Sheriff items as specified in this policy, with the exception of the documentation demonstrating competence with a handgun, along with written documentation as to why the applicant feels he/she is in immediate danger.
 3. The applicant shall submit a temporary permit fee as established by the Sheriff.
 4. Upon receipt of these documents, the Sheriff will conduct a computer records check of NCIC and CCIC files and will notify the applicant of his decision within forty-eight (48) hours.
- G. **PERMITS FOR NON-CERTIFIED OFFICE EMPLOYEES.** Employees desiring a concealed handgun permit are required to meet the same requirements as a citizen applicant. The following are differences in the process for employees:
1. Employees will not be required to pay the application fee as long as they remain an employee. If an employee resigns or is otherwise separated from employment with the Office, they must turn in their CWP. Those wishing to maintain a CWP after separation must pay the application fee and then they will be issued a new CWP.
 2. The fee for the CBI check will be required.
 3. It is the employee' responsibility to become familiar with the Office policy and state laws regarding concealed weapon permits and weapons possession/usage, as outlined in the concealed handgun permit application packet and this policy.

4. Non-certified employees who hold any concealed weapon permit will not be allowed to carry while performing any duty or function in the capacity of employee without the written permission of the Sheriff.
5. No employee, who carries a concealed weapon pursuant to this policy and state law, will wear or display an MCSO-issued or personally owned badge or Office ID card any way that would give the impression that the employee is a peace officer.
6. Any concealed handgun permit may be revoked at any time.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 600 UNIFORMS AND EQUIPMENT



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: APPEARANCE, ATTIRE AND EQUIPMENT		Policy No: 601
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** It is the purpose of this policy to establish acceptable standards for equipment and the appearance of all employees.
- II. **DEFINITIONS:**

RETIREE: Any Sheriff's Office employee who has been awarded a pension, either regular or medical, by Morgan County. As used in this directive, the term refers exclusively to those employees, either sworn or civilian, who were authorized when on active duty to carry a badge.
- III. **POLICY:** To provide a professional image, all employees of the Sheriff's Office are required to assume the responsibility of adopting high standards concerning equipment and personal appearance while representing the Sheriff's Office.
- IV. **PROCEDURE:** Items purchased for use as part of the uniform will meet specifications set forth in this policy and any other directives or memorandum. Unauthorized equipment, alterations or modifications to the uniform or equipment are not authorized. A clean, pressed uniform or civilian attire is essential to the professional image of the Office.
 - A. **Personal Appearance:** All employees shall maintain a high level of personal hygiene and appearance.
 1. **Hair styles-Uniformed Employees:**
 - a. Hair must be clean, neat and combed. Uniformed employees shall wear hair styled in such a manner that it will not interfere with the wearing of authorized headgear. In the interest of officer safety, female uniformed personnel shall wear their hair in a style not to extend below shoulder length. Hair length of male uniformed employees shall not extend below the top of the shirt collar. Uniformed employees shall wear their hair in a style that will not create a safety hazard or be offensive to the general public. Shaving the head is discouraged. Employees on special assignments will be authorized to grow hair lengths according to the need of the assignment with the approval of the Division Commander.
 - b. Sideburns shall be neatly trimmed, rectangular in shape and not extend below the bottom of the lowest part of the ear.

- c. Facial Hair. Uniformed employees shall be clean-shaven, except they may have mustaches that do not extend below the upper lip, or more than one-half inch beyond the corner of the mouth. Beards may be worn by non-uniformed employees with the permission of their respective Division Commander according to the needs of the assignment.
 2. Civilian and non-uniformed employee attire:
 - a. Non-uniformed employees' attire shall be neat, clean and conform to business attire worn by office personnel in private business enterprise.
 - b. During normal office hours, or when public contact can reasonably be expected, t-shirts, halter-tops, sweatshirts, shorts, mini-skirts, stirrup-pants, and other non-business attire is prohibited.
 - c. Hair styles-Civilian Employees: Civilians shall wear their hair in a style that will not create a safety hazard or be offensive to the general public.
 - d. Non-uniformed employees who do not have public contact are still expected to be neat and clean and appropriate.
 3. Cosmetic Use: Cosmetics will present a professional appearance.
- B. Uniform Standards:
 1. While in uniform, deputies will insure that their uniform is neat, clean, in serviceable condition and pressed. Footwear and leather will be polished. Designated uniforms:
 - a. Class A Uniform: Consists of long sleeve gray uniform shirt, tie or turtleneck, uniform trousers, and approved footwear.
 - b. Class B Uniform: Consists of short sleeve uniform shirt, uniform trousers and approved footwear. Shorts and polo shirts can be worn for special events after the approval of the supervisor.
 - c. Class C Uniform: Consists of clothing and equipment worn to fulfill special needs of specific positions.
 2. Restrictions/Limitations:
 - a. Wear of Uniform Off-duty: Employees are prohibited from wearing the uniform or any parts thereof except while on-duty, going to and from duty or while attending any official function, or as approved by the Division Commander.
 - b. Wear of Uniform While Suspended: The uniform or any part of it, shall not be worn by any employee while under suspension.
 - c. Uniformed employees shall report for duty in the uniform designated for the assignment.

- d. In accordance with 42 USC 2000, sworn employees who are pregnant will be permitted to wear maternity clothing in lieu of a uniform.
 - e. Court Attire: Employees who appear in court shall be attired in uniform, suit, sport coat and tie or a dress, skirt and jacket, as appropriate. Jeans are not permitted.
 - f. Wearing of a partial uniform, either on or off duty, is not allowed.
3. Proper uniform:
- a. The choice of Class A & B will be at the discretion of the employee based on weather and duty concerns.
 - b. The Class A uniform may be designated for special formal functions such as funerals, parades, meetings, etc., by the Sheriff or the Undersheriff.
 - c. Badge shrouds. Badge shrouds may be worn with the permission of the Sheriff, or a designee, to honor a deceased law enforcement officer from the day of the officer's death through the day designated for the officer's funeral, memorial or internment services. The shroud will be worn at an angle from the point of the left shoulder down toward the center of the chest or heart.
4. Authorized Uniform Wear and Equipment

Issued	Optional/Purchase	Issued	Optional/Purchase
Shirts	Polo Shirts	Jacket	Sweater
Trousers	Shorts	Name Plate	Headgear
Badge	Sunglasses	Duty Weapon	Scarf
Rank Insignia	Gloves	Belts (inner/outer)	T-shirts
Holster	Shoulder Holster	Flashlight/OC	Footwear
Cuffs/case	Leather Jacket	Ammo Pouches	Turtlenecks

5. Uniform/Equipment Description & Proper Wear
- a. Shirts:
 - Description: Long or short sleeve gray uniform shirt
 - Wear: **Long sleeve:** All buttons will be buttoned if worn with a tie or the top button is open when worn with a black or white t-shirt or turtleneck. Sleeves will not be turned under or rolled up. **Short sleeve:** Open at the collar, high top white crew neck t-shirt.
 - Uniformity: One shoulder patch on each sleeve placed 1” below the shoulder seam and centered on the arm. An American Flag patch will be worn ½” above and centered on the right pocket.
 - b. Polo Shirts:
 - (1) Description:
 - (a) **DETENTIONS and OPERATIONS (uniformed deputies)** Gray, short-sleeve “polo”. This shirt shall be worn with the standard uniform pant or shorts **during special events only.**

- (b) OPERATIONS/DETENTIONS (non-uniformed) and ADMINISTRATIVE (sworn) Shirts of a variety of colors, approved by the Sheriff may be worn with slacks or skirt, and will be decorated as shown in 3(a).
 - (c) ADMINISTRATIVE (non-sworn) An approved color shirt may be worn with slacks or skirt, and will be decorated as shown in 3a.
 - (2) Wear: Polo shirts shall be worn as part of the Class C uniform or as part of the attire for non-sworn or civilian employees. Also at Office approved training events.
 - (3) Uniformity:
 - (a) Shall be of a type, color, and embroidered and from a vendor designated by the Sheriff.
 - (b) Any time a “polo” shirt is worn in lieu of the uniform, or otherwise worn as your on-duty “uniform”, your department-issued ID card will be clipped on the front of the shirt for identification
- c. Pants:
 - (1) Description: Black straight leg or short pants. Shorts MUST be the brand approved by Office.
 - (2) Wear: Regular pants can be worn as part of the Class A, B or C uniform. Shorts can be worn as part of the Class C uniform during special events. Shorts will be worn with a low or mid cut shoe, NO HIGH TOP boot or shoes. Black socks, either foot type or short crew, will be worn. Shorts will not be allowed for those individuals displaying tattoo art on their legs.
 - (3) Uniformity: Pants will be of a brand approved by the Office.
- d. Jacket:
 - (1) Description: Either a light weight or “Tuffy” type black jacket or parka of a brand approved by the Office. Leather is optional and at the deputy’s personal cost.
 - (2) Wear: At the deputy’s discretion based on weather conditions.
 - (3) Uniformity: One shoulder patch on each sleeve placed 1” below the shoulder seam and centered on the arm. A badge patch will be worn on the left side of the chest. A embroidered name patch shall be worn of the right side of the chest.
- e. Badge:
 - (1) Description: Seven pointed gold star of a brand approved by the Office.
 - (2) Wear: On the Class A or B uniform and on the belt immediately forward of the holster on a badge carrier while in civilian clothes.

- (3) Uniformity: Metal badges are to be centered approximately 1 3/4 inches above and centered above the left breast shirt pocket. The cloth badge replaces the metal badge on uniform jackets. The badge can be owned by either the Office or the deputy. The design of the badge, including the deputy's name/number, must be approved by the Office.
- f. Name Plate:
 - (1) Description: 2" X 3/8" gold colored plate with Roman lettering, Name and employee number. (J. Jones, 99-02)
 - (2) Wear: On the Class A or B uniform and on the jacket.
 - (3) Uniformity: Worn centered on the right side just above the top flap seam of the pocket and below the flag.
See Insert #1
- g. Rank Insignia:
 - (1) Description: Sergeant-3 stripe chevron; Lieutenant-single gold bar; Captain-double gold bars; Undersheriff-single star; Sheriff-two stars.
 - (2) Wear: On Class A and B uniform and on the jacket.
 - (3) Uniformity: Sergeant stripes shall be sewn on both arms of the uniform shirt 1/2" below the Office patch and centered. Lieutenant, Captain, Undersheriff and Sheriff rank shall be worn on the collar of the Class A and B uniform and on the epaulet of the jacket. On the collar, the insignia will be placed on both sides of the collar, 1/2 inch from the front edge and centered between the neck side of the collar and the outer edge.
See Inserts #2 & #3.
- h. Footwear:
 - (1) Description: Black low quarter shoes or boots of hard or soft leather, with rounded toe, that can be shined.
 - (2) Wear: All classes of uniform.
 - (3) Uniformity: Black or dark blue socks shall be worn with all low quarter type shoes. Supervisory personnel may approve the wearing of footwear in response to special situations, such as inclement weather. Special footwear shall be either black or dark in color.
- i. Headgear:
 - (1) Description: Black and silver patrol/general duty or tactical military issue Kevlar painted black helmets must be approved by the Office. A solid black winter cap(trooper type) or stocking type cap with no markings.

- (2) Wear: **Hat:** “Stratton Campaign” hat, graphite gray, straw, with Blackington brass #BD065 that is gold with a State of Colorado seal with “Deputy Sheriff” on the top rocker and “Morgan County” on the bottom rocker. It can be worn with gold cords and acorns. **Helmet:** Issued helmets may be worn by personnel at any time in response to specific potentially hazardous situations, or at the direction of a supervisor. **Winter cap:** A winter cap or stocking type cap may be worn as protection from the cold or from inclement weather at the discretion of the employee.
- (3) Uniformity: Style and color must be approved by the Office.

j. Sweater:

- (1) Description: Black V-neck knit sweater of a brand approved by the Office and at the deputy’s cost.
- (2) Wear: With the Class A uniform.
- (3) Uniformity: A “sewn on badge” will be attached to the left side of the chest above the location where the top of the pocket would be and shoulder patches on each sleeve approximately 1 inch below where a shirt sleeve would begin. A embroidered name tag will be sewn on the right chest above where a shirt pocket would be.

k. Miscellaneous:

- (1) Mirror or reflective type **sunglasses** are not permitted with uniform wear. Sunglass frames shall be of a conservative color and design.
- (2) Uniformed employees **gloves** shall be black in color.
- (3) **Scarfs** shall be black.
- (4) A black **turtleneck** is authorized for wear with the long sleeve shirt at the deputy’s option. The neckline will have a snug appearance and not sag. “MCSO” in yellow/gold is the only monogram that is approved to be visible.
- (5) A black or yellow **raincoat** is authorized for wear at the deputy’s option. It may be full or hip length.
- (6) **Identification tag** – A MCSO issued identification tag is to be worn as a means of identification of employees while in plain clothes.
- (7) **Tie** - A black "breakaway" tie shall be worn outside the shirt and tucked between the opening between the second and third buttons.
- (8) **Special pins** – A **single** approved pin may be worn on the right pocket flap equally spaced on the flap. Approved pins include:
 - (a) Academy pin (CSOC)
 - (b) Skill pins (EMT, FTO, SWAT, K-9, etc.)
 - (c) Explorer Advisor
 - (d) Firearms Instructors

See Insert #1

(9) Longevity pins. A MCSO issued longevity pin may be worn on the left pocket flap equally spaced on the flap.

See Insert #1

1. Special awards (Valor)(Meritorious Service)-the pin shall be worn centered on the right chest ¼” above the flag.

See Insert #1

C. Identification Standards:

1. Employees shall have Sheriff’s Office issued identification (ID card, commission card and badge) and it shall be used to identify the employee’s authority.
2. Employees shall not lend their badge or ID card to anyone nor borrow the badge or ID card of another without the express permission of the Sheriff.
3. All employees shall honor requests for identification by presentation of the badge, commission card, ID card and/or the giving of a Sheriff’s Office business card.

D. Equipment Standards:

1. Uniformed employees shall be supplied with a duty weapon, leather gun belt, holster, handcuff case, handcuffs, and ammunition pouches. Leather gear and accessories shall be a black basket weave.
2. Employees in plain clothes assignments shall be supplied with a duty weapon, holsters, handcuffs, handcuff cases and other accessories as may be required for the assignment or approved by the Division Commander.
 - a. Leather gun belt - The leather gun belt (2 ¼”) shall be worn over a regular or velcro under-belt to be held in place by belt keepers or by the velcro. (Basket weave) (Nylon can be approved on a case-by-case basis.)
 - b. Holster - The holster is worn on the gun hand side of the leather gun belt, and is of a type approved by the Office. (Basket weave)
 - c. Handcuffs and case - Handcuffs shall be accessible to either hand of the wearer, so may be worn on the leather gun belt where it is functional and practical. Cases must have a cover flap with either a snap or velcro type closure. The key system must be standard and compatible with those issued by the Office.
 - d. Ammo pouches - Only one pair may be worn on the leather gun belt. Dump or speed loader styles may be used, but pouches must be covered by a flap secured by a snap or velcro. (Basket weave)
3. The Office employees routinely involved in law enforcement activities shall wear the body armor provided by the Office.
4. Baton: not to exceed thirty-six inches in length and 1 ¼ in. in diameter. Made of hard wood or a manufactured synthetic material. May be a factory manufactured collapsible style, no modifications are authorized. Must be primarily black in color with metal colors upon extension. Modifications of any type are not authorized.
5. Flashlight as provided or approved by the Office.

6. OC Spray as provided or approved by the Office.
7. Knives shall be carried in a manner that provides the most secure method of carry. They shall not have a blade length in excess of 3 inches.

E. Equipment Accountability:

1. Accountability: Employees shall use Office equipment only for its intended purpose and shall not damage, abuse or lose assigned equipment.
2. Reporting damage and loss of equipment: Employees shall immediately report to the immediate supervisor any damage or loss of Office issued equipment. All incidents shall be documented in writing.
3. Optional equipment: In response to the different jobs and positions within the Office, other equipment may be authorized and/or issued by respective divisions.
4. Unauthorized equipment: At no time shall employees carry illegal weapons or equipment, to include "billy clubs", saps, sap gloves or unauthorized ammunition.
5. Surrender of equipment: Employees shall surrender to a supervisor, all Office issued equipment, uniforms and property within 72 hours of resignation or termination, or when requested to do so by a higher authority. Employees transferring from one section or division to another shall surrender all specialized uniforms, equipment and property when requested to do so by a higher authority.

F. Badge Retention:

1. A police employee's badge of Office symbolizes the employee's dedication, service and public trust. When awarded to employees upon retirement, they will be reminders to the retirees and their families of their years of dedicated service. They also represent the gratitude of the Office and its personnel.
2. If an employee dies, either on duty or off duty, prior to retirement, his/her badge will be awarded to the employee's spouse or next of kin.

Insert #1



Insert #2



Insert #3





MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: FIREARMS CRITERIA AND INSPECTION		Policy No: 602
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To provide guidelines for weapons that may be carried by authorized Office employees.

II. DEFINITIONS:

RANGE INSTRUCTOR/OFFICER: That employee after having appropriate training and assigned/appointed by the Sheriff to instruct firearms subjects for the Office.

BACK-UP WEAPON: A secondary weapon kept by an employee for incidents where his primary weapon may fail, be out of ammunition or have been lost or taken away from him.

III. POLICY: The Office will specify authorized weapons that are to be carried by sworn personnel both on and off duty. Furthermore, the Office shall identify the appropriate ammunition as well as the qualification course to ensure proficient use of the weapon.

IV. PROCEDURES:

A. DUTY WEAPONS – UNIFORMED EMPLOYEES: Employees are authorized to carry an approved weapon system. Revolvers must have a barrel length no shorter than two (2) inches and no longer than six (6) inches. Semi-automatic pistols must be double action, double action only, safe action, or a squeeze cock design. The minimum barrel length for semi-automatic pistols is three and one half (3 ½") inches. Only the following caliber weapons are authorized for duty or off duty use:

1. .380 ACP (Secondary weapons only)
2. .38 special
3. .357 magnum
4. 9mm parabellum
5. .40 Smith & Wesson
6. .45 ACP
7. .10 mm

B. PLAIN CLOTHES DEPUTIES: Plain-clothes employees are subject to the same requirements as described for uniformed deputies.

C. SECONDARY WEAPONS:

1. Employees are authorized to carry one (1) pistol/revolver as a secondary weapon while on duty.
2. Secondary weapons will be inspected and approved by the armorer. They will be qualified with prior to being carried for duty purposes. The serial number will be recorded and kept on file.

3. Employees who carry a secondary weapon while on duty will utilize a holster that is safe, secure and concealable.

D. DUTY SHOTGUNS:

1. Employees who are not issued a shotgun by the Office may carry a personally owned shotgun while on duty. Personal shotguns must be a pump action or semi-automatic 12 gauge. The weapons must have an operational safety mechanism and a barrel that is at least 18 inches in length.
2. Personal shotguns must be inspected and approved by the armorer. They will be qualified with prior to being carried on duty.
3. Shotguns will be carried with the magazine tube fully loaded and the chamber empty with the safety in the fire position.
4. The only ammunition authorized for duty use is rifled slugs. Less than lethal rounds may be issued depending on training. Less than lethal rounds will only be used at the direction of a ranking supervisor, Lieutenant or above.
5. The security of both issued and personal shotguns is the responsibility of the employee concerned. When carried in vehicles, the weapons will be secured in an agency installed, locking shotgun rack. If a locking type rack is unavailable, the weapon will be secured in a manner that conceals it from view. No vehicle containing a shotgun will be left unlocked and unattended.

E. OFFICE OWNED OR PRIVATELY OWNED RIFLES AND CARBINES:

1. Employees who have completed at least one year on patrol may make a written request for permission to carry either an Office issued or privately owned rifle or carbine while on duty.
2. The only weapons authorized for this purpose must be approved by a range instructor, Division Commander and the Sheriff. The use of full metal-jacketed bullets is authorized in the event that soft/hollow point rounds do not function reliably in the weapons concerned. Bolt action rifles will only be allowed under special circumstances, i.e., CIRT or SWAT Team.
3. All rifles/carbines must be inspected and approved by the armorer. They will be qualified with prior to being carried on duty.

F. OFF-DUTY WEAPONS:

1. Employees who have been authorized by the Sheriff (per Policy 501) and/or have attained a POST certification as a level one peace officer are authorized as described under CRS 18-12-105 to carry their weapon off duty. The weapons authorized for off duty are outlined in this policy.
2. Employees who carry a weapon while off duty will utilize a holster that is safe, secure and concealable. Employees will also make every effort to keep weapons concealed and not display them in a manner calculated to cause alarm.
3. Employees who carry a weapon while off duty must have their badge and ID card in their possession.
4. Off duty weapons must be inspected and approved by the armorer. They will be qualified with prior to being carried.

G. AMMUNITION:

1. Ammunition used for both on and off duty purposes is restricted to only those calibers and manufacturers that are approved by the Office. Ammunition for duty weapons will be issued. Ammunition for off duty weapons and secondary weapons must be purchased by the employee concerned. This includes rifles and carbines.
2. Reloads are not authorized except for training, practice and certain qualification courses.
3. When in uniform, employees will carry the following basic load of ammunition for the service revolver/pistol:
 - a. revolver – loaded weapon plus two (2) speed loaders.
 - b. pistol – loaded weapon plus two (2) additional magazines.
4. While on duty, plain clothes employees will carry the following basic load for the service revolver/pistol:
 - a. revolver – loaded weapon plus one (1) speed loader
 - b. pistol – loaded weapon plus one (1) additional magazine.
5. Employees who carry a weapon while off duty are required to carry one (1) reload for the weapon concerned.

H. INSPECTION AND REGISTRATION OF WEAPONS:

1. All firearms used for on and off duty purposes will be inspected and approved by the armorer prior to being carried. This is required in order to insure that the weapon is serviceable and suitable for law enforcement purposes.
2. All firearms will be inspected annually by the armorer. There will be random inspections by the Division Commanders and Shift Supervisors.
3. Handguns, shotguns, rifles and carbines will be inspected annually by the armorer. A record will be maintained of all weapons that are submitted for inspection and registration. That record will include the make, model, caliber and serial number of the weapon.
4. Weapons carried by employees must be safe and reliable. Therefore, only firearms produced or marketed by the following manufacturers are authorized for on and off duty use:

a. Berretta	b. Browning
c. Colt	d. Glock
e. Heckler and Kock	f. Mossberg
g. Ruger	h. Remington
i. Sig Sauer	j. Smith and Wesson
k. Walther	l. Winchester

Others may be approved by a range instructor, Division Commander and Sheriff on a case by case basis.
5. Modifications to weapons that affect their adherence to factory specifications, their safety or their reliability will be cause for rejection by the armorer.
6. Any weapon that is damaged or consistently malfunctions will be reported to the armorer. He will inspect the weapon to determine the extent of damage and/or the cause for the malfunction.

7. Normally, the cost of repairing a private weapon is the responsibility of the owner. However, the armorer is authorized to make repairs that are within his capability and to use minor parts that are furnished by the Office. All such work will be at no cost to the employee.
 8. When a weapon is repaired by someone other than the armorer, it will not be returned to active service until the armorer has inspected it and verified its serviceability.
-
- I. **NO REQUIREMENT TO CARRY A FIREARMS WHILE OFF DUTY:** While carrying of off duty weapons and ammunition by commissioned employees is permitted, it not mandatory.
 - J. **POSSESSION OF A FIREARM WHILE INTOXICATED:** Pursuant to CRS 18-12-106(1)(d), no employee shall possess a firearm while consuming or under the influence of alcohol.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: USE AND CARE OF OFFICE VEHICLES		Policy No: 603
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide guidelines for employees on the use of Office vehicles.
- II. DEFINITIONS:**
EMPLOYEES: Those sworn and non-sworn employees of the Office to include Posse, Reserves, Search and Rescue and Explorers, and any other Office volunteer.
OFFICE VEHICLE: Those vehicles that are owned by the County and assigned to the Office.
OFFICIAL BUSINESS: Those functions commonly associated with law enforcement, to include detentions operations. This includes those activities performed by the Victims Advocate Program, Citizens Ride-Along Program and any other program officially sanctioned by the Sheriff.
- III. POLICY:** It is the policy of the Office that employees will only use Office vehicles for official business or as prescribed by the Sheriff. Vehicles are provided to employees of the Office to facilitate service to the community. These vehicles are provided for our use by the citizens of the County we service and they have a right to expect they will be used in the most efficient manner possible. Sworn employees have a 24-hour statutory responsibility to serve and protect the residents and resources of the County from criminal acts. Vehicles are necessary equipment to accomplish that responsibility. With these factors in mind, this policy provides a common sense approach to guide decisions employees must make when operating an Office vehicle.
- IV. PROCEDURES:**
- A. RESPONSIBILITY:**
1. The provisions of this policy shall not relieve the driver of an Office vehicle from the duty of driving with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his disregarding the safety of others.
 2. The employee assigned a vehicle will be responsible for checking fluid levels (oil, water, air, etc) and inspecting the vehicle and it's equipment for serviceability and damage. Damage and defective equipment shall be reported to the Fleet maintenance. The vehicle will be taken to the county shops for routine maintenance as scheduled by the employee and the shops.
 3. Operations employees will assure that their patrol vehicles are fueled prior to going off shift.
 4. It will be the responsibility of the employee to see that their assigned vehicle is clean inside and out.

5. When vehicles are taken to the County shops for maintenance, all weapons will be removed.
6. Fleet maintenance will not be responsible for items left in the vehicle when it is left at the shops for service.
7. The assignment of vehicles may be changed, at any time, at the discretion of the Division Commander, Undersheriff or Sheriff after proper coordination.
8. Neither the Officer nor the County will assume liability for unauthorized personnel riding in an Office vehicle.
9. Employees shall not alter, remove or modify any equipment associated with or attached to any Office vehicle without the express consent of the Sheriff.
10. During vacations or leave, vehicles will be made available to other employees during the absence.

B. OPERATION GUIDELINES:

1. Employees operating Office vehicles must have a valid Colorado driver's license.
2. Anytime a vehicle is left out of sight of the assigned employee, the doors will be locked.
3. Employees shall be required to wear seat belts unless the circumstances surrounding an event clearly indicate the necessity not to. Prisoners are required to be seat belted unless the circumstances surrounding an event clearly indicate the necessity not to.
4. The exceptions granted herein or by law to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals. Except that while in actual pursuit of a suspected traffic violator, the employee need not display nor make use of audible and visual signals so long as such pursuit is being made to obtain verification of or collection of evidence of the guilt or a suspected violator.
5. To prevent wind damage, thefts and allow emergency lights to be fully seen, patrol vehicle trunk lids shall be closed except when actually placing and removing items.
6. Routine driving. Under normal, non-urgent conditions and while responding to routine calls for service, employees will adhere to all existing traffic laws, driving defensively and in a safe and courteous manner.
7. Parking. Employees will comply with all parking regulations when parking their vehicles and will not double park or otherwise block traffic lanes except:
 - a. In inspection of premises believed to be in violation of laws, where inadequate parking and the need for prompt entrance necessitates relaxation of parking regulations.
 - b. When responding to a call for service where the circumstances preclude proper parking.
 - c. When police vehicles are strategically parked in roadways to protect crime scenes, injured persons, or where an employee is directing traffic flow when such use is done with emergency lights activated.

8. Urgent response. Urgent response calls are short of an emergency but require attention to prevent a potential hazard from escalating. Again, employees will adhere to all existing traffic laws, driving defensively and in a safe and courteous manner.
9. Emergency Response: Per CRS 42-4-108(2)(a-d), an emergency vehicle may disregard traffic regulations and/or exceed the lawful limits “when responding to an emergency call”.
 - a. An emergency call is defined as:
 - i. a personally reported assault and/or felony in progress.
 - ii. any incident that involves an imminent life-threatening event, illness or injury.
 - iii. a request for immediate law enforcement assistance from any emergency response agency.
 - iv. initial response to a reported death where there are legitimate crime scene concerns.
 - b. Responding deputies shall take into consideration the following factors when deciding to initiate, or discontinue an emergency response:
 - i. status change in or personal knowledge of, the event where it no longer meets the requirements of an emergency call as defined above.
 - ii. conditions that affect the surface of the roadway (ice, debris, etc.), weather (fog, snow, heavy rain, etc.), traffic (heavy or slow-moving traffic, construction areas, etc.), the emergency vehicle (unmarked car w/limited equipment or a vehicle with inoperative emergency equipment), the emergency vehicle operator (inexperience, fatigue, etc.), making a full emergency response unsafe or impractical.
 - iii. limited distance to travel to the incident making full emergency response unnecessary.
 - c. Speeds when responding to an actual emergency should not, with few exceptions, ever exceed the following:
 - i. fifteen miles per hour (15 mph) above the posted speed limit in any municipality, residential area, or on any unimproved road (dirt or gravel).
 - ii. thirty miles per hour (30 mph) above the posted speed limit on any secondary road or state highway.
 - iii. any safe speed dictated by the width, curves, roadway condition, weather, visibility or traffic conditions.
 - d. Any deputy responding to an emergency call will utilize all available emergency visual and audible equipment so as to alert other traffic and pedestrians. Sirens will be used in conjunction with visual equipment whenever there is any actual or likely conflicting traffic or pedestrians.
 - e. Instances may arise where use of audible equipment may prematurely announce the presence of law enforcement before deputies can arrive to a position of advantage. In the interest of officer safety, sirens may be discontinued in such situations. However, the deputy should take additional steps to delay

discovery, such as shutting off visual signals more easily seen in low-light conditions, decreasing speed to lessen engine, braking and squealing tire noise, as well as to observant of potential suspects/suspect vehicles, evidence or officer safety concerns. Deputies should change to a routine response and in no instance should exceed the posted speed limit by more than ten miles per hour (10 mph).

- f. Patrol units will not drive against traffic on one-way roadways except for very short distances and then only so as to safely access an emergency scene.
 - g. Under no circumstances when responding to an emergency will a deputy proceed through a stop sign at a speed greater than ten miles per hour (10 mph) in a municipality or residential area, or twenty miles per hour (20 mph) on any other highway or roadway.
- 10. Employees assigned a vehicle will use the vehicle as transportation to and from work because of their “on-call” status.
 - 11. Office vehicles will not be driven outside the County except in the performance of official business and the permission of the Division Commander or the Sheriff.

C. ACCIDENTS/DAMAGE:

- 1. Any employee damaging a vehicle and failing to report that damage, may be disciplined according to policy.
- 2. Any Office vehicle involved in a traffic accident, that has been damaged, or where the air-bag has deployed, will immediately be reported to dispatch, the appropriate law enforcement agency, and the Division Commander.
- 3. An accident report shall be completed by an outside agency when an Office vehicle is involved in a traffic accident. As soon as feasible, the employee and his supervisor shall contact the Division Commander and present the facts of the accident.
- 4. Fleet Management will be notified as soon practicable.
- 5. Employees will not leave the scene of an accident until cleared to do so by his supervisor unless extreme circumstances exist that require such action.

D. REQUIRED EQUIPMENT AND MARKINGS:

- 1. Equipment:
 - a. Red and blue lights
 - b. Siren
 - c. Mobile radio
- 2. Markings:
 - a. Exterior mounted lights
 - b. Agency’s name
 - c. Emergency phone number
 - d. Reflective markings on the sides and rear.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: EMERGENCY MEDICAL SERVICES		Policy No: 604
Effective Date: 06-15-2004	Reference:	
Standards:		

- I. PURPOSE:** To give direction to Sheriff's Office staff providing emergency medical care to the sick and injured in a pre-hospital setting, prior to the arrival of, or until professional emergency medical services can access the victim(s).
- II. POLICY:** It is the policy of the Sheriff's Office to provide emergency medical care to persons who suffer illness or injury, prior to the arrival of, and/or until access may be gained by, professional emergency medical services agencies, according to the level of skill to which they are trained and certified, by staying up to date with current trends in pre-hospital emergency care.
- III. PROCEDURES:**
- EMS Coordinator:**
The Sheriff will designate an EMS Coordinator for the Sheriff's Office. The EMS Coordinator will be responsible for the following:
1. Scheduling EMT's for required training or continuing education.
 2. Providing certification, training and other required documentation to Undersheriff for personnel files.
 3. Overseeing initial and ongoing AED training for MCSO staff.
 4. Purchasing, issuing and/or arranging for repair or replacement of, medical equipment and disposable supplies.
 5. Receiving Patient Care Reports for filing and forwarding copies of reports required to be reviewed to the Physician Advisor.
 6. Act as a liaison for the Sheriff's Office between the Morgan County Ambulance Service and MCSO Physician Advisor.
 7. Disseminate relevant information from the physician advisor, ambulance service and other EMS sources to MCSO EMT's.
- A. Medical Protocols**
All medical treatment protocols will be the same as those of the Morgan County Ambulance Service, except those specified within this protocol.
- B. Skill Levels**
1. All medical treatment protocols will be the same as those of the Morgan County Ambulance Service, except those specified within this protocol.
 2. In order to function at any level of Emergency Medical Technician, any MCSO employee/staff member must maintain Colorado state certification in that skill level.

3. In addition, any employee wishing to provide advanced levels of care at the EMT-Intermediate or Paramedic level, must comply with the following:
 - a. Maintain active membership or employment with an agency providing pre-hospital advanced life support, approved by the MCSO physician advisor.
 - b. Maintain certifications in Advanced Cardiac Life Support and either Basic Trauma Life Support or Prehospital Trauma Life Support.
 - c. Operate under the approval of the MCSO physician advisor.

C. Equipment

1. All medical care equipment utilized by MCSO employee/staff members will either be provided by the Sheriff's Office or Morgan County Ambulance Service and must be approved by the physician advisor.
2. ALS equipment will be only issued to specific individuals trained to that skill level. Those individuals will be responsible for maintaining that equipment and reporting damage or interoperability to the MCSO EMS Coordinator.

D. Special Operations Incidents

1. Certain situations may change the way pre-hospital emergency, and to some degree minor, medical care is traditionally delivered to victims of injury or illness. Special Operations such as tactical or search and rescue situations may present seriously injured patients, along with challenges to patient access, ability to bring patient care equipment to the patient, and ability to contact medical control.
2. For purposes of this policy, a "Special Operations Incident" shall be considered any incident where evacuation of a patient is complicated due to inability of patient to reach ambulance transport vehicles and/or aircraft, specifically:
 - a. Patient is in an isolated area and cannot be reached readily by ambulance or helicopter, or
 - b. Patient can be accessed by limited rescue personnel but cannot be readily evacuated due to natural or man-made hazards, AND
 - c.. Medical Control cannot be easily accessed and/or contact with medical control would put the patient and/or the rescuers at risk of serious injury.
3. The MCSO Physician Advisor may individually designate MCSO EMT-Paramedics to perform certain advanced life support procedures and/or administer certain medications per protocol during Special Operation incidents without having to contact medical control. Those designated individuals will have those procedures and/or medications specified by the Physician Advisor documented and placed within the staff member's personnel file.

E. Documentation

1. Documentation of patient contact and/or patient care will be completed on MCSO Patient Contact Report in the following instances:
 - a. Any incident where patient contact goes beyond basic assessment and history taking, manual c-spine immobilization, or minor wound care.
 - b. Any incident where an IV is attempted or completed, any medication is administered, or any other advanced life support procedure is attempted or completed, including defibrillation via AED.
2. MCSO EMT's should strongly consider documentation of any significant contact of any patient who has sustained any serious injury or there is a significant mechanism of injury, and/or complains of a significant medical event.

3. The following Patient Contact Reports will automatically be reviewed by the EMS Coordinator:
 - a. Any incident where any advanced life support procedure is attempted or completed.
 - b. Any Patient Contact Report arising from any Special Operations incident.
 - c. Any other incident so designated by the MCSO Physician Advisor.

F. Automatic Defibrillation (A.E.D.'s)

1. Automatic External Defibrillators (AED's) may be placed in certain patrol vehicles, assigned to specified individuals, and/or placed within the detention center for use within the justice center for use by trained staff or other individuals for victims of apparent sudden cardiac arrest.
2. To operate the AED, MCSO staff will successfully complete American Heart Association Basic Life Support training and have orientation to AED's specifically utilized by the MCSO. All sworn MCSO line staff (Deputy Sheriffs, Detention Specialists and supervisors) will receive initial AED training within six (6) months of completing their detention or field training program.
3. MCSO staff will demonstrate proficiency in the AED every three (3) months. Documentation of initial and ongoing certifications will be documented in staff member's personnel file.
4. AED usage procedure
 - I. SCENE SIZE-UP
 - Patient should be in a dry environment and placed on a hard, dry, non-metallic surface.
 - Patient should be at least six (6) feet away from electrical outlets or equipment.
 - II. PATIENT ASSESSMENT/SPECIFIC FINDINGS
 - Unresponsive
 - Pulseless
 - Not Breathing
 - Patient ninety (90) pounds or more in weight and at least twelve (12) years of age.
 - III. TREATMENT
 - Assess/maintain airway, initiate CPR until AED available.
 - Turn on AED, apply patches.
 - Verbalize patient status and incident information for audio recording (recommended - location, rescuer identification, patient pulseless, not breathing, etc).
 - Follow AED prompts.
 - If no shock advised, continue with CPR.
 - Re-analyze every minute.
 - Continue to follow AED prompts until the arrival of EMS and indicate such for audio recorder.

IV. SPECIFIC PRECAUTIONS/REMINDERS

Any event where AED is used where the patches are applied (whether or not a shock is applied), an AED Usage report will be completed.

APPROVAL:

John A. Collins, M.D.
MCSO Physician Advisor



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: Micro-cassette Recorder Use		Policy No: 605
Effective Date: 2-3-2004	Reference: IACP Model	
Standards:		

- I. **PURPOSE:** This policy is intended to provide deputies with instructions on when and how to use micro-cassette recorders (MCR) so that deputies may reliably audio record their contacts with the public in accordance with state law.
- II. **DEFINITIONS:**
- III. **POLICY:** A deputy may surreptitiously record conversations when such use is appropriate to the proper performance of his/her official duties, where the recordings are consistent with this policy, and as long as the person being recorded would have no reasonable expectation of privacy about the conversation. This policy does not govern the use of surreptitious recording devices used in undercover operations.
- IV. **PROCEDURES:**
 - A. This office has adopted the use of the MCR to accomplish several objectives. The primary objectives are as follows:
 1. Micro-cassette recorders allow for accurate documentation of statements made during deputy-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of deputy reports and testimony in court.
 2. Voice recordings also enhance this office's ability to review probable cause for arrest, deputy and suspect interaction, evidence for investigative and prosecutorial purposes, and to provide additional information for deputy evaluation and training.
 3. The MCR may also be useful in documenting crime and accident scenes or other events to include the confiscation and documentation of evidence or contraband.
 - B. When and How to Use the MCR:
 1. The MCR shall be activated and remain activated in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy (see items C.1-4).
 2. If a deputy fails to record the entire contact or interrupts the recording, the deputy shall file a written report explaining why the recording was interrupted or terminated.

- C. Restrictions on Using the MCR: MCRs shall only be used in conjunction with official duties primarily including but not limited to the investigation of crime or other violations of the law. Deputies may not activate the MCR to surreptitiously record.
1. Communications with other law enforcement personnel without the permission of the chief executive officer (CEO),
 2. Conversations that concern matters over which the person being recorded would have a reasonable expectations of privacy,
 3. Conversations conducted under the circumstances that would constitute a “custodial interrogation, or
 4. Instances in which the case against a suspect has reached the “critical stage,” that is, when formal charges have been filed or when adversarial judicial proceedings have begun.
- D. Procedures for MCR Use:
1. MCR equipment is issued primarily to uniform personnel as authorized by this office. Deputies who are assigned MCR equipment must utilize such equipment unless otherwise authorized by supervisory personnel.
 2. Deputies shall use only recorders issued by this office.
 3. MCR equipment is the responsibility of individual deputies and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the deputy’s supervisor as soon as possible so that a replacement unit may be procured.
 4. Deputies shall inspect and test the MCR prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
 5. Deputies are encouraged to inform their supervisor of any audio-recorded sequences that may be of value for training purposes.
 6. Deputies shall note in incident, arrest, and related reports when audio recordings were made during the incident in question.
- E. Recording Control and Management:
1. Deputies shall download recordings into the office’s computer program.
 2. Administrative assistants will transfer recordings to CD’s periodically.
 3. MCR recordings containing information that may be of value for case prosecution in any criminal or civil adversarial proceeding shall be safeguarded in the same manner as other forms of evidence. Master copies shall not be released without proper authorization. Duplicate copies may be made and released for review by prosecutors and others with a right or authorization to review such information.
 4. Recordings identified for use in criminal or civil cases shall be maintained for at least six months after the statute of limitations has expired and in criminal cases until there has been a final disposition or as otherwise directed by court order.
 5. Recordings not identified for use in court proceedings or adversarial or office uses shall be maintained in secure storage for a minimum period as authorized by state law or the policy of this office. All recordings shall be maintained in a manner that allows for efficient identification and retrieval.

- F. Supervisory Responsibilities:
1. Supervisory personnel shall ensure that deputies equipped with MCR devices utilize them in accordance with policy and procedures defined herein.
 2. At least on a monthly basis, supervisors will randomly review MCR recordings to ensure that the equipment is operating properly and that deputies are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 700 GENERAL OPERATIONS



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: INFECTIOUS DISEASES CONTROL PROCEDURES		Policy No: 701
Effective Date: 4-30, 1999	Reference: MCEMS Exposure Control Plan; 29 CFR 1910; Ryan White Act	
Standards: CLEPS,		

I. PURPOSE: To provide a standard for the handling of blood and other materials that may be infectious in nature in order to ensure the safety of Office employees and the public. This policy and procedure is designed to be used in concert with the Morgan County Emergency Medical Services Systems Infection Exposure Control Program (Appendix A).

II. DEFINITIONS:

AIDS: Acquired Immune Deficiency Syndrome. AIDS is a fatal illness characterized by damage to the body's immune system which causes the patient to be vulnerable to a number of opportunistic infections which would not threaten persons with a normal immune system. The AIDS patient is unable fight off these infections and eventually dies. AIDS is caused by the Human Immunodeficiency Virus (HIV). Most persons infected with HIV remain healthy while others develop AIDS. The HIV virus is fragile and is easily killed by heat and many common disinfectants.

BLEACH SOLUTION: A disinfectant made of a 1:100 bleach solution (one quarter cup of bleach per gallon of tap water), also referred to as a 1% bleach solution. This solution must be freshly mixed. It can be used to disinfect or destroy certain infectious substances. Other EPA registered disinfectants can be used as substitutes.

BLOOD: Human blood.

BLOOD BORNE PATHOGENS: Pathogenic micro-organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis-B Virus (HBV) and Human Immunodeficiency Virus (HIV).

BODY SUBSTANCE ISOLATION: A concept practiced by emergency response personnel where blood and all body fluids are to be considered as posing a risk of transmission of blood-borne diseases.

CONTAMINATED: The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

CONTAMINATED LAUNDRY: Laundry which has been soiled with blood or other potentially infectious materials.

CONTAMINATED SHARPS: Contaminated objects that can penetrate the skin including, but not limited to, needles, broken glass or razors.

DECONTAMINATION: The use of physical or chemical means to remove, inactivate or destroy blood-borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

EXPOSED: To in circumstances in which there is a significant risk of becoming infected.

HBV - HEPATITIS-B VIRUS: Hepatitis-B is the most serious of the various types of hepatitis. HBV is transmitted in the same manner as HIV. Once a person is infected, the disease can result in a mild infection, an infection of or cancer of the liver, or death due to liver failure. Those infected with HBV can act as carriers and spread the disease to others. There is no known treatment for persons with HBV. HBV can be prevented with a vaccine. This may include Hepatitis-A, B, C, D, and E.

INFECTION CONTROL OFFICER: The Undersheriff shall act as the ICO and is responsible for maintaining records, overseeing training, receiving and disseminating information concerning exposures.

OCCUPATIONAL EXPOSURE: Reasonably anticipated skin, eye, mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

OTHER INFECTIOUS DISEASES: Herpes, gonorrhea, syphilis. All transmitted in a variety of different ways from person to person.

OTHER POTENTIALLY INFECTIOUS MATERIALS (OPIM): Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, amniotic fluid, saliva in dental procedures, and any other body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids and any unfixed tissue or organ (other than intact skin) from a human (living or dead).

PARENTERAL: Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, punctures and abrasions.

PERSONAL PROTECTIVE EQUIPMENT(PPE): Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes not intended to function as protection against a hazard are not considered to be person protective equipment.

SIGNIFICANT RISK: A finding of facts relating to human exposure to an etiological agent for a particular disease, based on reasonable medical judgements given the state of medical knowledge, about;

1. the nature of the risk (how the disease is transmitted); and
2. the duration of the risk (how long an infected person may be infectious); and
3. the severity of the risk (what is the potential harm to others); and
4. the probabilities the disease will be transmitted and will cause varying degrees of harm.

TUBERCULOSIS: An infection that primarily affects the lungs. It is caused by airborne droplet nuclei from the respiratory tract of an infected person. The disease is treatable in most instances.

UNIVERSAL PRECAUTIONS: An approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens

III. POLICY: Office employees should always take appropriate precautions to reduce the risk of contracting infectious diseases when rendering assistance to the public, giving first aid, arresting suspects, investigating crime scenes and when processing evidence and property for impoundment. Office employee should comply with:

- A. Morgan County Emergency Medical Services Infection Exposure Control Program.

- B. 29 CFR 1910.1030 shall be posted in a location where it is accessible to all officers.
- C. Ryan White Comprehensive AIDS Resources Emergency Act will be followed.

IV. PROCEDURES: The following guidelines shall be adhered to when working at EM (Emergency Medical) incidents where the possibility of exposure exists.

A. List of Potentially Life Threatening Diseases to which Office personnel can be exposed:

1. **Airborne diseases.**
 - Infectious pulmonary tuberculosis
2. **Bloodborne Diseases.**
 - Hepatitis B
 - Human immunodeficiency virus infection (including AIDS)
3. Uncommon or Rare Diseases
 - Diphtheria
 - Meningococcal Disease
 - Plague
 - Hemorrhagic Fevers (Lassa, Marburg, Ebola, Crimean-Congo, & Others)
 - Rabies

B. Guidelines for Determining Exposure

1. Circumstances Under Which Exposure can Occur
 - a. Airborne Disease – when the employee shares air space with a patient who has an infectious disease caused by an airborne pathogen.
 - b. Bloodborne Diseases – as a result of contact during the performance of normal job duties with blood or other bodily fluids to which universal precautions apply. When the employee has contact with bodily fluids under emergency circumstances in which differentiation between fluid types is difficult, if not impossible, all bodily fluids are considered potentially hazardous.
 - c. Uncommon or Rare Diseases – person to person transmission of pathogens in this category is rare but infection could be life-threatening. Transmission can result by direct contact with droplets from the respiratory tract of the infected person.
2. Guidelines for Determining Exposure to an Airborne Infectious Disease. If it is determined that a patient has an airborne infectious disease, the employee finding this information will notify the ICO as soon as possible but not later than 48 hours after the determination has been made. This determination can be made by medical clearance or by the patient telling staff of his infection.

3. Guidelines for Determining Exposure to an Bloodborne or Other Infectious Disease.
 - a. The employee shall submit written information indicating the circumstances around possible exposure.
 - b. The ICO will collect and evaluate facts around the exposure.
 - c. Follow the procedures in Section G(8).

C. Universal Precautions and Personal Protection Equipment (PPE). All employees are required to utilize this equipment when occupational exposure may occur. Equipment should be kept in an accessible location in a patrol vehicle, job site or duty post.

1. All employees will avoid contact with known and/or anticipated air-borne and blood-borne pathogens until they have taken accepted and appropriate precautions to protect themselves. The washing of hands and the sanitation of work areas is a high priority.
2. The minimum amount of personnel should be present when handling blood or OPIM or items contaminated with them. Advise any personnel on the scene who may come in contact with the patient of potential infectious exposure.
3. Disposable gloves shall be worn when there is patient contact, evidence collection or contact with materials that are suspected of being contaminated.
4. When dealing with situations where body fluids may be splashed into the eyes, protective goggles or glasses shall be worn.
5. Restrict the number of personnel in contact with the individual to those essential for patient treatment.
6. An adjunct respiratory device (pocket mask or bag mask with one-way valve) shall be used to perform artificial ventilation, whenever possible.
7. Utility gloves should be used for clean-up instead of rubber exam gloves.
8. Keep all breaks in the skin covered or bandaged when working.
9. Suspects should be asked about the presence of needles or other sharp objects before searching.
10. Under no circumstances shall needles, sharp instruments or objects be bent, re-sheathed, or recapped by any employee unless a special recapping device is being used.
11. Avoid putting your hands in contact with your face and areas where blood or OPIM are present.

12. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas or crime scenes where there is a likelihood of exposure.
13. Food and drink are not to be kept in a refrigerator, freezer, on counter tops or other storage areas where blood or other potentially infectious materials may be present.
14. If the situation presents hazards beyond the expertise of Office personnel, consultation with the Fire Department, Hazmat Unit or the Health Department may be advisable.
15. Medical personnel working in the Detention Center will utilize special disposal containers located in the infirmary.
16. All PPE shall be inspected monthly and repaired and/or replaced as needed to maintain its effectiveness. Inspections will be documented.
17. Masks should be worn when dealing with anyone who may have a disease transmitted through the air, such as tuberculosis. It may be desirable to place an additional mask on the person involved, providing that the mask does not interfere with breathing. When it is necessary to remain in a confined space with such a person, a window should be opened and adequate ventilation should be maintained.

D. Crime Scenes, Autopsies and Contaminated Evidence

1. The same precautions concerning protection should be taken as listed in Section B.
2. All procedures involving blood or other potentially infectious materials will be performed in a manner that minimizes splashing, spraying or generation of droplets of these materials.
3. Specimens of blood or other potentially infectious materials shall be placed in designated leak-proof containers, appropriately labeled and/or color-coded for handling and storage.
4. Evidence left in the Crime Lab to air dry must be conspicuously marked or tagged as to the presence of blood or OPIM.
5. Completed property forms should clearly note the existence of blood or OPIM.
6. Sharp objects such as knives, machetes, and razors should be wrapped or taped so that sharp points or cutting edges cannot puncture the container they are stored in. A warning should be clearly marked on the container that it contains sharp objects.

7. Before any crime scene is relinquished to the owner or agent of the property, that person should be warned of the presence of blood or OPIM. The property owner should consult with a commercial cleaning company if in doubt as to how the material should be cleaned. If no one is present with whom this information may be discussed, a note containing this information should be left in prominent location.
8. Blood or OPIM to be submitted for testing at CBI should be appropriately packaged and labeled.

E. Hepatitis-B Vaccination and Tuberculosis Testing Program.

1. All employees are required to do ONE of the following:
 - a. Accept the FREE Hepatitis-B vaccination series provided by the Office.
 - b. Sign a refusal form indicating that you do not want the vaccination series.
 - c. Provide medical documentation that you do not require the vaccination series because you are immune due to a previous vaccination or exposure to Hepatitis.
2. When the budget permits, all employees will be offered, at no cost, a tuberculosis test on a bi-annual basis.

F. Decontamination, Waste Removal and Contaminated Laundry

1. Hand washing with soap and water or an approved substitute is to be done as soon as possible after patient contact. This can be completed using utility or restroom sinks. As an interim measure, hands can be cleansed using disinfectant cloth or gel.
2. The disinfectant used for decontamination procedures is bleach water.
3. Clothing contaminated with blood, other body fluids, or excreta shall be immediately changed and decontaminated.
4. Dispose of contaminated supplies in an appropriate container that is closeable, puncture resistance, leak proof and with a red bio-hazard label.
5. Clothing which has been contaminated with blood, vomitus, or other body fluid of patients must be decontaminated immediately.
 - a. Contaminated clothing should be changed as soon as possible.

- b. Clothing should be pre-washed in a disinfectant detergent solution and hot water in a sink, then laundered in a normal manner. Air drying or machine drying assists in the decontamination process.
 - c. Boot and leather gear may be brush scrubbed with soap and water to remove contamination.
 - d. Parts of uniforms or other pieces of clothing that require commercial cleaning should be isolated from other clothes and the contaminated area should be soaked in 70% alcohol for 10 minutes and then sent to the dry cleaners.
 - e. Any uniform or clothing part that has been contaminated and cannot be used should be returned separately to the Division Commander in a sealed bag which should then be placed in a red, bio-hazard bag for destruction.
6. Should an Exposure Incident Occur:
- a. Wash the affected area as soon as possible with hot water and soap, bleach solution, or other disinfectant.
 - b. Irrigate contaminated mucous membranes such as eyes, nose, and mouth, with water or saline solution for 15 minutes.
 - c. Report an exposure to a supervisor and Infection Control Officer(ICO) within eight (8) hours. Workers Comp documentation should also be completed at this time.
 - d. The employee should proceed immediately to the Colorado Plain Medical Center Emergency Room and request consultation with the health care provider designated by the County.
 - e. Follow the procedures as set forth in Appendix A.
 - f. Complete an incident report of the injury within twenty-four (24) hours.

NOTE: Refusal or failure to comply with this policy may result in suspension, denial, or cancellation of privileges.

7. Supervisors Responsibilities:
- a. Assist the employee in receiving immediate medical attention.
 - b. Complete a incident report and an “Employer First Report of Accident” for Worker’s Comp.

- c. Assist the employee in making arrangements for follow-up services in accordance with Appendix A.
- 8. Contaminated sharps containers should be maintained upright, routinely replaced and not allowed to over-fill.
- 9. Contaminated materials and sharps containers will be disposed of via an agreement with the Morgan County Ambulance Service. Waste will be transported to that facility and disposed of with their waste. Used or contaminated PPE, particularly gloves, should never be discarded on the street, left in patrol vehicles or left at crime scenes.
- 10. Contaminated Patrol Vehicles:
 - a. Visible blood or OPIM should first be removed with disposable towels or other means which will prevent direct contact between the material and the employee's skin.
 - b. If the transport compartment becomes contaminated with blood or OPIM, the operator should disinfect the area with bleach solution. If possible, the area should be allowed to air dry after being exposed to the bleach solution. If this is not possible then the area can be rinsed with water.
 - c. There may be circumstances where personnel cannot disinfect a vehicle and professional cleaning is needed. In such cases, the following will apply:
 - 1. The operator of the vehicle will notify a supervisor who will inspect the vehicle.
 - 2. If deemed necessary by the supervisor, the vehicle will be placed out of service leaving the windows partly open to allow air to flow freely in the car.
 - 3. A repair note will be left on the vehicle windshield that conspicuously identifies the vehicle as contaminated by body fluids and the location of the contaminated area within the vehicle.
 - 4. Employees will wear PPE whenever they decontaminate a vehicle.
- 11. **Bio-hazard Disposal Areas:**
 - a. For patrol deputies, materials needing disposed of at an accident/incident scene will be placed in an ambulance bio-waste container.

- b. If carried away from the scene, it should be deposited in the red bio-hazard container in the infirmary in the booking area.
- c. Detention staff should deposit bio-hazard materials in the bio-hazard container in the infirmary in the booking area.

G. Exposure Control and Documentation.

- 1. Exposure to communicable diseases is inherent in numerous positions within the Office. Therefore the following procedures are instituted:
 - a. On at least an annual basis, the management team will review all exposure reports and records.
 - b. In addition, they will review and provide recommendations for modifications to policies, procedures and plans related to infectious exposures.
 - c. Utilizing the information contained in the annual report, the Undersheriff will modify existing policy to address those hazards.
- 2. The Undersheriff shall serve as the Infection Control Officer (ICO) and he will:
 - a. Serve as the Office's designated officer as required by the "Ryan White Comprehensive AIDS Resources Act of 1990".
 - b. Develop criteria for the purchase of infection control PPE and determine adequate stocking levels.
 - c. Evaluate possible exposures to communicable diseases and coordinate communications between the Office, area hospitals and the Morgan County Health Department.
 - d. Collect any quality improvement data on the Infection Control Program.
 - e. Notify the Sheriff if quality improvement data indicates a safety hazard requiring immediate attention.
 - f. Conduct spot inspections of on-scene and station operations to ensure compliance with policies and procedures.
 - g. Investigate complaints of incidents involving non-compliance of this policy.
 - h. Coordinate the immunization program and maintain records.
 - i. Maintain records of exposures and treatment given.

3. All exposures or suspected exposures, as defined herein, shall be immediately reported to the Undersheriff by preparing a written incident report.
4. If an employee has been contaminated and is unable to complete the report, the employee's immediate supervisor will complete the report for the employee.
5. A Worker's Compensation form will be completed and submitted as required by County Policy.
6. The Undersheriff shall be responsible for follow-up with the medical facility on all incidents that involve infectious diseases.
7. Medical records concerning a deputy who is occupationally exposed to blood or body fluids while on duty will be maintained in a secured limited access file for the required 30 year periods post-employment with the Office.
8. Post exposure follow-up shall include:
 - a. Documentation of the type(s) of exposure and an investigation into how it happened.
 - b. Identification of the source material or person (if possible).
 - c. Testing of the source person's blood (if possible).
 - d. Providing information to the employee regarding the results of the source individual's test.
 - e. Testing of the employee's HIV/HBV status (if consent is given).
 - f. Provision of counseling as recommended.

H. Post Exposure Testing.

1. The Undersheriff shall be responsible in assuring that the exposed employee is evaluated clinically and HIV/HBV antibodies are tested.
2. The exposed employee shall be evaluated clinically and be tested for HIV/HBV antibodies immediately upon exposure.
3. Until the possibility of infection is resolved as a result of testing, the exposed employee should use the universal precautions to protect their sexual partner.
4. Information provided to the testing health care professional shall include:

- a. A copy of the standard report.
- b. A description of the employee's duties.
- c. Documentation of the route and circumstances surrounding the exposure.
- d. Results of the source person's test.
- e. All relevant employee medical records, including vaccination status.

I. Training.

- 1. All employees are REQUIRED to ANNUALLY attend the infection control training program. This program will include the following:
 - a. Where a copy of the OSHA regulation concerning infectious diseases can be found in the Appendix to this Policy.
 - b. An explanation of the symptoms of blood-borne and air-borne diseases.
 - c. An explanation of the modes of transmission of blood-borne and air-borne diseases.
 - d. An explanation of the specific Exposure Control Plan in effect by the Office. Employees must be told where and how to obtain a copy if they want one.
 - e. How the employee can determine if a task may involve exposure to blood and potentially infectious materials.
 - f. An explanation of methods that will be used to prevent or reduce exposure, including engineering controls, work practices and personal protective equipment.
 - g. Information on Hepatitis-B vaccination, including its efficacy, safety, methods of administration, the benefits of the vaccine and that it will be offered free of charge.
 - h. Information on the appropriate actions to take and persons to contact in an emergency involving blood and other potentially infectious materials.
 - i. An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the

medical follow-up that will be made available at no cost to the employee.

- j. Information on the post exposure evaluation and follow-up that the Office is required to provide at no cost for the employee following an exposure incident.
 - k. An explanation of the sign and labels and/or color coding required for bio-hazard warning.
 - l. An opportunity for interactive question and answers with the person conducting the training session. The person conducting the training shall be knowledgeable in the subject matter covered and the elements contained in the training program as it relates to the specific work places.
- 3. In addition, all employees will receive training about any needed equipment or any changes in policies prior to their becoming effective.
 - 4. All employees will receive training prior to any assignment that involves potential risk to exposure to blood and body fluids.
 - 5. All questions about training and Hepatitis-B vaccinations should be directed to the Undersheriff.
 - 6. Failure to have current documentation of compliance with the specified training requirements and vaccination or waiver will result in suspension until completed.

J. Training Records.

- 1. The Undersheriff must keep records of all training sessions and what information is disseminated. these records shall include:
 - a. Date(s) of training.
 - b. Summary of the contents of the training sessions.
 - c. Name(s) and qualifications of the trainers.
 - d. Names of the attendees.
- 2. Training records must be maintained for three (3) years from the date of the training.

K. Medical Records.

1. The Office must maintain records of HBV vaccinations, as well as documentation related to an exposure. These records include:
 - a. The name and social security number of the employee.
 - b. A copy of the HBV vaccination record.
 - c. A copy of all examinations, medical testing and follow-up.
 - d. An employers copy of the health care providers written opinion.
 - e. A copy of the information to the health care provider.
2. Post exposure documentation from the health care professional must be given to the employee within 15 days of the Office receiving it.
3. These records must be kept confidential and separate from the employee's personnel file. They must be maintained for at least thirty (30) years after the individuals employment ends.
4. Medical/exposure records may not be released to anyone without the express written permission of the employee.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: PROPERTY AND EVIDENCE MANAGEMENT AND CONTROL		Policy No: 702
Effective Date: 4-1-99	Reference:	
Standards: CLEPS 200.1 TO 200.8		

- I. PURPOSE:** To establish a procedure and system for the care and control of all evidence and property requiring accounting and safekeeping.
- II. DEFINITIONS:**
EVIDENCE: All property seized by the Office which is related to a crime, a possible crime, which may clear a person of a criminal charge, or which may implicate a person in a criminal wrong-doing.
ASSIGNED DEPUTY: The deputy that a particular case has been assigned to for follow-through, investigation or prosecution.
- III. POLICY:** The Evidence/Property Custodian is charged with the care and control of all evidence needed for criminal cases as well as articles obtained as found property or property kept for safekeeping.
- IV. PROCEDURE:**
- A. CUSTODIAN RESPONSIBILITIES:**
1. To maintain in a safe, secure and orderly environment, and all property received.
 2. To check each authorized interim storage locker on a regular basis and process its property.
 3. To complete the necessary sections of the Property Report for each item of property received to include date in, time received, location stored, chain of custody and final disposition.
 4. To maintain necessary evidence records to include the proper entries in the evidence file for each item received and for each item temporarily or permanently leaving the evidence room.
 5. To return all non-evidence to its rightful owner or dispose of it in a lawful manner as soon as the law permits.
 6. To be able to document the disposition of any item of property from the time it is accepted to the time it is lawfully disposed of.
 7. To assure the owners of evidence and found property are advised that the property is in the possession of the Office.
- B. DEPUTY RESPONSIBILITIES:**
1. Evidence shall be collected in all crime where evidence is available.
 2. Any item belonging to another person and taken into possession by a deputy for any reason shall be entered into the evidence/property system prior to the end of a tour of duty.

3. Any such items shall be described on the associated case report and an evidence/property tag or impound form shall be completed. The report will include the circumstances by which the evidence was obtained.
4. No item is to be kept in a deputy's personal possession thereafter except with the permission of the Sheriff.
5. Each piece collected shall be "logged in", stored in proper containers and placed in an interim storage locker until the Evidence Custodian picks it up.

C. FACILITY AND SECURITY REQUIREMENTS:

1. The evidence room shall be the central location for storing all items except motor vehicles or large, flammable, or explosive items. Other items will be kept in other secured areas outside the Office building.
2. The Evidence Custodian shall be the only deputy to have a key with access to the evidence room. The Sheriff may appoint a deputy to be in charge of evidence when the regular custodian is unavailable.
3. Any time a deputy other than the Evidence Custodian enters the evidence room, he will sign in with his name, the date and the reason for being in the room. The Custodian will be present any time another deputy enters the evidence room.

- D. INVENTORY: To insure the integrity of the evidence section, the Sheriff or his designee shall participate in a yearly inventory of evidence and a report of the condition shall be forwarded to the Sheriff.

E. PROPERTY CONTROL:

1. Before being destroyed, transferred, or released to a "finder", property bearing a serial number shall be checked on CCIC/NCIC for wants.
2. Employees may check out property needed for court or further investigative inquiries and shall maintain custody and control of the evidence. The property will be returned to the evidence room as soon as possible.
3. It is the responsibility of the Assigned Deputy to provide final disposition instructions, including determining ownership of items and what items are to be returned or destroyed.
4. Authorization to release property can only be granted by:
 - a. Assigned Deputy or his supervisor, or
 - b. the Office of the District Attorney, or
 - c. Court clerk.
5. Release of property of its owner is granted when:
 - a. the owner presents suitable identification, and
 - b. the owner signs for the property.
6. Retention of evidence will normally continue until:
 - a. the judicial proceedings are complete,
 - b. the statute of limitations has expired,
 - c. the case is unfounded,
 - d. the District Attorney declines to prosecute,

- e. when it is reasonably believed that the evidence is no longer related to a crime, a possible crime, or which may clear a person of a criminal charge, or which may implicate a person in a criminal wrong-doing.
7. Disposition of unclaimed property (In accordance with County Resolution 98BCC 03)
- a. Procedure:
 - i. Written notice must be sent to the owners last known address. This notice will include a description of the property and the circumstances under which the property was in the possession of the Office.
 - ii. If after notice the property remains unclaimed for thirty (30) days, the property shall be considered the property of Morgan County.
 - b. Disposition:
 - i. The Office may, at the discretion of the Board of County Commissioners, claim the property for operational or training use or make the property available to other County Departments.
 - ii. If not converted by the County, the property may be disposed of by public auction, donation to a charitable organization, or transferred to another governmental entity.
 - iii. If it has no commercial value, the property may be disposed of or destroyed.
 - iv. If the property is perishable, it will be advertised for sale at a public auction with public notices not less than three (3) days prior to such sale. Or if that property would perish more quickly, it can be immediately disposed of by the authorization of the Sheriff.
 - c. Firearms:
 - i. It may be retained for training or operational uses.
 - ii. An auctioneer holding a Federal Firearms License shall sell it at public auction.
 - iii. It may be sold or transferred directly to another law enforcement agency.
 - iv. Firearms, possession of which is illegal under federal law or which requires a Class III Federal Firearms License or have a fair market value of less than \$100, may be destroyed at the discretion of the Sheriff.
8. When evidence is sold at auction, destroyed, or converted, the Sheriff and a witness are required to sign the appropriate form.
9. With DA's Office approval, evidence may be promptly photographed and returned to the victim.
10. Property, the possession of which is illegal (contraband), shall be destroyed when there is no legitimate purpose for retention.
11. Citizens who found lost or abandoned property, excluding firearms and hazardous or dangerous materials, that was turned over to the Office may claim that property, if unclaimed by the rightful owner within thirty (30) days.

12. In the event of a dispute concerning the disposition of property, the Board of County Commissioners shall have sole discretion whether to return property to a person, to deny a claim, or to honor a claim in part.
13. In the event that any controlled substance is destroyed, two (2) employees and a member of the Command Staff will witness the destruction and sign the appropriate form.

F. **PROPERTY MANAGEMENT:**

1. Money will be counted and if greater than one hundred (\$100) dollars, it will be packaged separately from other evidence. All monies will be counted when received by the Evidence Custodian.
2. Firearms will be unloaded and the cartridges placed in separate containers except where evidentiary value will be lost when unloaded. Loaded firearms will be marked "LOADED FIREARM". A lab request will accompany a loaded firearm specifying why it was not unloaded and the evidence to be collected. **FIREARMS WILL BE SECURED IN A LOCKED CONTAINER INSIDE THE EVIDENCE ROOM.**
3. Controlled substances should be photographed prior to packaging and the property report will indicate a description of the substance. **CONTROLLED SUBSTANCES WILL BE SECURED IN A LOCKED CONTAINER INSIDE THE EVIDENCE ROOM.**
4. Items that have significant value or are of a sensitive nature should be held in a locked container within the evidence room.
5. Perishable items should be inventoried on a property report, photographed and released to the owner.
6. Marking and labeling by the deputy collecting the evidence must indicate the following:
 - a. Case number
 - b. Initials of the collecting deputy
 - c. Date collected
 - d. Location collected
 - e. Item number
7. Information required with evidentiary photographs:
 - a. Date photos were taken
 - b. Photographers name
 - c. Case number
8. Records of physical evidence submitted to outside forensic labs include:
 - a. All prior chains of custody
 - b. Name of the person submitting or mailing the evidence.
 - c. Date, time and method of shipment.
 - d. Date and signature of the person receiving the evidence.
 - e. Name of the investigating deputy.
9. In the event of evidence that requires special attention or treatment for preservation is collected, the Evidence Custodian will be contacted so that arrangements can be made for special handling.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: VICTIM ASSISTANCE PROGRAM		Policy No: 703
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide Victim Advocates and volunteers with guidelines for assisting victims and the agencies involved with those victims.
- II. DEFINITIONS:**
TEAM MEMBER: A paid or volunteer advocate of the Victim Assistance Program.
AGENCY MEMBER: A member of the law enforcement agencies served by the Program
PROGRAM COORDINATOR: The paid staff member of the Morgan County Sheriff's Office and designated coordinator of the Program.
PROGRAM DIRECTOR: The acting Sheriff is the designated Program Director.
- III. POLICY:** The Morgan County Sheriff's Office will provide, through it's personnel, assistance and information to victims and to the agencies interacting with the victims that includes but is not limited to the following:
- Allowing the patrol officers and investigators more time for investigation.
 - Improve relationship between the victim and law enforcement.
 - Provide referrals for victim's follow-up needs.
 - Have an advocate present during the immediate crisis.
 - Make the community aware of law enforcement's concern for victims.
 - To provide training for law enforcement officers.
 - To help coordinate existing community resources.
 - To establish a liaison atmosphere between victims, investigation officers and the rest of the criminal justice system.
 - Increase the awareness of the community to potential victimization and available resources.
- IV. PROCEDURES:**
- A. Training. To become an advocate for the Victim Assistance Program, a person must complete training designated by the Program Coordinator.
- B. Residency. All advocates must live within (30) thirty minutes of the Morgan County Sheriff's Office.
- C. Case Length. The Victim Assistance Program does short-term support only. Cases requiring long-term psychological counseling should be referred to the proper agency. Deal with the immediate situation and then use your judgement on referral. The Program Coordinator should always, in the case of compensable

crimes, and may in non-compensable crimes, may be consulted to help assess the victim's needs and decide how to best handle it.

D. Confidentiality.

1. One of the most important policies is one that is most difficult to consistently follow. AT NO TIME is an advocate to discuss a case or client with anyone other than an agency member or, with the victim's permission, an agency or organization directly involved in assisting in the case. Under no circumstances should a case be discussed in a public place where conversation can be overheard. Never disclose crime report information without clearance from a police records supervisor or officer in charge of a criminal case.
2. Under no circumstances should advocates home phone numbers or address be given to a victim/family. Your home should not be offered as a shelter to any victim.

E. Disputes. Never confront an individual or agency member during an on-call crisis situation. Differences will be discussed at a later time. Discuss the matter with the Program Coordinator.

F. On-Call and Response.

1. Every advocate will be scheduled to take an on-call shift, in rotation, unless other arrangements are made with the Program Coordinator.
2. On-call shifts are scheduled in advance and are subject to change with the agreement of the effected advocates.
3. Advocates must be available by telephone or pager when they are scheduled to be on-call.
4. Advocates should keep their telephone lines clear during the time they are scheduled to be on-call.
5. Any advocate who is scheduled to be on-call and cannot be reached by telephone or pager, or does not go out on a call when requested by an agency member during an on-call period may be subject to termination.
6. If an advocate is unavailable to go out on a call during the time period when they are scheduled to be on-call, due to sickness or an unexpected emergency, the advocate is responsible for getting a replacement and/or should notify the Program Coordinator as soon as possible. It is preferable that the Program Coordinator be notified prior to any call out.
7. An advocate will refrain from alcohol or drugs while on-call or working with victims.
8. When an advocate is called to respond, they should confirm the call by making a return phone call to Dispatch to assure that a representative of the requesting agency has called them.
9. Respond to the location that was designated by Dispatch.
10. Contact the officer on-scene to inform them you have arrived. If an advocate arrives before the officer, the advocate should wait for law enforcement before entering.
11. The advocate should not enter a crime scene unless the incident commander or the officer in charge approves it.

12. See the victim. The advocate stays until the victim leaves or until another supportive person takes over care.
 13. Give the victim a victim's rights pamphlet and information along with the Program Coordinator's name, the case number and office telephone number.
 14. Call the Program Coordinator the next morning and fill them in on any victim's requests or needs.
- G. Attire. The attire for a call-out will be casual clothing. The attire for court will be of a business nature.
- H. Documentation and Reporting.
1. A victim log sheet on cases handled by a volunteer should be given or mailed to the Program Coordinator as soon as possible after the call unless other arrangements are made.
 2. It should be understood that whatever a victim tells the advocate is not privileged communication and that the advocate might be subject to court subpoena to testify. The advocate will relay all information to the officer handling the case.
 3. As a general rule, try to avoid having the victim make statements that concern facts surrounding the case or the perpetrator. No effort should be made to encourage the victim to relate details of the crime unless specifically requested to do so by the investigating officer. And in their presence.
 4. If the victim makes statements that may be important to the investigation, discuss this with the Program Coordinator. The investigator handling the case will be notified immediately.
- I. Meetings.
1. Program meetings will be held once a month. Most will include training. Volunteers are expected to be there.
 2. If an advocate cannot attend a meeting, they should contact the Program Coordinator prior to the meeting.
 3. An advocated may not have more than (2) two unexcused absences a year from monthly meetings or they may be terminated.
- J. Information and the Press. Any information to given to the media should go through the specific law enforcement agency's Public Information Officer.
- K. Ride-Alongs. Advocate volunteers are required to ride-along with road officers (any jurisdiction) for a minimum of 4 hours per quarter.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: RIDE ALONG -WORK INTRODUCTION PROGRAMS		Policy No: 704
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To initiate greater community understanding of the mission of the Office through direct job and duty exposure.
- II. **DEFINITIONS:** None
- III. **POLICY:** It is the policy of the Office to allow participation in the ride along/work along program to the extent that the program does not interfere with the safe, efficient and effective mission of the Office.
- IV. **PROCEDURES:** Students in every level of schooling can use their experiences of the ride along/work along program to conduct research for their various approved projects. Law Enforcement employees from other jurisdictions can observe the operation of the Office. Family members of employees can observe first-hand the day-to-day operations, thereby permitting them to better understand the nature of the work involved. Other citizens may observe and obtain a greater sense of understanding of the daily duties, requirements and dangers involved in being a patrol deputy or detention specialist.
 - A. **ADMINISTRATION OF THE PROGRAMS:** The Patrol Division Commander shall administer the ride along program and the Detentions Division Commander will administer the work along program.
 - B. **NON-MCSO LAW ENFORCEMENT OFFICERS:** In the event that a law enforcement officer out of this jurisdiction wants to ride along, his or her credentials shall be shown to the shift supervisor. A photocopy of the credentials shall be made. The guest shall complete a waiver of liability, which shall be stapled to the copy of the credentials. The guest, at the discretion of the shift supervisor, will be able to ride on patrol and observe in the jail subject to the restrictions and regulations of this policy.
 - C. **FAMILY / FRIENDS / SPOUSE:** If a family member or friend of an employee that lives out of this jurisdiction wishes to ride occasionally, that ride may be approved immediately by the shift supervisor. Prior approval by the Division commander is not necessary. The relative must sign a waiver of liability prior to riding.

- D. **OTHER DIVISIONS / CADETS:** No formal approval is required from persons assigned to other divisions or in the cadet/explorer program. Those persons may ride along at any time with the approval of the shift supervisor who will document the name of the participant. They shall request permission, at least 24 hours in advance, from the supervisor on the shift that they intend to ride/work on.
- E. **WAIVERS:** With the exception of Morgan County employees, and Sheriff's Posse Deputies, all participants shall sign a waiver of liability as a condition of participating in the programs. That waiver shall include the name of the employee that the observer will ride with. At time of application, the applicant shall sign a waiver authorizing the Office to conduct a background check to determine the suitability of the applicant to participate in the ride along program.
- F. **BACKGROUND CHECKS:** A background check shall consist of checking an applicant's driving history and status, criminal history, and any negative involvement with the Office.
- G. **APPROVAL/DISAPPROVAL:** Grounds for approval of the observer to ride shall be at the discretion of the shift supervisor. The shift supervisor must state any/all reasons given for declining permission to persons requesting to ride along. The decision of the shift supervisor shall be final.
- H. **ELIGIBILITY:**
1. Any law enforcement employee may host a ride-along if:
 - a. has completed the FTO program six (6) months or more before the ride-along.
 - b. is not any form of remedial training, disciplinary probation or any other status that may put the employee or observer at risk.
 2. Applicants should be of good reputation, with no criminal record, at least eighteen (18) years of age, able to walk, and get into and out of a patrol vehicle, without assistance from the host employee or any other person.
- I. **BRIEFING:** The observer will be permitted to be present for briefings. Observers are encouraged to attend briefings unless information of a classified nature is to be shared at said briefing.
1. The observer should be briefed that he or she will be present in the patrol vehicle or duty post strictly as a passive observer and that he or she shall not take an active role in any law enforcement operation.
 2. The observer is required to be neatly and appropriately dressed in slacks, suit, or other clothing suitable to the professional demeanor required of our own staff.

3. The observer may express a desire to ride or work with a particular employee that the shift supervisor will attempt to accommodate. Observers not expressing a choice shall be assigned to ride with a host employee. The host employee will have the responsibility and authority to dictate the actions of the observer. The observer will follow, without hesitation, all of the requests and demands of the host employee.
4. Cadets are encouraged to participate at the discretion and direction of the host employee. The host employee may allow the cadet an active role keeping the mission of the Office and the safety of the cadet in mind.
5. The observer reads and signs the Waiver of Liability form. The name of the host employee(s), and the district(s) or duty stations which the observer rides or works, shall be annotated on the waiver, and the waiver returned to the ride along coordinator.
6. The observer will be told that the goals and duties of the Office are paramount. Further, the observer will be informed that any action on the part of the observer that might jeopardize the mission of the Office will result in immediate cancellation of that particular observer's privilege to ride in the future.
7. Electronic equipment, to include cameras and tape recorders, will not be used by observers without the express prior permission of the Sheriff, Undersheriff, or the Operations Division Commander.

J. **OBSERVER'S SAFETY:**

1. Observers will not be in possession of a firearm unless they are peace officers of another law enforcement agency or if they are Reserve Deputies.
2. Employees with observers shall not permit their observers to enter a premise or leave an Office vehicle when there is any apparent danger present.
3. Should hazardous circumstances occur and the opportunity to leave the observer at a safe location is available, this shall be done. If the observer is left at a location, the host employee shall then advise the communications center of the location of that observer. If the host employee will be busy for an extended period of time, arrangements will be made by the communications center to have another employee pick up the observer, until such time as the host employee is free.

K. **IMPROPER CONDUCT:** All cases of unusual incidents of improper behavior exhibited by an observer will be reported by the host employee to a supervisor immediately. The incident will be reported in writing before the end of the shift, and presented to a supervisor. If an observer becomes a hindrance to the host employee's performance of duties, the observer will be returned to the shift supervisor.

- L. **INJURY TO OBSERVER:** If any observer is injured while participating in the ride along program, the host employee will notify a supervisor immediately. The details of the incident will be documented prior to the end of the shift and presented to the supervisor.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: DUTIES OF THE POLICE CHAPLAIN		Policy No: 705
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish an organization of volunteer clergy who desire to and are committed to serve the citizens of Morgan County.
- II. **DEFINITIONS:**
 - CHAPLAINCY: A ministry under the auspices of an established Church and the Morgan County Sheriff's Office.
 - SERVICE: The chaplaincy will provide the services of a chaplain 24 hours a day, seven days a week at the request of the Morgan County Sheriff's Office.
- III. **POLICY:** To offer to the citizens of Morgan County and the employees of the Office, the availability of spiritual assistance
- IV. **PROCEDURE:**
 - A. **Structure.** The Chaplain is under the command of the Detention Division Commander or his designee.
 - B. **Qualifications.** The Chaplain:
 1. Shall be an ordained minister within a denomination. Pastors who do not fulfill this requirement may petition the Sheriff by providing information to indicate adequate training in pastoral work. This list might include transcripts, counseling/pastoral care courses and/or degrees, seminars, practical experience, Clinical Pastoral Education and/or any other pertinent information. The Sheriff will make the decision concerning acceptance.
 2. Must be willing to receive training as offered and available for improvement in order to enhance his ability in dealing with crisis situations and be willing to take initial orientation and training before starting as a chaplain.
 3. Must be willing to commit to serve for at least one year at a time.
 4. Possess a valid Colorado driver's license and have reliable non-public transportation and vehicle insurance.
 - C. **Duties and Responsibilities:**
 1. Chaplains on duty will dress and conduct themselves in a professional manner. Each Chaplain will carry his commission card at all times.

2. Assist employees in making injury and death notifications to families and others affected.
3. Notify as quickly as possible the involved party's support persons. Make notification to families or others affected.
4. Training from the Office as well as other agencies will be available in a variety of areas periodically. Each Chaplain is responsible for enrolling in such training.
5. While on duty, the Chaplain is to be notified by the Office of names or personnel in the hospital so that support and encouragement might be given on behalf of the program.
6. Be available to deputies and staff and their families as a chaplain.
7. File case reports each time he is summoned for service by the Office (dispatch). Include all pertinent data needed.
 - a. Record dates and times involved in the situation..
 - b. Note names and addresses as completely as possible.
 - c. Write out details of the who, what, when, where, why of the incident and your actions.
 - d. Note the need for follow-up or any follow-up actions planned or taken.
 - e. Report the referral of the incident to another support agency as necessary.
8. No information is to be released to other than Office members or other chaplains about the cases. Confidentiality must be maintained in reporting and counseling.
9. No Chaplain will respond to a potential suicide or a family disturbance without a police officer present.
10. Do not attempt to replace the pastor, priest, minister or rabbi of the victim(s). Notify the victim's clergy as soon as possible.
11. Do not recruit any person(s) into your fellowship who are already churched.
12. Be familiar with the correct police radio procedures.
13. Be familiar with community resources.
14. Death Notification Procedures.
 - a. Notification should be made in person in coordination with the County Coroner and the Sheriff.
 - b. Identify yourself.
 - c. Determine if they want their own minister.
 - d. If verifying phone call is to be made, stay until it is completed.
 - e. Provide transportation to the Coroner's Office is needed.
 - f. Explain necessary police procedures if relevant.
 - g. Stay until their own minister, a relative or a Victim's Advocate arrives.

D. Weapons. Chaplains are not permitted to carry firearms.

E. Grievances.

1. A Chaplain shall not criticize the action of any deputy or other chaplain.
2. Chaplains having grievance will take the matter to the Sheriff.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: RECORDS ADMINISTRATION		Policy No: 706
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To establish administrative procedures relating to the central records function of the Office.

II. DEFINITIONS:

ABUSE: An act or omission in one of the following categories which threaten the health or welfare of a child:

1. any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and such condition is not justifiably explained, or where the history given concerning such condition is at variance with the degree or type of such condition, or circumstances indicate that such condition may not be the product of an accidental occurrence.
2. any case in which a child is subjected to sexual assault or molestation, sexual exploitation or prostitution;
3. any case in which a child is a child in need of services because the child's parents, legal guardians, or custodians fail to take the same actions to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent would take;
4. abuse does not include child-rearing practices of the child's culture nor reasonable exercise of parental discipline.

ARREST AND CRIMINAL RECORDS INFORMATION: Is information reporting:

1. the arrest, indictment, or other formal filing of criminal charges against a person;
2. the identity of the criminal justice agency taking such official action relative to an accused person.
3. the date and place that such official action was taken relative to an accused person;
4. the name, date of birth, last known address and sex of an accused person;
5. the nature of the charges brought or the offenses alleged against an accused person;
6. one or more dispositions relating to the charges brought against an accused person.

AT-RISK ADULT: An individual 18 years of age or older who is susceptible to mistreatment or self-neglect because the individual is unable to perform or obtain services necessary for the individual's health, safety or welfare or lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the individual's person or affairs.

BASIC IDENTIFICATION INFORMATION: Is the name, date of birth, last known address, physical description, sex and fingerprints of any person.

CHILD ABUSE AND NEGLECT: See Abuse.

CRIMINAL JUSTICE AGENCY: Is any court with criminal jurisdiction; any agency of the state or of a town, city, country, institution of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crimes.

CRIMINAL JUSTICE RECORDS: All books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, which are made, maintained, or kept by the Office for use in the exercise of functions required or authorized by law or administrative rule.

CUSTODIAN: The Sheriff, or his representative who is designated to be responsible for the maintenance, care and safekeeping of public and criminal records.

DISPOSITION: Is:

1. a decision not to file criminal charges after arrest;
2. a conclusion of criminal proceedings, including conviction, acquittal, or acquittal by reason of insanity;
3. the dismissal, abandonment, or indefinite postponement of criminal proceedings;
4. formal diversion from prosecution;
5. sentencing, correctional supervision, and release from correctional supervision, including terms and conditions thereof;
6. outcome of appellate review of criminal proceedings;
7. executive clemency.

IN CAMERA: Inspection of records by a judge in his chambers, instead of in open court.

MEDIA: Any officer or employee of any newspaper, radio station, television station, or other person or agency in the business of public dissemination of news or current events.

MISTREATMENT: An act or omission which threatens the health, safety or welfare of an at-risk adult, or which exposes the adult to a situation or condition that poses an imminent risk of death, serious bodily injury or bodily injury to the adult.

OFFICIAL ACTION: Is

1. an arrest;
2. an indictment;
3. charging by information;
4. disposition;
5. pretrial or post-trial release from custody;
6. judicial determination of mental or physical condition;
7. decision to grant, order, or terminate probation, parole, or participation in correctional or rehabilitative programs;
8. any decision to formally discipline, reclassify, or relocate any person under criminal sentence.

PERSON: Any natural person, corporation, partnership, firm or association.

PERSON IN INTEREST: The person who is the subject of a record or any representative designated by power of attorney or notarized authorization by said person or any other duly appointed legal representative of the estate of the person in interest, or in the case of a person under the age of 18 years, his parent.

PERSONNEL FILES: Includes home addresses, telephone numbers, financial information, other information maintained because of the employer-employee relationship and other documents exempt from disclosure by other law. Not included are applications of past or current employees, employee agreements, any amount paid or benefit provided incident to termination of employment, performance ratings or any compensation, including expense allowances or benefits paid to County employees.

PUBLIC RECORDS: All writings made, maintained, or kept by the County for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds, except for criminal justice records.

SELF-NEGLECT: An act or failure to act whereby an at-risk adult substantially endangers the adult's health, safety, welfare or life by not seeking or obtaining services necessary to meet the adults essential human needs.

WRITINGS: All books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics, but not computer software.

III. POLICY: Records are to be prepared and maintained as necessary to meet the management, operational and information needs of the Office.

IV. PROCEDURES:

A. RECORD/REPORTING SYSTEM:

1. The reporting system for the Office consists of the following:
 - a. case records, written or automated, made on each incident reported to the Office regardless of the type or incident reported, i.e., civil, criminal, law enforcement service, etc.
 - b. citations, summons written for traffic or criminal offenses
 - c. all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics, but not computer software.
2. Report approval. All reports written by deputies will be turned in to the appropriate supervisor for review. All reports not satisfactorily written will be returned to the deputy for correction and/or follow-up.
3. When written reporting is required.
 - a. When a citizen reports a crime.
 - b. When a citizen makes a complaint involving Office or other law enforcement personnel or agencies.

- c. When a deputy is assigned to investigate an incident/crime.
 - d. When a deputy is assigned to take an official action, even if it is at a later date.
 - e. When intelligence information is received.
 - f. When the circumstances of an incident create a need to record the specific information concerning that incident.
4. Comply with Federal and State Laws. The Office shall observe the Federal and State Laws regarding criminal justice records and other records. All employees will follow applicable requirements regarding the dissemination, accuracy and completeness of reports, security precautions and requirements, audits, access and review.
 5. NIBRS. The Office will participate in the NIBRS reporting program.
 6. Training. The Sheriff or his designee will insure that personnel are trained in those aspects of collecting, organizing, recording, and keeping management information data and records related to their specific duties.
 7. Supervision. Division Commanders will review, on a routine basis, management information data and records concerning their divisions to insure that complete, accurate, and current information and records are being kept.
- B. GENERAL RULES FOR INSPECTION: Any inspection permitted by this manual shall be subject to the following regulations:
1. REQUESTS FOR INSPECTION OF COPYING OF RECORDS:
 - a. Written Requests: Are required and shall be approved by the custodian of his designee. Other law enforcement agencies may use letter head stationary or CCIC message to request reports.
 - b. Record all Requests. A copy of all requests will be filed in the case file or the report/document file.
 - c. Identification of Requesting Person. Identification shall be required of any person requesting or receiving records to avoid improper release.
 - d. Fees. Fees shall be collected based on the schedule provided by the Sheriff. This schedule may include the costs of personnel, equipment and the search, retrieval and copying of the records. Fees may be waived at the discretion of the custodian.
 - e. Denial of Inspection. If inspection of the requested records is denied, the custodian shall notify the applicant in writing within 72 hours. The explanation will cite the law or regulation under which the denial is based.
 - f. Unavailability. If the requested records are not available, the custodian shall notify the requesting person, in writing. The notice shall state in detail the reason for the absence of the records.
 - g. Sealed or Expunged Records. If a request is received for a record that by court order has been sealed or expunged, the response shall be "No such record exists with respect to such person."

2. MEDIA: If inspection of certain records is permitted to one member of the media, it shall be allowed to all media.
3. OTHER AGENCIES: If the Office has copies of reports generated by other law enforcement agencies, such records shall not be released.
4. PARTIES TO CIVIL LITIGATION AND PROSECUTIONS: If records are subpoenaed or requested by parties to civil litigation or a prosecution, the release shall be subject to all guideline contained in this policy unless the court orders the custodian to release records that would not otherwise be releasable.
5. RETENTION OF RECORDS: Records shall be retained in compliance with the schedule provided by the state archivist.

C. PUBLIC RECORDS:

1. GENERAL RULE: Public records are open for inspection.
2. DENIAL OF INSPECTION OF PUBLIC RECORDS: Inspection may be denied if:
 - a. It is contrary to state statute, federal statute or regulation.
 - b. It is prohibited by ruling of a court of jurisdiction.
 - c. It is contrary to the public interest.
 - i. any records of the investigations conducted by the Office.
 - ii. any records of the intelligence information or security procedures of the Office.
 - iii. any investigatory files compiled for any other law enforcement purpose, (Internal investigations).
 - iv. test questions, scoring keys and other examination data pertaining to administration of any examination for employment.
 - d. Inspection shall be denied of the following items, except upon the request of the person in interest:
 - i. medical, psychological, or sociological data on individual persons.
 - ii. all information obtained and records prepared in the course of taking a person into custody on a 72-hours mental health hold.
 - iii. personnel files; but such files shall be made available to supervisors.

D. CRIMINAL JUSTICE RECORDS:

1. OPEN INSPECTION: The following records shall be open for inspection by the public, subject to the specific limitations.
 - a. official actions by the Office.
 - b. other criminal records at the discretion of the custodian.

- c. **Note Regarding Sexual Assault:** The name of any victim of an alleged sexual assault shall be deleted from any record being released.
 2. **DENIAL OF INSPECTION:** Criminal justice records, including official actions, shall be withheld for the following reasons:
 - a. It is contrary to state statute.
 - b. It is prohibited by a ruling of a court with jurisdiction.
 - c. It is for the purpose of soliciting business for pecuniary gain.
 - d. It is contrary to the public interest.
- E. **CHILD ABUSE AND NEGLECT:**
1. **GENERAL RULE:** Confidential. Reports of child abuse or neglect and the name and address of any child, family, or informant or any other identifying information shall be confidential.
 2. **RELEASE OF IDENTIFYING INFORMATION:** Release may be authorized only:
 - a. by the court for good cause.
 - b. when there is a death of a victim of abuse and;
 - i. the death is a matter of public records; or
 - ii. the suspect has been arrested; or
 - iii. formal charges have been filed against a suspect.
 3. **LIMITED ACCESS TO REPORT ALLOWED:** Only the following person or agencies shall be given access to abuse reports:
 - a. the law enforcement agency, district attorney, coroner or county department investigating the case or treating an involved child or family.
 - b. law enforcement officers required to register a child sex offender.
 - c. a physician who is treating a child that he reasonably suspects to be abused or neglected.
 - d. an agency caring for, treating or supervising an abused or neglected child.
 - e. any person named in the report or record who was alleged as a child to be abused or neglected-parent or guardian.
 - f. a parent, guardian, legal custodian or other person responsible for the health or welfare of a child named in the report or record.
 - g. a court, in camera, for the resolution of an issue then pending before it.
 - h. the state central registry of child protection.
 - i. members of the child protection team.
 - j. the state department, county department or child placement agency investigating an applicant for a license to operate a child care center.

F. JUVENILE OFFENDERS:

1. GENERAL RULE: Confidential. Records concerning persons under the age of 18 years shall be identified as juvenile records and shall not be inspected by the public, except:
 - a. to the juvenile and his parents, guardian or legal custodian.
 - b. to other law enforcement agencies who have a legitimate need for such information.
 - c. to the victim in each case after authorization by the DA.
 - d. when the juvenile has escaped from an institution.
 - e. when the court orders that the juvenile be tried as an adult criminal.
 - f. by the order of the court.
 - g. to school officials when the school is the victim of the crime.
2. OTHER JUVENILES INVOLVED: If other juveniles are referenced in the records, all their information will be deleted from the record before release.

G. MISTREATMENT OR SELF-NEGLECT OF AT-RISK ADULTS:

1. GENERAL RULE: Confidential. Records of the mistreatment or self-neglect of at-risk adults shall not be public information.
2. RELEASE OF IDENTIFYING INFORMATION: Is permitted only when:
 - a. authorized by the court.
 - b. a criminal complaint, information or indictment based on the record is filed; or
 - c. there is a death of a suspected at-risk adult from mistreatment or neglect and a charge has been filed.

H. PUBLIC INTEREST DETERMINATIONS:

1. GUIDELINES: In order to be protected by the "public interest" exception, the records must be intelligence information or part of investigatory files. The criteria to determining if the record fits in the exception are:
 - a. the disclosure will thwart governmental processes by discouraging citizens from giving information;
 - b. the impact upon person who have given information of having their identities disclosed;
 - c. the degree to which governmental self-evaluation and consequent program improvement will be chilled by disclosure;
 - d. whether the information sought is factual data or evaluative summary;
 - e. whether the party seeking the discovery is an actual or potential defendant in any criminal proceeding;
 - f. whether the police investigation has been completed;
 - g. whether any intradepartmental disciplinary proceeding has arisen or may arise from the investigation;
 - h. whether the plaintiff's suit is non-frivolous and brought in good faith;
 - i. whether the information sought is available through other sources; and

j. the importance of the information sought to the plaintiff's case.

2. EXAMPLES:

- a. Interference with enforcement proceedings.
- b. Potential to interfere with a person's right to a fair trial or an impartial adjudication.
- c. Unwarranted invasion of personal privacy.
- d. Identity of confidential sources.
- e. Techniques and procedures for law enforcement investigations or prosecutions.
- f. Endangerment of the life or safety or property of any law enforcement personnel or private individuals.
- g. Inactive investigations.

3. GENERAL: These guidelines apply equally to criminal and civil investigations and proceedings.

I. SEALING OF RECORDS:

1. COURT ORDER: The custodian shall seal any arrest and criminal records, except basic identification information, pursuant to an order of the district court.
2. SEALING: The record shall be physically sealed. If the record is fully automated, a copy of the record will be made and sealed and the information removed from the automated system. That file will be maintained separately from the active files.
3. INQUIRIES: The custodian may properly indicate that a sealed record does not exist. Inspection shall be allowed only by order of the district court.
4. RETENTION: Sealed records shall not be destroyed except pursuant to the custodian's record retention schedule.
5. DISCOVERY: If a sealed record is requested by subpoena or during civil litigation discovery, the custodian shall consult with the DA before granting or denying the request.



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: Civil Process Procedures		Policy No: 707
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To provide guidance to employees on the service of civil and criminal process; the assistance to private individuals, attorneys, and courts with civil process; and to maintain a written accounting record of all transactions.

II. DEFINITIONS:

III. POLICY: It is the policy of the Office to provide civil and criminal process to the community in manner that conforms to civil procedure and law.

IV. PROCEDURES:

A. CIVIL OPERATIONS: CRS 30-10-515 authorizes and directs, as an obligation of the county Sheriff, the service and execution of all processes, writs, precepts, and orders lawfully issued. The administration division administers policies and procedures and the supervision of the civil process staff. The coordination of all civil process paperwork and the supervision of all clerical staff are performed by the Undersheriff.

B. RESPONSIBILITIES AND DUTIES OF DEPUTIES SERVING CIVIL PROCESS:

1. Serve all civil process papers
 - a. Serve all assigned papers.
 - b. Do all initial and follow-up work to exhaust all leads before returning a paper unserved:
 1. Check address and court dates on all papers before attempting service.
 2. Know where and how to look up information from past services in office files.
 3. Check with neighbors, landlords, phone company, motor vehicle department, phone books, and post office. Check in-house computer records.
2. Keep accurate records
 - a. Accurately and completely fill out civil information sheets with proper names, titles, relationships, addresses, dates, time, mileage, and name of deputy making the attempt.
 - b. Accurately complete services section of civil information sheet, including, if served personally on defendant, date, time, mileage, and

- name of deputy serving process. If not served personally, complete “left with” section with name and relationship or title.
- c. If service is attempted at multiple addresses or the defendant is not served at the address on the civil information sheet, the address(es) is shown in the remarks section. Circle the address at which process is served, if several are shown.
 - d. The serving deputy must sign all return of service documents for any papers served.
3. Service civil process while maintaining a high degree of partnership with the general public. No legal advice is to be given.
 4. Have a good working knowledge and understanding of all different civil, criminal, and court processes to be served. Study the different processes and know how, when, and on whom the papers are served.
 5. Read and understand the different statutes and rules pertaining to civil process.
 6. Make necessary phone calls and follow up on all leads in a timely manner to accomplish service.

C. FUNCTIONS OF CLERICAL UNIT

1. Incoming papers
 - e. On papers brought to the front desk, have plaintiff or responsible party fill out civil information sheet as completely as possible, check addresses for both residence and place of employment, and obtain a telephone number if possible.
 - f. Prepayment of service and mileage fees is required. This charge is the service fee set by statute plus one round trip mileage fee.
 - g. On papers received by mail, check to be sure all information is correct. If not, check phone book, motor vehicle records, or call the attorney before returning the papers.
 - h. Full street addresses are required. A post office box is not an acceptable address for service.
 - i. Date and time stamp all papers received.
 - j. Make worksheet for each paper:
 - i. Show:
 - a. Type of civil process
 - b. Nature of document
 - c. Source of document
 - d. Name of plaintiff/complainant or name of defendant/respondent (to whom process is to be served)
 - e. Address of service
 - f. Date of assignment
 - g. Court docket number (when available)
 - h. Date service due (on or by)
 - i. How service is to be made (personal or member of family over 18 year so age)
 - j. Number of services to be made
 - k. Plaintiff

- ii. File original documents and staple worksheet to the papers to be served.
 - iii. Place folders in case number order in active file.
 2. Foreign Jurisdiction Service: The Office is limited by CRS 30-10-515(1973) and Colorado Rule of Civil Procedure 102 (1973), to execute civil process within the county boundaries. A defendant may have a mailing address in Morgan County but have his residence or business physically located in an adjoining county. If this is the case, the process is returned to the plaintiff with appropriate notation so that it may be served by the agency having jurisdiction.
 3. Returns
 - a. Some processes are not served because the time limit for service has passed, the defendant has moved outside the county or has moved and left no forwarding address, or the defendant is avoiding service.
 - b. Check deputy's worksheet on papers that have been served to be sure all information is correct and complete. If not, return to deputy for correct information.
 - c. Deputies should show the following on each service document:
 - i. Number of attempts to serve each document
 - ii. Date and time served
 - iii. Name of servers
 - iv. To whom process was served or on whom executed
 - v. Method of service
 - vi. Location of service
 - d. Print return of service with information from deputy's worksheet.
 - e. If a paper is returned not served, an appropriate notation is made in the comments section. Abbreviations may be used for common phrases (e.g., NFA for no forwarding address.)
 - f. Generate a monthly report that shows total number of papers received and number served.
 - g. After the deputy has signed the return, notarize if necessary and mail to originating party as specified.
 - h. File the worksheet and any correspondence or documentation in case number order in the served file.
 4. Bookkeeping of Moneys received
 - a. All moneys received and dispersed through civil process are recorded using standard bookkeeping procedures. Accurate records of all funds received and dispersed are maintained. Records of seizures are kept with pertinent case files.
 - b. Checks or cash can be received either in person or by mail for payment of service. Checks must be signed and made payable to the Morgan County Sheriff's Office. A receipt will be issued on all cash received.
 - c. The total charges on the check should be the same as on the billing.
 - d. Checks received at the window are kept with documents until the transaction is entered in the computer. At that time, the check is stamped and placed in the moneybox. Cash received at the window is placed in the moneybox and the amount is indicated on the

information sheet to enter in the computer. The moneybox is kept in a locked cabinet.

- e. Money's received are posted in the computer under the case number.
 - f. Checks stamped "for deposit only" on the back. Checks and cash received for the week are totaled and compared against a computer report of money's received. A deposit slip is made out to the bank. A second party will verify the deposit prior to deposit. A copy of the deposit slip is kept on file.
 - g. The civil process funds will be audited monthly. A copy of the monthly activity and the bank statement will be sent to County Accounting.
 - h. Morgan County Finance audits the civil process funds annually.
 - i. Refund checks are issued once a month (10th of the following month) and mailed to the originating agency.
5. Material Amounts-Charge-offs and no refunds:
 - a. Any uncollected amount less than \$5.00 will be charged off.
 - b. Any overpayment of less than \$2.00 will not be refunded but will be paid to the County Treasurer.
 6. Collections: The collection process will apply to any uncollected amount larger than \$5.00. After the initial local attempts to collect, the account will be referred to the county collection process.
 7. Cancellations: The plaintiff, attorney, or the court may cancel papers at any time, but cancellations must be confirmed. A partial refund will be mailed to the originating agency or person if service has been attempted.
 8. Miscellaneous duties
 - a. Informa Pauperis papers are processed as all other papers, except with no charge. Papers must be accompanied with the Informa Pauperis order form from the court. Informa Pauperis orders are accepted from Colorado courts only.
 - b. Make monthly report of all papers received, served, and returned, and all money's collected for civil process.
 - c. Assure that no records leave the unit unless subpoenaed by the court.
 - d. Notarize all papers requiring a notary.
 - e. Make forms for different types of returns as needed.
 - f. Answer telephone calls from attorneys and private citizens concerning types of paper needed and procedures followed. However, no legal advice is to be given. Individuals who have legal questions should be directed to contact an attorney. No individual attorney will be recommended or endorsed.
 - g. Handle all civil process correspondence and telephone and public contact.
 - h. Prepare all paperwork and arrange for publication of all Sheriff's sales.

D. TYPES OF SERVICE

1. **Personal Service:** Served only on the individual listed.

2. **Officer of Corporation:** President, vice president, secretary, treasurer, bookkeeper, agent for service, owner of company, or manager of business.
3. **Posting:** If unable to serve individual listed, may be placed on the door (usually taped to front door).
4. **Immediate Family:** Any member of the immediate family over the age of 18 at the usual place of abode.
5. **Out of state Papers:** Must be personal service unless otherwise instructed. A notarized affiant return must be made for most out of state writs. Some states require the deputy sign return before court clerk or judge.
6. **Non-est:** Papers that cannot be served are returned with an explanation of reason, i.e., moved/no forwarding; avoiding; deceased; bankruptcy action filed.

E. TYPES OF CIVIL PROCESS

1. **Body judgment:** Issued at the request of a plaintiff for non-payment of judgment against a defendant. Very few of these are issued as the plaintiff must be board and all expenses incurred by the defendant for the time specified by the court. It must be personal service.
2. **Certificate of Levy:** A document that places levies on real property. After a legal description of the property is obtained, the Sheriff issues a certificate of levy. The original is recorded with the Clerk and Recorder in the county where the property is situated. The property is held either until released by the Sheriff (because of satisfaction of judgment or upon authority of the plaintiff or his attorney) or until a Sheriff's sale has been held. A Sheriff's sale can be held up to 6 years after the levy has been recorded, and the execution is never returned until a sale has been held or a satisfaction of judgment. A levy can be recorded from an execution or writ of attachment. A certificate of levy is only recorded; there is no service made. A Sheriff's Indemnity Bond for twice the amount of the judgment is required, unless waived by court order.
3. **Citation:** A court order citing the defendant, or the plaintiff in some cases, into court for disregarding a previous court order. Citations can either be served by the Sheriff's Office of the county in which the defendant lives or by a private process service. They must be either personal service or an officer of the corporation.
4. **Criminal capias:** A district or county court warrant order to arrest a defendant after charges have been filed in court. It must be a personal service.
5. **Demand for payment or possession of rent:** A written demand from a landlord to a tenant demanding possession of the premises or the payment of rent. If rent is not paid, tenant has a specified amount of time to vacate the premises. It can be personal service, immediate family, or posting.
6. **Distraint warrant:** A court order posted on buildings restraining defendant from selling or otherwise disposing of merchandise or property enclosed in the building. It is usually used by the county treasurer for delinquent taxes. It can be personal service, officer of the corporation, or posting.

7. **Execution:** A court order directing the Sheriff to cause the amount of judgment to be made from the land, tenements, goods, and chattels of the defendant. It must be logged with the Office before any action can be taken. If two executions are issued and logged on the same defendant, the first one logged has precedence over any others. The rendition date and the date of judgment that was rendered by the court are usually included in the body of the execution. The issue date can be any amount of time after judgment since it is good for 20 years unless satisfied, and is usually found at the bottom of the execution by the court seal. Executions expire after 90 days, but as many executions as needed may be issued upon judgment. Executions must be direct to the Sheriff of the county in which they are to be executed and are never served.
8. **Garnishment:** A court issued paper directing the garnishee, which can be employer, bank, or other person to hold any money due the defendant. (It is issued upon execution or writ of attachment.) If garnishee fails to comply as directed on garnishment, a judgment can be entered by the plaintiff against the garnishee. The paper is served as directed on the deputy's civil information sheet, but generally to officer of the corporation.
9. **Judgment:** The court acknowledges the right of a plaintiff to collect a lawful debt from a defendant. There is no service.
10. **Money demand:** Demand for money upon execution. The plaintiff's representative computes interest on judgment. Interest, court costs, and Sheriff's fees are added to the amount of judgment. Execution is never served, but is shown to the defendant after money demand is made and then immediately returned to the unit execution file. A return to court is made. If money is received, it is released to the registry of the court to be applied on the satisfaction of judgment. It can be personal service or immediate family.
11. **Notice of arrearage:** This is a notice to a defendant of the amount of delinquent in support payments. It must be personal service.
12. **Notice of hearing:** a court order notifying the time of a hearing. It must be a personal service.
13. **Notice of levy:** A notification that a levy or seizure has taken place, but not necessarily in this county. It can be issued by the Office or by the court. A notice of levy has several uses as follows:
 - a. Levy has been made by service of a garnishment. If served in our county with a garnishment, the garnishment must be served first. If this county serves a garnishment, we issue the notice of levy and return it to the attorney for service in the proper county. If garnishment is served in another county and the defendant resides in this county, the notice of levy is issued by that county or the court and sent to this county for service.
 - b. Levy has been made by another county on personal or real property belonging to the defendant. This is "service only".
 - c. Levy upon personal property of the defendant. Execution and a Sheriff's indemnity bond (or bond from two sureties) twice the amount of judgment are required with the notice of levy. Personal property taken into possession is not released until a Sheriff's sale has been held or judgment is satisfied. If articles are taken into

possession from a residence, the service may be personal or immediate family.

- d. Levy on real property of the defendant. Execution, bond and certificate of levy are required with notice of levy. After the certificate of levy is recorded, the notice of levy is served. Property is under levy until released by the Civil Process Unit after a Sheriff's sale or upon satisfaction of judgment. Notice of levy may be published if the address of the defendant is unknown. Otherwise, the service may be personal, immediate family, or officer of the corporation.
- e. Till tap. If the property levied upon is money, bank bills, or other evidence of a debt, such as credit card receipts or checks that are circulated and intended to be used as money, the Sheriff makes a return of the amount collected in terms of "so much money, etc., collected."

When courts are open, moneys levied on are deposited with the courts. If courts are closed, money will be held in evidence until a deposit to the court can be made.

The Sheriff does not sell such property at an execution sale.

On judgment issued by courts outside Morgan County, moneys will be given to plaintiff's attorney to be deposited with the proper court. Plaintiff's attorney will sign a receipt for funds received.

- 14. **Notice to vacate:** A written notice from a landlord to a tenant to terminate tenancy. Tenant has a specified amount of time with the minimum being 3 days in most situations to vacate from time notice is served. It can be personal service, immediate family, or posting.
- 15. **Order:** A direct order from the court ordering a certain action to be taken. It must be personal service.
- 16. **Order for possession:** An order to take into possession articles listed. Either they are immediately released to the plaintiff or picked up by a bonded moving company and held in a bonded warehouse or under custodian appointed by the plaintiff for 48 hours after service of papers. A writ of assistance may accompany or be incorporated into the order to assist the Office in gaining entrance into a building by any means (usually by obtaining a locksmith and billing the plaintiff for the charges). It can be personal service or immediate family. A Sheriff's indemnity bond may be required.
- 17. **Order to show cause:** An order directing the defendant to show cause why the property should not be taken from him and delivered to the plaintiff. The hearing date should be more than 10 days and must be served at least 5 days prior to the hearing date. It can be personal service or immediate family.
- 18. **Release of levy (personal property):** This is release upon authority of the plaintiff or his attorney. Telephone party in whose custody the articles are being held to release our hold on them. Mark file with date released and notify the custodian. Written documentation is required from the plaintiff or attorney.

19. **Release of levy (real property):** the Sheriff uses this after a levy has been made on real property. It can be released by satisfaction of judgment or upon authority of plaintiff or plaintiff's attorney. Release of levy on real property must contain the book and page number of the recorded certificate of levy and the date of release. We must have a copy of the satisfaction of judgment or letter of release signed by the plaintiff or attorney in or file before releasing the levy. This is not served. If the original levy was recorded, then the release must also be recorded (plaintiff will provide recording fee).
20. **Statement of lien:** A lien or hold against a defendant's personal or real property. When a defendant sells property, the lien holder must be paid before the buyer of said property can be a clear deed or title. On real property, the lien must be recorded with the Clerk and Recorder's office in the county where the property is situated. It can be personal service, immediate family, or officer of the corporation.
21. **Subpoena:** A court order to appear in court as a witness. It can be served out of county as an affiant. It must be personal service or, if it is directed to a business, can be an officer or a corporation.
22. **Subpoena duces tecum:** A court order for individuals or representatives or corporations or companies to appear in court with all books, records, income tax returns, etc. It can be served out of county as an affiant. It must be personal service or officer of a corporation.
23. **Summons and complaint in unlawful detainer (FED):** A court order to defendant(s) to appear in court regarding eviction proceedings. It is served not more than 10 or less than 7 days before the court date. It can be personal service, immediate family, or posting.
24. **Summons and notice in reciprocal act:** An interstate action for non-support if a defendant has deserted a family in another state but is living in this jurisdiction. It is a court order for the defendant to appear in court in the county in which he is not residing. If the defendant has moved from this county, the paper must be returned to the court for forwarding to the county in which the defendant is residing. It must be personal service.
25. **Summons and petition in dissolution of marriage:** A court order to appear in a divorce action. It must be a personal service.
26. **Summons, complaint, and answer:** A notice that action has been taken against a defendant in court that requires an answer in court on or before the court date. It generally must be served a minimum of 10 days before the court date. It can be served out of county as an affiant. It can be personal service, immediate family, or officer of a corporation.
27. **Summons, notice, petition, and order:** A notice to parents, juveniles, or guardians to appear in court for a hearing concerning a juvenile has been filed on by the court. It must be a personal service. Service of juveniles must be in the presence of an adult.
28. **Temporary injunction – automatic and ex parte under the Uniform Dissolution of Marriage Act, CRS 14-10-107 and 108:** By order of the court, the petitioner and spouse are restrained from transferring, encumbering, concealing, or in any way disposing of, without the consent of the other party or an order of the court, any martial property, except in the usual course of business or for the necessities of life, and requiring each

party to notify the other party of any proposed extraordinary expenditures and to account to the court for all extraordinary expenditures made after the injunction is effect, and are enjoined from molesting or disturbing the peace of the other party; and restrained from removing the minor child or children of the parties, if any, from the state without the consent of the party or an order of the court.

29. **Restraining orders:** Restraining orders are common in the law, and they are always accompanied by the power of the court to enforce them either through criminal or civil contempt. There are several types of restraining orders:
- a. Rule 365, Colorado Rules of County Court Civil Procedures: This is a civil restraining order issued on a showing that the defendant has “attacked, beaten, molested, or threatened the life...or threatened to do serious bodily injury to the plaintiff.” By its terms, no special relationship between the parties is required and, if granted, a hearing is set to determine whether the temporary restraining order should be made permanent. The rule does not provide for a “no-contact” provision, although a court might include this requirement as a common sense measure.
 - b. CRS 18-1-1001, Restraining or Against Defendant: Under the Colorado Criminal Code, there is a mandatory restraining order against any person charged under the code which remains in effect during the pendency of the charge, “from harassing, molesting, intimidating, retaliating against, or tampering with any witness to or victim of the acts charged.” This also does not provide for a no-contact provision.
 - c. CRS 14-4-101 et seq., Domestic Violence: This wide-range statute involves more than just married couples; it can include any current or former relation (e.g., parent, sibling, ex-spouse) or any person who is living in the same domicile. Two of the amendments in this act provide for the inclusion of any emergency protection order (EPO) and also for the expansion of the list to include any person who has lived in the same domicile or a person who is or has been involved in an intimate relationship with the other party.

The scope of the EPO, whether written or verbal, is extensive. It includes orders against threatening, molesting, injuring, and even contacting another party or minor child of either party. The verbal order can also exclude a party from the family home or the home of another party on a showing that physical or emotional harm would otherwise result. It can award the temporary care and control of minor children to a party.

The same scope applies also to restraining orders issued upon the filing of a complaint on Section 102 of the statute. In both cases, the statute deals with conduct that is “any act or threatened act of violence which is committed by an adult or emancipated minor against another adult or emancipated minor who is a current or former relation or who is living in the same domicile.”

- d. Restraining Order to Prevent Domestic Abuse: Order issued by county court. This order restrains the defendant from contact or certain activities. Top priority is given for service of these orders. Personal service is required.
- 30. **Writ of attachment:** A court order issued before a judgment has been rendered to take personal or real property into possession and hold it in custody until further order of the court. Bank account, wages, etc. can be attached by a garnishment and held a bank or employer until further order of the court. On real property, if an attorney request, the original writ of attachment with a legal description of the property can be recorded with the Clerk and Recorder instead of a certificate of levy. It can be personal service, immediate family, or office of a corporation. The Sheriff's indemnity bond may be required.
- 31. **Writ of Habeas Corpus:** An order concerning a party or parties unlawfully detained (e.g., in jail or by some other party or children unlawfully detained by parent, grandparent, etc.) Order usually reads that the party or parties being detained are to be brought before the court; however, occasionally are picked up and turned over to welfare or some other person designated in the writ.
- 32. **Writ of ne exeat:** An order from the court to take a defendant into custody to prevent the defendant from leaving the jurisdiction of the court. The defendant is taken into custody at the time of service of the papers, and so the service must be personal. We can pick up defendants for other counties if they are in our county. The defendant is only bondable by the Sheriff or the clerk of the court. The amount of the bond is set by the court and stated on the writ.
- 33. **Writ of Restitution:** A court order directing the Sheriff to restore the premises to the rightful owner. It can be personal service, immediate family, or posting. These orders are served the business day following receipt. It is then the responsibility of the landlord or agent to contact the Civil Unit to schedule an appointment for a supervised move out. When scheduled, a deputy will stand by to keep the peace for one hour while the landlord or agent removes the tenant's belongings (contained in boxes and/or bags), and places them on the curb area. The deputy will see that any hazardous materials or items are properly disposed.
- 34. **Writ of Assistance:** A court order authorizing the Sheriff's Office to enter certain premises to take possession of property. Order authorizes locks to be broken to obtain property.

F. SEIZURE OF REAL OR PERSONAL PROPERTY

Any writ requiring the seizure of real or personal property is executed by a sworn deputy. A Sheriff's indemnity bond for two times the judgment is required.

Whenever required by the court to acquire real or personal property, all property is adequately accounted for in Office records and properly distributed pursuant to Colorado Revised Statutes, Colorado Rules of Civil Procedure, and Office Policy and Procedures.

In replevin, attachment, or other property seizures, when it is determined that all or part of the property lies in another jurisdiction, the plaintiff is notified so he can obtain Alias Writs for the appropriate jurisdiction.

All seized property is accounted for either on an Office inventory sheet, with a receipt, or in case report information. Inventories and receipts are part of the appropriate field incident report. A video and/or still picture may also be used.

All property seized is held safe until its disposal pursuant to legal authority. Certain types of property must be sold at a Sheriff's Sale.

G. LEVY OF PERSONAL PROPERTY

1. Plaintiff or his attorney must advise what property is to be levied upon. They must provide a completed notice of levy with the property to be levied upon and serial numbers or VIN numbers when available. Property description must be specific, including complete physical description of property, i.e., color, year, make, model, size, distinguishing features, etc.
2. Plaintiff or his attorney must provide title information from Motor Vehicle Division when property being seized is a vehicle.
3. A Sheriff's Indemnity Bond for twice the amount of the judgment is required.
4. Unless the plaintiff request a specific company for towing or storage, the next company up on the Office rotation list will be used for towing and storage of any vehicle.
5. For personal property other than vehicles, the plaintiff or his attorney must arrange for transporting the property and storage in a bonded/insured storage facility.
6. If personal property to be levied upon is behind a locked gate or door, a Writ of Assistance issued by the courts is required to enable the Sheriff to have the lock opened and seize the property.
7. VIN numbers, license plate numbers, serial numbers, and plaintiffs and defendants will be cleared through CCIC/NCIC when the levy is performed. If information received on this check does not match the information received from the plaintiff, the levy will not take place until the plaintiff or his attorney has looked into the issue and provided correct information.
8. Plaintiff or his attorney must provide location of the property to be seized.
9. When the property is located, the Sheriff will seize it and service of notification of the levy will be made to the defendant at the same time if the defendant is available. If the defendant is not there, service will be accomplished as soon as the defendant can be found, and a copy of the notice will be posted at the location where the property was taken.

If articles are seized without the presence of the defendant, the deputy in charge should request dispatch to enter any property with any identifying number into CCIC as having been seized by the Civil Division.

H. SHERIFF'S SALE

1. Procedure for judgment and decree:
 - a. Make a legal file folder
 - b. Check decree to see if a specific newspaper is named for publication. If not, ask attorney if he has a preference. Also check to see if decree has been certified and signed by the court. A certified copy of the decree is required.
 - c. Check with the attorney on dates of first and last publication and date and time of sale. File in notice of sale with said date and type in "Date at Fort Morgan this ____ day of _____, 20__". Have the Sheriff sign the notice of sale.
 - d. Deputy civil information sheet should have instructions to take a copy of the notice of sale to the newspaper for publication. It must be published for 20 days depending on the type of property. Personal property must be published for three consecutive weeks.
 - e. Mark the calendar for date of sale and for a few days ahead with the attorney on final costs, interest, and total judgment.
 - f. Costs of a sale:
 - i. Judgment: As stated in execution or decree.
 - ii. Interest: Interest figures to be calculated by plaintiff's attorney.
 - iii. Court costs: Attorneys have specific amount.
 - iv. Sheriff's costs: Determined by state statute.
 - v. Additional costs: Includes any costs accrued after judgment was rendered.
 - g. Plaintiff or his attorney provides proof of publication from newspaper prior to sale.
 - h. Notice of sale must be read unless all parties present waive reading.
 - i. Plaintiff provides a letter with opening bid at least 1 day prior to sale.
 - j. Attorney should bring check for Sheriff's costs on the day of sale and a separate check made payable to the Clerk and Recorder's Office for recording fees.
 - k. Make out certificate of purchase within 10 days after the sale. The property seized is described, including identification numbers where applicable. Mail duplicate original to attorney and record the original. Keep recorded copy in file. Return duplicate original to Civil Process Unit at time buyer is issued a deed or certificate of redemption is issued.
 - l. Return to court the original notice of sale, proof of publication, report and return of Sheriff (with a copy sent to the attorney), and a copy of the judgment and decree.
 - m. Bidders must have a certified check or cash for the amount bid, unless the highest bidder is the plaintiff, then the amount of the bid is applied on the judgment. If the bid is more than the judgment and costs of the sale, the court returns the amount over and above to the defendant.
2. Procedure for execution on real property
 - a. Check execution and enter in execution file.

- b. Record original certificated of levy after the Sheriff has issued it. Never return an execution after a certificated of levy has been recorded, until a sale occurs, or judgment has been satisfied, even though it expires within 90 days.
 - c. Issue and serve a notice of levy. Defendants have 10 days in which to file an exemption. If unable to locate defendant, attorney must publish the notice of levy for 10 days (three publications) and then must wait the 10 days to start the sale.
 - d. Notice of sale is issued and sent for publication and the costs of sale are the same as shown above.
 - e. Redemption rights must be mailed a minimum of 21 days prior to the sale date. Plaintiff's attorney will provide addressed stamped envelope, redemption rights, and notices to be mailed.
3. Procedure for execution on personal property
 - a. Notice of levy is issued and served, and personal property is taken into possession. Defendant has 10 days to file exemption.
 - b. Notice of sale is issued and previous procedure for sale is followed.
 - c. Sale may be held at Court House or Morgan County Sheriff's Office, unless it involves the sale of water rights.
 - d. When multiple items are being sold in connection with one sale, all items will be sold as a lot and one certificate of sale issued, unless special arrangements have been made.
 - e. Certificate of sale is issued to the successful bidder to claim the property. Also, certificate of sale does not have to be recorded.
 - f. Issue motor vehicle bill of sale.
 - g. Storage, towing, etc., is paid by the plaintiff or his attorney.
 4. Procedure for deeds and redemptions
 - a. The attorney prepares the deed and it is dated and signed by the Sheriff, then notarized. Original certificate of purchase is returned to civil file, and then deed is sent to the attorney for recording.
 - b. A deed may be issued after 75 days on property not defined as agricultural (platted or subdivided). Agricultural property has a 6-month redemption period unless the US Government is listed as the defendant, then redemption is 1 year as follows:
 - i. Defendant can redeem any time up to 6 months (or 75 days as the case may be), and is given a certificate of redemption as soon as he redeems. The main defendant may redeem at any time within the above-listed periods. All lienors must file their intention to redeem.
 - ii. Co-defendants must post an intention to redeem within the above listed periods, then if the defendant does not redeem, co-defendant has 10 more days to produce the money. Certificate of redemption is issued when he redeems.
 - iii. US Government, as one of the defendants, can collect from the defendant (if he redeems), but otherwise must post an intention to redeem before 1 year. If the government files a disclaimer, it then reverts back to previous time periods. If no disclaimer is filed by the government or no intention to redeem, a deed cannot be issued for 1 year from the date of

the sale. If the US Government is listed as a defendant and redemption money is posted by a co-defendant, the money is held in custody for 1 year from the date of the sale.

- c. If an intention to redeem is posted, notify the plaintiff's attorney at once. Check for additional costs. There is an interest charge from the date of sale to date of redemption.
 - d. Certificate of purchase must be returned by the attorney or successful bidder before issuing deed.
 - e. Redemption money must be either certified check or cash. Money is paid to the Office and then turned over to the court. Original certificate of redemption is recorded and given to the redeemer.
5. Homestead: If the defendant has claimed a homestead exemption upon the property when the property is sold, the defendant receives \$20,000 before other costs are taken out.

I. LANDLORD-TENANT DISPUTES

1. Unlawful conduct by the landlord
 - a. The landlord, without permission of the tenant, has no right to enter the premises. If he does, he may be guilty of criminal trespass unless there is a valid emergency repair necessary, is there to show the premises, or to affect a landlord's lien.
 - b. The landlord does not have the right to lock a tenant out of his room or change the locks on the tenant's door until a Writ of Restitution has been served.
2. Unlawful conduct by the tenant
 - a. If the tenant damages or destroys the landlord's property, he is civilly liable for the property.
 - b. If the tenant acted willfully and maliciously, he can be charged with criminal mischief.
 - c. If the tenant sells or gives away the landlord's personal property or upon termination of tenancy takes such property with him, he is guilty of conversion and is civilly liable to the landlord. If done with the intent to deprive the landlord of permanent use of the property, he can be charged with theft.
3. Landlord liens
 - a. If the tenant is behind in rent, the landlord may enter the apartment at a reasonable hour to exercise a landlord lien on specific luxury items for the amount of rent owed.
 - b. Assertion of the lien must be peaceful and must have already been filed with the local county court.
4. Eviction
 - a. Tenant can be evicted if the rent is not paid on time and the tenant breaks the contract (breach of contract); however, the landlord does not have to have a reason.
 - b. For commencement of forcible entry and detainer action (FED), the landlord or agent must serve notice to vacate on the tenant, then the tenant is served with a summons and complaint in unlawful detainer.

- c. If the landlord is granted judgment, the court will issue a writ of restitution directing the Sheriff to restore the premises to the landlord. If the landlord (in absence of an agreement to the contrary) personally evicts the tenant, the landlord may be liable for civil and/or criminal charges. If the tenant returns to the property after being evicted by the Sheriff, he can be charged with criminal trespass.
5. Deputies responding to a landlord/tenant dispute should endeavor to preserve the peace, use sound discretion in filing a criminal charge against either party, remain impartial, give no legal advice, and recommend that parties consult with an attorney.

J. DOMESTIC RELATIONS

1. Temporary injunction (restraining order): As a general rule, deputies do not enforce domestic relations restraining orders. The party who obtained the order seeking a contempt citation from the court that issued the order enforces violations of civil restraining orders. The court then sets the matter down for a hearing at a later time to determine whether the party bound by the restraining order should be held in contempt for violation of the restraining order. The notable exemption to the rule is a temporary restraining order or temporary injunction issued under the “Uniform Dissolution of Marriage Act” (CRS 14-10-101 to 103). Pursuant to Section 14-20-108 and 109, the deputy should follow these guidelines:
 - a. The deputy must be shown a certified copy of the restraining order containing the judge’s signature, court seal, and certification by the clerk of the court unless the deputy is otherwise satisfied that the order has been issued as evidenced by entry into the CBI computer system.
 - b. There must be a signed certificate of service on the order showing it has been served upon the person being restrained or the person being restrained must have been made aware of the orders by the court. The wife or another party to the dissolution action cannot serve the order.
 - c. The deputy must determine whether the order is valid and enforceable at the time it is sought to be enforced.
 - i. The order usually terminates when the final decree is entered or the petition for dissolution or separation is voluntarily dismissed.
 - ii. The order may be continued by the court to a date certain (usually not exceeding 1 year), when the final decree is entered.
 - iii. Any restraining orders initiated after the decree is entered must be through a separate civil action, and are not enforceable under this section.
 - iv. If there is a claim that the decree was entered and the order terminated, the deputy should inquire about the decree. If a decree was entered, the restraining order is no longer

enforceable unless the court specifically ordered it continued.

- v. If one party denies that a decree has been entered and none is produced, the deputy should obtain a written statement from that party that the case is still pending and proceed to enforce the restraining order.
 - vi. If the parties acknowledge that a decree was entered but one party claims the restraining order was continued, he/she must produce a certified copy of the order continuing the restraining order. This order may be noted by the court in the decree of dissolution, by a separate minute order, or it may be noted on the restraining order. As long as the document is a properly certified copy of the court's order, whatever the form, it is enforceable by the deputy.
 - vii. If there is a claim that the action had been voluntarily dismissed, both parties should be queried. If no order of dismissal can be produced the deputy cannot obtain verification from the court, the order should be enforced.
- d. The deputy must ascertain if the subject is doing or has done any of those activities prohibited by the order as only those activities specified in the order itself apply. It is not necessary that the deputy personally observed the violation if he has probable cause to believe that a violation of the order was committed by the subject.
 - e. To enforce the order, the deputy has a choice of removing the person named in the order from the premises or taking the person before the court issuing the order. If the court is not in session, the subject may be jailed. If simply removing the subject from the premises will end the problem, no further action need be taken.
 - f. If the subject is jailed, he must be taken to the court that issued the order when it next convenes. Special attention should be given to cases involving restraining orders from courts in other jurisdictions. Because of extremely limited transportation facilities between jurisdictions, the arresting agency will normally be responsible for producing the subject before the court in the other jurisdiction.
 - g. Normally, the courts will consider the violation based on the deputy's arrest report. Occasionally, the deputy may be called upon to testify in a contempt hearing.
 - h. When serving a restraining order, the deputy will first request CCIC/NCIC clearance for warrants on the subject being served.

2. Support Proceedings

- a. There may be criminal responsibility if a person fails to make payments in accordance with the support order. See CRS 14-6-101.
- b. Colorado has also enacted the Uniform Reciprocal Enforcement of Support Act (CRS 14-5-101, et. seq.) to deal with situations where the parties reside in different states or different counties within Colorado. Under the Act, a support order may be obtained without either party leaving his respective jurisdiction and the order may be enforced in the state or county where the obligor resides. Also, under the Act, the governor of this state may demand from the

governor of another state the surrender of any person found therein who is charged with the crime of failing to provide for the support of his children.

- c. Paternity proceedings to compel support may be initiated by the mother, the child's guardian, or by the Department of Human Services (if the mother or child is a public charge).

K. ENFORCEMENT OF CHILD CUSTODY ON AN OUT OF STATE ORDER

1. Child custody orders from other states can be enforced after they have been certified by the Morgan County District Court. As local courts have jurisdiction, out of state orders must be certified first by our courts before any action can be taken.
2. Custody orders must be specific regarding time frames for visitation. Listing every other weekend is not adequate; the order must specify dates and times.
3. ID and CCIC/NCIC clearance will be required on all parties involved in a custody action. Children will not be given to anyone other than the person listed in the order to receive custody.
4. The deputy in charge of enforcing the custody order will, after assessing circumstances, decide whether the custodial parent will accompany him to pick up the children or whether he will pick up the children and take them to the parent.
5. If the parties involved each have orders from different courts with conflicting orders, the deputy in charge will take no action until a decision has been made by a judge as to which order is valid or a new order has been issued.

L. ENFORCEMENT OF COLORADO CHILD CUSTODY ORDERS: A certified copy or original order is required to enforce a custody order. Colorado custody orders will follow the same format as those specified for out of state orders.

M. EVICTION PROCEDURES:

1. Eviction notices may only be served or posted during daylight hours. No eviction notices are to be served on Sunday.
2. A completed return of service is mailed to the plaintiff or his agent.
3. Writs of Restitution will be served the following business day after receipt. One attempt of service will be made. If personal service is not possible, the writ will be posted.
4. It is the responsibility of the plaintiff to contact the Sheriff's Office Civil Process Unit to schedule a move out. Move outs will be scheduled only on week days as staffing allows.
5. Plaintiff or representatives are responsible for containing property contents in boxes and bags and moving them to the curb. A deputy will stand by to keep the peace for one hour.
6. A deputy will oversee removal and disposal of any hazardous items removed from the property. A deputy will call in other agencies as needed. The deputy will remove Pornographic/offensive material from the property.

A notice will be given to the tenant or posted on the property that advised this material would be held at the Sheriff's Office in Evidence for the required amount of time to be claimed. If not claimed in the required amount of time, the material will be destroyed.

7. Animals will be taken to the pound.
8. The landlord may choose to change the locks and leave the contents in the property. It is the landlord's responsibility to make arrangements with the tenant to return the tenant's property.
9. A notice of responsibility or action will be signed by the deputy and the landlord with a copy to be kept by each.
10. A fee will be charged for service of a writ, including mileage and an eviction move out fee as statute allows.
11. The deputy will have a CCIC/NCIC warrants check done on tenants being evicted.
12. If drugs or drug paraphernalia are found during an eviction, the Patrol supervisor will be notified.
13. If more than 30 days have elapsed between the posting of a Writ of Restitution and the request for move out, the Writ of Restitution must be re-posted. A service fee will be charged.

N. DEADLINE FOR SERVICE OF WRITS

1. Citation: Should be served 20 days prior to the court date.
2. Criminal summons and complaint: Can be served up to 48 hours before the court date, unless specified.
3. Garnishment: No time limit, unless specified.
4. Juvenile summons and petition: Can be served up to 48 hours before the court date, unless specified.
5. Notice and summons to appear (small claims): Served 15 days prior to the court date. Not time limit on issuing from the courts.
6. Notice of levy: Party has 10 days to file an exemption or pay off the judgment.
7. Notice to vacate: No time limit, unless specified.
8. Order to show cause: Should be served a minimum of 10 days prior to the court date.
9. Summons, complaint, and answer: Should be served a minimum of 10 days prior to the court date.
10. Summons, complaint, FED: Served 5 working days prior to the court date, not counting the court date or any holidays. Courts should not issue them for more than 10 days, but they sometimes are. If so, hold until the correct date to send it out by counting 10 days from the court date.
11. Summons, complaint or summons, petition or interrogatories: There is no limit, unless specified.
12. Subpoena: 48 hours notice required unless a criminal case or otherwise instructed.
13. Writ of restitution: Served as stated in the order. Office policy is to serve and execute these writs as soon as possible. Eviction notices may only be served or posted during daylight hours, Monday through Saturday.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: REGISTRATION OF SEX OFFENDERS		Policy No: 708
Effective Date: 4-1-99	Reference: CRS 18-3-412.5	
Standards: Revised 3-9-04		

- I. PURPOSE:** To insure proper registration, complete reporting and appropriate release of information.
- II. DEFINITIONS:**
IMMEDIATE FAMILY: The spouse, parent, grandparent, sibling or child of the person requesting the records.
SEX OFFENDER: A person who has been convicted of an offense involving unlawful sexual behavior as defined in CRS 18-3-412.5(1).
- III. POLICY:** To maintain the safety and welfare of the citizens of the County and to conform to State Statute, the Office will register, confirm, and make information available to the public.
- IV. PROCEDURE:**
- A. Process.
1. Walk-in Process. Complete the documents provided on the inside of the Sex Offender File folder. Instructions:
 - a. Get a call for service number and case report number.
 - b. Fill out the form completely.
 - c. The shaded fields are mandatory: (Name, height, weight, hair, eyes, DOB, race, sex, date of registration, place of employment including the address and CFS number).
 - d. On each registration or re-registration, take a digital photograph and attach the disc to the form.
 - e. On each registration or re-registration, take two (2) fingerprints and attach the cards to the form. Put "Sex Offender Registration" in the "charge" block.
 - i. Put employment address in the "occupation" block.
 - f. **Advise the registering offender that any time he changes his job or address, he must notify the Office. Even if it's to move outside the Office's jurisdiction.**
 - g. Turn in the complete form and attachments to the Administration for processing.

2. Jail Process. After an inmate has been in custody for seven (7) days or has been sentenced for a period longer than seven (7) days, the registration process should be initiated as in the walk-in process.
 - a. When the inmate is released, cancellation documentation should be completed. If during normal business hours, the inmate should be brought to Administration for process completion. If after hours, a cancellation form should be completed giving the following information:
 - i. Name
 - ii. Relocation address
 - iii. Date
 - iv. Signature
3. Administrative Instructions:
 - a. Enter record into CCIC/NCIC – QF SXO:
 - b. On initial registrations, send the fingerprint cards and a photograph to CBI.
 - c. Send a copy of the Registration Form to the appropriate parole or probation officer.
 - d. If this is an address change, enter CCIC/NCIC – QF MSXO:
 - e. If a new address is given that is outside this jurisdiction, send a message to the new address' responsible law enforcement agency.
4. After completing the second and third pages, escort the Offender to be fingerprinted (two **rolled** print cards) and photographed. These may be completed by either a Patrol or Detention Deputy. Each print card must be signed by the Offender and the Deputy doing the prints.
5. When completed, forward the forms, print cards and pictures to Administration for system data entry. A copy of the registration shall be forwarded to the Operations Commander so that an address verification can be done.

B. Release of Information. The Sex Offender File is a public record but restricted per CRS 18-3-412.5(6)(b&c).

1. Information is available to:
 - a. Anyone who resides within Morgan County, has a safety concern, and provides proof of address and identification.
 - b. Anyone who resides outside Morgan County, has a need to know based on public protection, and demonstrates the nature and extent of his presence within Morgan County or the presence of immediate family.
2. The information available is (contained on the front page of the registration form):
 - a. Name
 - b. Address

- c. Place of Employment
- d. Photograph
- e. Sex crime conviction history

3. The information must be requested in writing.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: INCIDENT COMMAND PROTOCOL		Policy No: 709
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To identify the proper command structure when questions arise as to who shall be in command of a situation, incident or scene.
- II. **DEFINITIONS:**
PROTOCOL: A pre-approved plan or code requiring adherence.
- III. **POLICY:** It is the policy of the Office that the incident command protocol will be used at all times. Every employee shall recognize persons of rank and the respective authority on any scene, situation or incident. All employees shall recognize Sergeants, Lieutenants or persons of higher rank of other agencies when engaged in a single operation, regardless of the particular officer's assignment.
- IV. **PROCEDURES:** When a question arises regarding who shall be in command, such protocol shall be adhered to in the following sequence:
 - A. First on the scene, regardless of rank, unless relieved by a higher-ranking officer.
 - B. Time in grade.
 - C. Employee appointed as officer in charge by shift supervisor or higher-ranking Officer.
 1. If employees are of equal rank and time in grade, the seniority is based on length of service as determined by date of employment with the Office.
 2. If Officers are of equal length of service, then seniority is determined alphabetically by last name.
Note: Persons of higher rank **are encouraged but not required to defer** to persons who are involved in a specific activity which relates to their specialty.
Example: An incident relating to and in a detention setting may not be addressed in an equitable fashion by an on scene ranking patrol person.
 - D. **CRIME SCENE PROTOCOL:**
 1. In the event of a homicide, suicide, arson, other major crime or incident, the assigned investigator will ultimately be responsible for the case and will have authority to direct subordinates from investigations and other sections, as well as any ranking employee who are on the scene, until relieved by a commander.

2. The mere presence of a ranking officer does not relieve an investigator of his responsibility of the crime scene. The Commander may overtly take command of a crime scene by saying, "I am now taking command of this scene." Commanders shall do so only with the intent to positively impact the scene and the end results of the investigation or incident.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 800 USE OF FORCE



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

Subject: USE OF FORCE		Policy No: 801
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide guidelines in the use of force and in the reporting of the use of force. This directive is for Office use only and does not apply in any criminal or civil proceeding. This policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for administrative sanctions.
- II. DEFINITIONS:**
- CURRENT FORCE STANDARD:** An employee's conduct must be **objectively reasonable** based on the **totality of the circumstances** known to the officer at the time and place of the event.
- OLD FORCE STANDARD:** An employee's conduct need only shock the conscience of the offender
- BODILY INJURY:** Physical pain, illness, or any impairment of physical or mental condition.
- DEADLY FORCE:** Deadly force means force plainly likely to cause serious physical injury or death.
- DEADLY WEAPON:** Any of the following which in the manner it is used or intended to be used is capable of producing death or serious bodily injury: (I) a firearm, whether loaded or unloaded; (II) a knife; (III) a bludgeon; or (IV) any other weapon, device, instrument, material, or substance, whether animate or inanimate.
- DUTY TO REPORT USE OF FORCE BY PEACE OFFICERS:** A peace officer who, in pursuance of such officer's law enforcement duties, witnesses another peace officer, in pursuance of such other peace officer's law enforcement duties in carrying out an arrest of any person, placing any person under detention, taking any person into custody, booking any person, or in the process of crowd control or riot control, use physical force which exceeds the degree of physical force permitted pursuant to section must report such use of force to such officer's immediate supervisor.
- EXCESSIVE FORCE.** Excessive force means physical force which exceeds the degree of physical force permitted by law. The use of excessive force is presumed when a peace officer continues to apply physical force in excess of the force permitted by said section to a person who has been rendered incapable of resisting arrest.
- JEOPARDY:** A hazard, a danger, or a peril.
- DE-ESCALATE:** To use the least amount of force to stop the action of a violator and reduce the amount of force applied as the threat is neutralized or become compliant.
- NON DEADLY FORCE:** Any force, action or weapon which produces a result that is necessary to control the actions of another and does not involve the use of deadly physical force. A baton and similar objects normally are non-deadly force, but they can constitute deadly force, depending on the manner of use.

OLEORESIN CAPSICUM: Commonly referred to as OC or pepper spray, is a concentrated form of oil and resin of the red or cayenne pepper. It is not a manufactured chemical, OC spray is considered a non-deadly use of force which can be used to temporarily disable a person.

REASONABLY NECESSARY. Force may be used only to accomplish lawful objective and only to the extent reasonably necessary in light of the circumstances confronting the officer. Force is reasonably necessary only if lesser force would not likely lead to safe control of persons and/or situations.

SERIOUS BODILY INJURY: Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree..

TASER: A less lethal conducted energy weapon that conducts electrical energy to a target, thereby controlling and overriding the central nervous system of the body of the target. It is designed to safely incapacitate potentially dangerous person(s) from a distance that minimizes the danger to the deputies involved.

III. POLICY: It is the policy of the Office that employees protect themselves, third parties or individuals incapable of defending themselves from injury by an aggressor. However, employees shall use only that force which is reasonable and necessary, both physical force and deadly physical force, when justified and legally appropriate and shall report the use of such force.

IV. PROCEDURE:

- A. **REQUIREMENTS TO READ AND COMPLY.** All employees shall maintain, read and comply with the policies and procedures in this section. This policy is intended to conform to all state and federal laws, guidelines and regulations.
- B. **COMPLIANCE WITH DEADLY FORCE STATE STATUTE.** Employees must be in compliance with CRS 18-1-704, shown below, when using deadly force. Deadly force may be used only if an officer reasonably believes a lesser degree of force is inadequate and has reasonable grounds to believe and does believe that he or another person is in immediate danger of being killed or of receiving great bodily harm.

CRS 18-1-704. Use of Physical Force in defense of a person.

- (1) Except as provided in subsections (2) and (3) of this section, a person is justified in using physical force upon another person in order to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical force by that other person, and he may use a degree of force which he reasonably believes to be necessary for that purpose.

- (2) Deadly physical force may be used only if a person reasonably believes a lesser degree of force is inadequate and:
 - (a) The actor has reasonable ground to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving great bodily injury; or
 - (b) The other person is using or reasonably appears about to use physical force against an occupant of a dwelling or business establishment while committing or attempting to commit burglary as defined in sections 18-4-202 to 18-4-204; or
 - © The other person is committing or reasonably appears about to commit kidnapping as defined in section 18-3-301 or 18-3-302, robbery as defined in section 18-4-301 or 18-4-402 or 18-3-403, or assault as defined in sections 18-3-202 and 18-3-203.

- (3) Notwithstanding the provisions of subsection (1) of this section, a person is not justified in using physical force if:
 - (a) With intent to cause bodily injury or death to another person, he provokes the use of unlawful physical force by that other person; or
 - (b) He is the initial aggressor, except that his use of physical force upon another person under the circumstances is justifiable if he withdraws from the encounter and effectively communicates to the person his intent to do so, but the latter nevertheless continues or threatens the use of unlawful physical force; or
 - © The physical force involved is the product of a combat by agreement not specifically authorized by law.

C. **PURPOSE AND DISCUSSION.** This policy explains applicable law and Office policy regarding the use of force by employees, so that force is used only to the extent reasonably necessary to accomplish lawful objectives. Understanding the law and Office policy will allow employees to perform their duties confidently and wisely, without subjecting themselves to criminal or civil liability. The Office will not tolerate excessive force.

D. **NON-DEADLY FORCE.** An employee may use force upon another person only when that force is, or reasonably appears to be necessary:

- 1. To affect an arrest, to secure an arrestee, to prevent escape from custody or, an investigative detention of a person whom he reasonably believes (or reasonably suspects, in the case of investigative detention) has committed a criminal offense.
- 2. To defend himself or a third person from what he reasonably believes to be the use of physical force while effecting or attempting to effect an arrest or an investigative detention, or while preventing or attempting to prevent an escape.

- E. **DEADLY FORCE:** An employee may use deadly force upon another person only when that force is, or reasonably appears to be, necessary:
1. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force;
 2. To affect an arrest or to prevent the escape from custody of a person whom he reasonably believes is attempting to escape by means of a deadly weapon, or who by his conduct or any other means indicated that he presents an imminent threat of serious physical injury or death to others unless apprehended without delay.
 3. Elements of Deadly Force:
 - a. Ability or Apparent Ability – does the suspect possess the ability to kill the employee or a third party, or to cause the employee or a third party serious bodily harm?
 - b. Opportunity – does the suspect have the opportunity to kill the employee or a third party or to cause the employee or a third party harm.
 - c. Imminent Jeopardy – has the suspect placed the employee or a third party in imminent danger?
 - d. Preclusion – has the employee reasonably exhausted all of the avenues of de-escalation at that time and place?

- E. **ANY USE OF FORCE WHICH IS NOT REASONABLY NECESSARY IN LIGHT OF THE CIRCUMSTANCES CONFRONTING THE OFFICER IS PROHIBITED.** Nothing in this policy shall be construed to permit, excuse or justify the use of unreasonable or excessive force. When assessing the need to use force, employees should consider the nature and extent of any threat posed by the subject, as well as all other circumstances of the encounter, including but not limited to the following:
1. The severity of the crime;
 2. The degree to which the subject resists arrest or detention;
 3. Any attempts made by the subject to evade arrest by flight.

F. **LIMITS ON FORCE.**

1. Warning Shots. Warning shots may be fired in an effort to stop a person only when the officer is authorized to use deadly force and only if the officer reasonably believes a warning shot can be fired safely in light of all the circumstances of the encounter.
2. Firing at or From Moving Vehicles. Firing at or from moving vehicles is prohibited except where the employee reasonably believes that there is an imminent threat of death or serious physical injury to himself or a third party if the officer does not do so and that it is the only reasonable means of protecting himself and/or a third party.
3. Fleeing Felons. A person suspected to be or known to be a fleeing felon should not be presumed to pose an immediate threat to life in the absence of action that would lead the officer to reasonably believe otherwise.

4. Strangle and Choke Holds. Strangle and choke holds and other similar holds which choke or restrict the ability to breathe or flow of blood to the brain are **prohibited** except when the employee reasonably believes there is an imminent threat of serious physical injury or death to himself or a third person if he does not do so and that it is the only reasonable means of protecting himself and/or a third party.
5. Head Blows and Impact Tools. The use by an employee of any inanimate object to strike a blow to a person's head is prohibited except when the officer reasonably believes there is an imminent threat of serious injury or death to himself or a third person and that he has no other reasonable alternative for defending himself or a third person. Depending on the method of use and other circumstances, a flashlight, gun, baton, or similar object used as a club to strike a head blow could be considered use of deadly force.
6. Display and Brandishing Weapons. Employees shall not display or brandish any weapon in a threatening or intimidating fashion unless it is reasonably necessary to do so in order to prevent, or attempt to prevent, an attack on the employee or third party.
7. Shots to Destroy Animals. Shots to destroy animals may be fired when it is reasonable necessary to do so in order to defend the employee or third party against a threat of significant physical injury or after all reasonable options have been exhausted, to save a badly injured animal from great suffering.
 - a. Before destroying a badly injured domestic animal, the employee shall make reasonable efforts to notify an animal's owner and/or any appropriate agencies or authorities in order to involve more appropriate persons in the decision and action. If such notification cannot be swiftly accomplished, the officer is permitted to go forward with the destruction of the animal.
 - b. No shot shall be fired to destroy any animal, wild or domestic, unless such shot can be fired safely in respect to human life and other property.

G. TASER USE: OPERATIONAL GUIDELINES

1. Authorized Tasers shall be issued to and used only by deputies who have completed the Office's Taser training program. Once authorized, deputies will annually complete refresher training and qualify with the Taser.
2. Requests for a Taser equipped deputy shall be made through Master Control or Communications depending on appropriate deployment locations.
3. Each discharge of a Taser shall be documented.
4. The Taser is programmed to give a **5-second** electrical current. The operator can shorten or extend this time. The probes should not be touched during this time period, as you would also receive the same electrical current. In addition, deputies should avoid stepping on or tripping over the wires.

5. The preferred target area when deploying a Taser should be the center mass of the body. The face, neck and groin area is to be avoided if at all possible.
6. Expired and expended air cartridges are replaced.
7. **The Taser has the ability to ignite flammable liquids.** It will not be deployed at subjects who have come in contact with flammables or in environments where flammables are obviously present. Some police self-defense sprays are flammable and could be dangerous to use in conjunction with the Taser. Our authorized OC Spray is non-flammable. Do not deploy the Taser in highly flammable methamphetamine labs, etc.
8. Proper consideration and care should be taken when deploying the Taser when:
 - a. Subjects are in an elevated position or in other circumstances where a fall may cause substantial injury or death.
 - b. Encountering a pregnant woman.
 - c. The subject is in a swimming pool – not because of electrical current but because of the risk of drowning.Deputies must be prepared to justify such a deployment.
9. The Taser will never be used punitively or for the purposes of coercion. It is to be used as a way of averting a potentially injurious or dangerous situation.

H. PROCEDURE FOLLOWING THE USE OF FORCE

1. Use of Force Report. Use of force by employees shall be documented and reported in writing, hereafter referred to as the Report. The purpose of filling out the Report is to immediately document the use of force so that, should any questions arise concerning the force incident, the pertinent facts will be readily available. The Report will also be used to assist in identifying training and equipment needs. The number of Reports that exist concerning an employee cannot be used in the employee's performance evaluation or as the basis for disciplinary action. Force that is justified is permissible, regardless of the number of uses. Not every touching by an employee requires completion of the Report or notification of a supervisor. Decisions regarding what force requires notification and reporting shall be made by reference to other portions of this policy and to other Office training communications. The Office will purge all Use of Force Reports three years from the date of the force incident, unless it has become the subject of civil or criminal litigation.
2. Documentation/Use of OC or Taser.
 - a. The subject's actions and/or statements prior to discharging the OC spray or Taser.
 - b. The deputy's approximate distance from the subject when OC/Taser was discharged.
 - c. The approximate amount of OC spray that was discharged, such as the number of bursts or seconds of spray or number of Taser exposures and duration.
 - d. A description of exposure effects.
 - e. The manner in which the subject is initially restrained following the use of the OC spray/Taser.
 - f. The deputy's efforts to conduct post-use care of the subject.

- g. Recovery time of the exposed subject.
 - h. Whether medical treatment was provided for the subject and how the medical treatment was obtained (first responder, emergency room, etc.) The name(s) of the personnel at the jail notified of the use of the spray/Taser on the subject.
3. Reporting Use of Excessive Force by Another Peace Officer. The following reporting policy is a requirement of Senate Bill 91-234. Failure to comply with these reporting requirements is a Class 1 Misdemeanor. A materially false statement in a report constitutes false reporting to authorities in violation of CRS 18-8-1-11(1)©.
- a. Report of Excessive Force. Any employee who, while pursuing his or her duties, witnesses another peace officer using excessive force in the following circumstances **must** report it to their Supervisor:
 - i. Carrying out an arrest on any person;
 - ii. Placing any person under detention;
 - iii. Taking any person into custody;
 - iv. Booking any person; or
 - v. The process of crowd control or riot control;
 - b. Content of the Report. The Report must include:
 - i. The date, time and place of the occurrence;
 - ii. The identity and/or description of the participants;
 - iii. A description of the events and the force used.
 - c. Timing of Report. The Report must be made in writing within ten days of the incident.
 - d. NOTE: A copy of an arrest report or similar report that the reporting officer is required to prepare may be substituted for the Report required by this section, as long as such report includes the information required by this section.
- I. PROCEDURE FOLLOWING THE DISCHARGE OF A FIREARM ON-DUTY
- 1. Reporting Requirement. Any employee discharging a firearm while on duty or in enforcement actions is required to file a written report as soon as possible. If the employee who discharged the firearm is not capable of completing a written report because of injuries or otherwise, the Division Commander will be responsible for completing the initial report. The Division Commander shall be notified immediately anytime a firearm is discharged.
 - 2. Investigation Required. The Division Commander or his designee will investigate any accidental or intentional discharge of a firearm by an employee. After a thorough investigation, a detailed written report shall be submitted for review.

- J. PERSON IN NEED OF ASSISTANCE. If any person on whom an employee used force needs medical attention, the employee shall assist such person where appropriate and contact their supervisor. If the employee is in doubt as to the necessity of medical treatment, he shall seek guidance from a supervisor or an appropriate medical person. In no event, shall apparently necessary medical attention be unreasonably delayed in order to notify a supervisor or obtain a medical opinion.
1. OC Medical Treatment:
 - a. Any citizen affected by the OC spray, either intentionally or accidentally, will be provided post-use by the deputy who used the OC spray or another deputy if the deputy who used the spray is unable to conduct the post-use care.
 - b. The post-use care consists of rinsing the exposed areas with water as soon as possible following the exposure, placing the exposed person in a well ventilated area, and observing the person in a manner consistent with the training provided concerning post-use care.
 - c. Deputies shall provide access to medical care upon request by the affected person or if it appears reasonably necessary to the deputy that medical care is needed.
 - d. Any employee affected by OC spray also shall be provided with post-use medical care. Documentation of any medical treatment provided to the employee shall be handled as a Workmen's Compensation matter.
 2. Taser Medical Treatment:
 - a. Persons who have been subjected to the Taser, or the probes, shall be treated as follows:
 - i. Once in custody, deputy(s) shall advise paramedics or the emergency room staff that the person has been subjected to the Taser and relate the approximate time the action occurred. If the probes penetrate the skin the puncture sites shall also be brought to the attention of the deputy's supervisor, paramedics or emergency room staff. Only emergency room staff may remove Taser probes (Probes can only penetrate to a maximum depth of 1/4 inch).
 - ii. If the probes used are no longer impaled in the skin the subject may be released to the custody of the deputy(s) pending EMS evaluation.
 - iii. Deputy(s) shall obtain medical clearance from the emergency room physician before transporting the subject to a detention facility. This can be obtained from the attending physician or EMS if treated on the scene.
 - iv. The air cartridge probes used are considered "sharps" and shall be discarded in the biohazard container that all EMS units carry. Deputies must use protective gloves when handling.

- K. **NOTIFICATION OF THE UNDERSHERIFF.** An employee who uses force on a subject shall notify their supervisor immediately. The Division Commander shall be notified in the absence of the immediate supervisor. He shall also complete the Report and forward it to the Undersheriff by no later than the end of the tour of duty in which the force was used. The Undersheriff will conduct appropriate investigation and complete, or cause to be completed, the appropriate Report. Off-duty employees involved in use of force situations are subject to the same reporting procedures as on-duty employees. When an off-duty employee uses force, he shall notify his supervisor.
- L. **EXAMPLES OF SITUATIONS THAT REQUIRE SUPERVISORY NOTIFICATION AND COMPLETION OF THE REPORT.** When an employee:
1. exercising police authority uses force which causes any visible or apparent physical injury, or which results in the subject saying that he is injured.
 2. exercising police authority uses any object, including baton, flashlight, hand, fist, or foot to strike a blow to a subject.
 3. exercising police authority uses force that in any way causes a subject to suffer a blow to the head.
 4. exercising police authority bodily removes or drags a struggling subject from one place to another.
 5. uses any aerosol irritant or inflammatory agent.
 6. discharges his firearm, regardless of duty status and regardless of whether the discharge was accidental or intentional. (Exceptions: lawful hunting, approved firearms range activity, other lawful and safe target practice)
 7. exercising police authority uses force during or after which a subject loses consciousness.
 8. points a gun at anyone.
- M. **PHOTOGRAPHS OF INJURIES.** With the consent of the injured person, photographs shall be taken of the injuries. Employees with physical injuries shall also be photographed.
- N. **CHARGING FOR RESISTING AND ASSAULT.** If an employee exercising police authority encounters resistance that clearly justifies charges of resisting arrest and/or assaulting an employee, these charges will be made immediately.
- O. **CUSTODY OF FIREARMS DISCHARGED DURING USE OF FORCE.** The Division Commander or his designee will take custody of the weapon that has been discharged where the life of another was in jeopardy (serious incidents) and will maintain the weapon in the same condition in which it was received. The Division Commander or his designee will hold the weapon until such time as it can be turned over to authorities charged with the responsibility of investigating the discharge. At the discretion of the Undersheriff, the employee will be given a replacement weapon. Privately owned weapons will be replaced by a Office issued weapon until the investigation is complete, and will be returned as soon as practical.

P. PROCEDURE FOLLOWING USE OF DEADLY FORCE

1. PSYCHOLOGICAL SERVICES. In all cases where any person has been injured or killed as a result of a firearm discharged by an employee, the involved employee may be required to undergo a debriefing with a Office provided psychologist as soon as possible after the incident. The purpose of this debriefing is to deal with the emotional and/or psychological after-effects of the incident. The debriefing shall not be related to any Office investigation of the incident.
2. ADMINISTRATIVE LEAVE. Any employee involved in a deadly force incident shall be placed on Administrative Leave directly upon the completion of his preliminary report of the incident. This leave shall be without loss of pay or benefits pending the results of the investigation. The assignment to Administrative Leave shall not be interpreted to imply or indicate that the employee acted improperly. While on Administrative Leave, the employee shall remain available at all times for official Office business, including interviews and statements regarding the shooting incident, and may be recalled to duty at any time.

Q. TRAINING:

1. Deputy's will be trained and must successfully complete OC/Taser training prior to being issued OC/Taser. Annual re-certification will be conducted. This training will include, but is not limited to:
 - a. Tactical use and applications of OC;
 - b. Specific tactics:
 - i. basic defensive tactics,
 - ii. duration of application,
 - iii. use against attacks,
 - iv. vehicle extractions, and
 - v. fight intervention,
 - vi. use on animals,
 - vii. safety considerations,
 - viii. vicarious liability,
 - ix. and maintenance considerations.
2. Documentation:
 - a. names of trainers,
 - b. date of training,
 - c. hours of training,
 - d. names of participants,
 - e. location; and
 - f. written/practical test scores.
3. Frequency of training:
 - a. Use of force overall, annually.
 - b. Firearms qualification, at least semi-annually.
 - c. OC spray, annually.
 - d. Taser, annually.
 - e. PPCT, annually.



MORGAN COUNTY SHERIFFS OFFICE

POLICY AND PROCEDURE MANUAL

Subject: POST CRITICAL INCIDENT SUPPORT		Policy No: 802
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** All employees of the Office shall be afforded emotional and psychological assistance after being involved in a critical incident.
- II. **DEFINITIONS:** None
- III. **POLICY:** It shall be the policy of the Office to take immediate action after mentally painful and highly stressful situations to safeguard the continued good mental health of all involved personnel.
- IV. **PROCEDURE:** Law enforcement duties often expose officers and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. It has been found that officer-involved shootings resulting in death or serious bodily injury to a citizen or a fellow officer may precipitate such stress disorders. It is the responsibility of this Office to provide personnel with information on stress disorders and to provide assistance in prevention of such disorders.
 - A. Process:
 1. Supervisory and support employees who respond to the scene of any critical incident shall avoid discussing the specific incident with the involved employee. Employees shall not verbalize their opinions concerning justifications of actions, nor discuss the incident with any unauthorized person.
 2. The employee(s) involved shall be removed from the scene as soon as possible. Another employee or personal friend of the involved employee shall accompany him to the Office and should remain with him unless he desires to be left alone. The employee will not be subjected to questioning during this time, except as absolutely necessary to the on-scene investigation.
 3. The involved employee shall be kept informed of the status of the investigation by the immediate supervisor or assigned investigator.
 4. If a sworn employee has a handgun taken for investigative reasons, he must be accompanied by another armed employee until arrival at the Office.

5. A reasonable recovery time will be allowed an employee before any questioning, except for crucial investigative questions. Unless the employee is suspected of criminal wrongdoing, the Miranda Warning will not be given. An employee's Constitutional rights will be respected, however, employees are expected to cooperate fully with any and all investigative authorities such as the District Attorney's Office and/or the Federal Bureau of Investigations.
6. An open line of communication shall be established between the employee's family and an Office representative. If the employee is hospitalized, arrangements shall be made to transport the family to the hospital.
7. The following are reasons for **Administrative Leave** with pay:
 - a. The nature, scope and magnitude of the incident.
 - b. Media coverage that may further stress the employee.
 - c. The psychological adjustment of the employee.
 - d. If there may be a violation of criminal or civil law by the employee.
8. The employee may be reinstated to full duty upon the completion of any investigation or the incident and/or medical clearance as needed.
9. Division Commanders are responsible for communicating the facts of any incident to their subordinates to dispel rumors.



MORGAN COUNTY SHERIFFS OFFICE

POLICY AND PROCEDURE MANUAL

Subject: CRITICAL INCIDENT REVIEW BOARD		Policy No: 803
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** The Critical Incident Review Board is responsible for examining circumstances where serious bodily injury or death occurs to any person as a result of law enforcement actions.
- II. **DEFINITIONS:**
CRITICAL INCIDENTS: Incident involving the use of a deadly weapon by an officer or incidents in which any person suffers serious bodily injury or death as a result of law enforcement or detention actions.
- III. **POLICY:** It is the policy of the Office to conduct a formal review of all instances in which shots are fired in connection with law enforcement or detention operations regardless of whether or not death, personal injury or property damage occurs; or in circumstances when any person suffers serious bodily injury or death as a result of law enforcement/detention actions other than by the use of a firearm. This review will not apply to accidental discharges or firearms training scenarios.
- IV. **PROCEDURE:** At times, Office personnel are confronted with situations in which varying degrees of force are used to protect life and property or to effect an arrest, or incidents in which firearms are discharged outside Office policy. The Office has an obligation to its personnel and community to review its policies and training programs in the interest of public safety.
 - A. **CRITICAL INCIDENT REVIEW BOARD:** An independent investigation shall be conducted at the Undersheriff's request as soon as possible. The Critical Incident Review Board will be impaneled to determine whether the guidelines set forth in this Office policy were followed.
 1. Board to Present Written Results. After conducting a thorough investigation of the circumstances, the Critical Incident Review Board shall submit a detailed written report of the results of the investigation with their observations and conclusions to the office of the Undersheriff.
 2. Result to Board. This report will be submitted to the Board for evaluation during their subsequent investigation as outlined in the following regulations.
 3. Board Make Up. A Board will consist of the following members.
 - a. Two command officers from an outside agency
 - b. The appropriate Division Commander or his designee
 4. Undersheriff Calls the Board. A meeting of the Board shall be held whenever the Undersheriff determines necessary.

5. Board Authority. The Board is authorized to review the circumstances attending each discharge of firearms by a member of the Office and to recommend action to the Undersheriff. The Undersheriff shall make the final decision whether disciplinary action is to be taken and the nature and extent of the action. This action may include firearms certification training and/or any action spelled in policy.
6. Board's effect on Policy/Procedures. The Board shall make or receive recommendations for the modification of the Office use of forces/firearms policy, and shall make recommendations concerning the training necessary for the effective implementation of such a policy.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 900 RESERVES/POSSE/VOLUNTEERS



MORGAN COUNTY SHERIFFS OFFICE ADMINISTRATION POLICY AND PROCEDURE MANUAL

Subject: Reserve Unit Policy and Procedure		Policy No: 901
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To provide guidelines for the organization and operation of the Morgan County Sheriff's Reserve Unit.

II. DEFINITIONS:

CALL OUT ACTIVATION: An unscheduled request for assistance from the Morgan County Sheriff's Office to provide operational support for routine law enforcement functions, special events and emergency situations requiring additional resources.

CHAIN OF COMMAND: The formal channels in the Office that distribute authority and provide a path for dissemination of information both upward and downward.

DEPUTY SHERIFF: A Peace Officer Level I who is a sworn employee of the Morgan County Sheriff's Office.

EMPLOYEE: A sworn or non-sworn, full time paid, employee of the Morgan County Sheriff's Office.

EXECUTIVE OFFICERS: Elected or appointed members of the Reserve Unit responsible for organization, reporting requirements and routine operation of the reserve unit.

LIAISON OFFICER: A deputy sheriff assigned by the Sheriff's Office to provide assistance and guidance for the Reserve Unit.

MEMBER: A volunteer who has met the membership requirements and has been accepted to the Morgan County Sheriff's Reserve.

RESERVE DEPUTY: A volunteer member who is qualified as a Peace Officer Level I or a Reserve Peace Officer Level IIIa as defined by the applicable Colorado Revised Statutes and P.O.S.T. rules.

RESERVE DEPUTY SHERIFF: A Peace Officer Level I who has completed the Morgan County Sheriff's Office Field Training Program but is not an employee.

RESERVE DETAIL: An organized activity scheduled through the Morgan County Sheriff's Office for the purpose of providing security at special events or representation of the Reserve Unit at a specific function.

RESERVE UNIT: The collective, volunteer, membership consisting of both Reserve Deputies and Posse members.

PEACE OFFICER: Any person described in 18-1-901(3)(1)(I),(II) and (III), C.R.S. who is authorized to carry a firearm, conduct arrests, or enforce the laws of the State of Colorado pursuant to 18-1-903(3)(1)(V), C.R.S., but does not include any person appointed by a sheriff pursuant to 30-10-516, C.R.S.

P.O.S.T.: Colorado board on Peace Officers Standards and Training.

POSSE MEMBER: A volunteer serving as a citizen pursuant to 30-10-516, C.R.S. who is not certified as a Peace Officer in the State of Colorado.

VOLUNTEER: A person from the community who serves the Morgan County Sheriff's Office in a non-paid capacity (Cadet, Reserve, Posse).

III. POLICY: The Morgan County Sheriff's Office has developed these policies and procedures to assist the members in performing their duties more effectively. If a conflict arises between this policy and other Sheriff's Office Policies. The Morgan County Sheriff's Office Policy and Procedure shall be deemed the authority in such conflict. In addition to the policies and procedures contained herein, members shall be expected to adhere to all applicable laws, policies, procedures, rules and directives that govern the Morgan County Sheriff's Office.

IV. PROCEDURES:

A. Purpose and function:

The Morgan County Sheriff's Reserve Unit shall provide operational support for the Morgan County Sheriff's Office. This unit shall assist the Sheriff's Office in its responsibilities including routine law enforcement functions, special events and emergency situations requiring additional resources. The Reserve Unit operates within the Operations Division of the Morgan County Sheriff's Office.

B. A Volunteer Organization:

The Morgan County Sheriff's Reserve Unit is a volunteer organization, which provides an opportunity for citizens of the community to participate in law enforcement activities. The Sheriff's Office appreciates the efforts of the members to participate in the organization. It is understood that members have other commitments that they must maintain. For the organization to remain effective, members must follow guidelines that have been established for the organization. A choice to be a member of the Morgan County Sheriff's Reserve Unit is a commitment and members will be expected to uphold that commitment.

C. Representing the Morgan County Sheriff's Office:

Involvement in the Morgan County Sheriff's Reserve Unit presents members with the opportunity to experience many aspects of law enforcement. Because of the potential for injury and liability, members are required to participate in training provided by the organization. Through participation, you will become recognized as a representative of the Sheriff's Office. Members will be expected to display "*integrity and professionalism*" at all times, both in and out of uniform.

D. Administration and Responsibility / Call to Duty

1. The administration of the Morgan County Sheriff's Reserve shall be vested in the Executive Officers of the organization, with the assistance of the Liaison Officer, under the direction of the Morgan County Sheriff's Office.
2. The Reserve Unit Executive Officers are responsible for managing the normal duty functions of the unit. All rules and regulations promulgated by the Executive Officers shall be subject to review and approval by the Sheriff or his designee.
3. The call to activate the Morgan County Sheriff's Reserve Unit under emergency situations is the responsibility of the Sheriff or his designee.

E. Levels of membership:

1. Reserve Deputy Level I: Any member qualified in the State of Colorado as a Peace Officer level I pursuant to 18-1-903(3)(1)(I), C.R.S.
2. Reserve Deputy Level IIIa: Any member qualified in the State of Colorado as a Peace Officer level IIIa pursuant to 18-1-903(3)(1)(IV.5), C.R.S.

3. Posse Member: Any member serving as a citizen who is not a Peace Officer.

F. Application and Selection

1. An applicant for membership with the Morgan County Sheriff's Reserve Unit must meet the following requirements:
 - a. Must be a citizen of the United States and a resident of Morgan County, Colorado.
 - b. Must be twenty-one (21) years of age or older.
 - c. Must be a high school graduate or have a GED equivalent.
 - d. Must possess a valid Colorado driver's license.
 - e. Able to pass qualifying exams and an intensive background investigation.
 - f. May be required to pass polygraph, psychological, medical and physical examinations.
 - g. Must complete a written application for membership.
 - h. Be able to perform essential functions of the position.
2. Selection Procedures:
 - a. Resume Review.
 - b. Application Review
 - c. Oral Interview
 - d. Background Investigation
 - e. Medical / Physical Examinations
3. Rejection of Candidates: A candidate for appointment may be rejected from further consideration as a candidate under the following conditions where the candidate:
 - a. Is not qualified for the position.
 - b. Does not meet or complete the standards or requirements outlined above.
 - c. Has a record of unsatisfactory employment.
 - d. Has been terminated, for cause, by Morgan County.
 - e. Has been convicted of a felony or any crimes listed in 24-31-305, C.R.S. which would otherwise prevent them from obtaining P.O.S.T. certification.
 - f. Has practiced or attempted to practice deception or fraud in any portion of the selection process.
 - g. Is a "current" user of illegal drugs. "Current" use is any use of illegal drugs within three (3) years of the date of application.
 - h. Is unable to perform the "essential job functions" of the position sought without reasonable accommodation. This will be decided on a case-by-case basis.
 - i. Or where the circumstances indicate the candidate is unfit for the position sought.
4. Selection Notification
 - a. Following examination of the candidate, an offer for membership will be made, in writing, to the candidate.
 - b. Candidates not selected will be notified as soon a practical.

G. Membership Requirements:

1. Probationary member. Once accepted, the member must successfully complete a ninety (90) day probationary period. During this period, the member will be evaluated in the following areas:
 - a. Ability to perform the duties of the position.
 - b. Commitment to participation.
 - c. Suitability for membership.
2. Basic Reserve Unit Training: Must be completed within twelve (12) months after completion of the probationary period.
 - a. 2 hours – Policies and Procedures / Rules and Regulations
 - b. 2 hours – Basic Officer Safety
 - c. 2 hours – Crowd Control Tactics
 - d. 2 hours – Traffic Control
 - e. 2 hours – Paperwork / Forms
 - f. 2 hours – Report Writing
 - g. 4 hours – Radio Procedures / Communications Center
 - h. 8 hours – Introduction to Colorado Revised Statutes
 - i. 8 hours – First Aid and CPR
 - j. 8 hours – Jail Division Procedures
 - k. 8 hours – Supervised Detail with Reserve Commander
 - l. 30 hours – Patrol Ride Along with a Deputy Sheriff
 - m. 40 hours – P.P.C.T. certification
 - n. 40 hours – Transition course
3. Training must be completed and documented prior to carrying or use of the following:
 - a. O.C. (Pepper Spray)
 - b. Handcuffs
 - c. Batons
 - d. Firearms
4. In-service Training, Re-certification and Continuing Education: In-service training will be scheduled and provided by the Sheriff's Office.
 - a. Reserve Deputies must attend all in-service training required to maintain P.O.S.T. certification.
 - b. Posse Members shall be required to attend at least one (1) in-service training per year.
 - c. Members shall be required to maintain current certification in first aid and CPR.
 - d. Members authorized to carry firearms must maintain qualification scores consistent with the policies of the Morgan County Sheriff's Office.

H. Organization and Structure

1. Sheriff's Reserve Commander: The rank of Commander will be the commanding officer of the Morgan County Sheriff's reserves.
 - a. Candidates for the position of Commander must be a Reserve Deputy and possess P.O.S.T. certification as a Peace Officer level IIIa or I.
 - b. The Commander will be elected by a majority vote of the membership, subject to approval by the Sheriff.

- c. The Reserve Commander will be responsible for the administrative duties of the Reserve Unit.
 - d. The Reserve Commander will be responsible for scheduling Reserve Details and arranging adequate coverage by members.
 - e. The Reserve Commander will be responsible for contacting and scheduling members to respond for Call Out Activation.
 - f. The Reserve Commander will prepare monthly and weekly reports for submission to the Reserve Liaison.
2. Sheriff's Reserve Secretary: The Sheriff's Reserve Secretary shall maintain the written records of the Reserve unit which shall include:
- a. Minutes from all meetings.
 - b. Equipment inventories.
 - c. All correspondence.
 - d. Time records.
 - e. Activity Logs
 - f. Incident reports
3. Sheriff's Reserve Squad Leader: The rank of Squad Leader shall be assigned to a Reserve member who has been assigned responsibility for a specific detail and will be accountable for the activities of that detail. The Reserve Commander will appoint Squad Leaders as the need arises.

I. Membership Responsibilities and Functions

1. **Monthly Meetings:** Reserve meetings will be held twice per month on the first and third **Thursday** of each month. The meetings will normally start at 1900 hours and will normally be held at the Morgan County Sheriff's Office.
- a. Meeting dates and/or times may be changed to accommodate circumstances. The Reserve Commander will be responsible to notify all members of any changes in the meeting schedule.
 - b. The first meeting of each month will be intended to conduct the business of the organization.
 - c. Uniforms and equipment shall be worn or be available for inspection.
 - d. The second meeting of each month will be intended for training.
 - e. Attendance is mandatory at all regularly scheduled Reserve Meetings.
 - f. The Reserve Commander may approve a prearranged absence from a meeting.
 - g. Members who miss a regularly scheduled reserve meeting may be subject to reprimand or suspension depending upon the individual's history and the circumstances surrounding the absence.
2. **Special Meetings**
- a. May be called by the Reserve Commander or the Reserve Liaison.
 - b. Members must be given at least three (3) days notice to allow them to re-arrange personal schedules.
 - c. At least a majority of the membership must be able to attend in order to proceed with a special meeting.
 - d. Some special meetings may require mandatory attendance.

3. Patrol Ride Along / Detention Center

- a. Reserve Unit Members will contribute a minimum of five (5) hours of Patrol or Detentions time each month.
- b. Members attending a Reserve or Basic Peace Officer Training Academy may be exempted from this requirement.
- c. Patrol Ride Along must be with a Morgan County Deputy Sheriff. Patrol Ride Along with other agencies is permitted but will not count towards meeting this requirement.
- d. Patrol Ride Along can include call out activation by the Morgan County Sheriff's Office for operational support.

4. Reserve Details: Reserve Unit Members will participate in at least one Reserve Detail each month.

- a. Members are expected to report for duty as scheduled. If unable to attend the scheduled detail, the member must arrange for another member to substitute for them.
- b. The Reserve Commander must be notified of any schedule changes.
- c. If no substitute can be arranged, the member must notify the Reserve Commander at least twenty-four (24) hour prior to the scheduled start of the detail.
- d. If a member is not able to report as scheduled and cannot arrange for a substitute, each case will be reviewed on an individual basis.
- e. Members who miss a regularly scheduled Reserve Detail may be subject to reprimand or suspension depending upon the individual's history and the circumstances surrounding the absence.
- f. Reserve Details must be scheduled through the Morgan County Sheriff's Office.
- g. A Peace Officer must be present at all Reserve Details this may be a Deputy Sheriff or a Reserve Deputy Sheriff.
- h. Members of the Morgan County Sheriff's Office Reserve Unit may not operate under the color of authority of the Sheriff's Office unless they are in full uniform at an activity that has been approved and sanctioned by the Sheriff's Office.

5. Call Out Activation

- a. Reserve Unit Members are subject to Call Out Activation as requested by the Morgan County Sheriff's Office.
- b. Call Out Activation will be at the discretion of the Sheriff or his designee.
- c. Activation can be based upon any situation where additional personnel are required to provide operational support.
- d. Normal Call Out Activation Procedures are started after the determination of need by the Sheriff or his designee. It is done by notifying the Reserve Liaison. His duties then are:
 - i. Obtain briefing on the situation, (Location, Time, Resources needed).
 - ii. Determine a staging location and time
 - iii. Notification of the Reserve Commander. The Reserve Commander will contact members and arrange for them to report to the staging location.

- iv. Meet with the Reserve Commander and members at the designated staging location to assist the Reserve Commander in assigning duties.
- v. Coordinate between the incident commander / primary officer and the Reserve Unit.
- e. Members of the Morgan County Sheriff's Office Reserve Unit may not operate under the color of authority of the Sheriff's Office unless they are in full uniform at the location of an activity that has been approved and sanctioned by the Sheriff's Office.

6. Patrol Duties

- a. A Reserve Deputy Sheriff may perform routine patrol and / or law enforcement functions while on duty, as scheduled by the Lieutenant of the Patrol Division.
- b. Reserve Deputies may perform routine patrol and / or law enforcement functions while on duty and under the direct supervision of a Deputy Sheriff.
- c. Posse Members may perform specific functions while on duty and at the specific direction of a Deputy Sheriff.
- d. Members of the Morgan County Sheriff's Office Reserve Unit may not operate under the color of authority of the Sheriff's Office unless they are in full uniform at an activity that has been approved and sanctioned by the Sheriff's Office.

7. Reports and Court Appearances

- a. Members may be required to submit incident reports concerning any event that they are involved in. These may be the result of actions or activities that they participate in or witness at any Patrol Ride Along, Detention activity or Call Out Activation.
- b. Participation in the Reserve Unit may require court appearances.
- c. These appearances will be by subpoena issued under court order.
- d. Court appearances may conflict with full time employment schedules.
- e. Members are responsible to be aware of their employer's policy regarding work missed for court appearances.

8. Off Duty Activities

- a. Members are considered "off duty" unless they have arrived at their assigned duty station. Members traveling to and from a duty station, in uniform, are considered to be off duty until they have arrived.
- b. No off duty, law enforcement, activities are authorized for any members of the Morgan County Sheriff's Reserve Unit.
- c. Off duty members are private citizens and their actions are limited by Colorado Revised Statutes.
- d. Off duty members have the same duty as any citizen, upon command of a person known to be a peace officer to assist in effecting or securing an arrest or prevent the commission by another of any offense.

9. Uniforms and Equipment

- a. Members of the Morgan County Sheriff's Office Reserve Unit may not operate under the color of authority of the Sheriff's Office unless they are in full uniform at the location of an activity that has been approved and sanctioned by the Sheriff's Office.
- b. Members of the Morgan County Sheriff's Office Reserve Unit may not wear any clothing that represents the Morgan County Sheriff's Office unless they are en route to, at or returning home from an officially sanctioned Morgan County Sheriff's Reserve event. This includes but is not limited to coats, shirts, badges or any other type of clothing or gear that has the Morgan County Sheriff's Office patch or badge on them. Authorized caps or hats are excluded and may be worn.
- c. Members of the Morgan County Sheriff's Office Reserve Unit may not publicly display their badge unless they are en route to, at or returning home from an officially sanctioned Morgan County Sheriff's Reserve event.
- d. Reserve Members shall not wear or show any visible earrings, tattoos or offensive jewelry while wearing any form of the Morgan County Sheriff's Office uniform or apparel or attending a scheduled or sanctioned event.
- e. The following uniforms and equipment will be issued to members of the Morgan County Sheriff's Reserve unit. These items shall remain the property of the Morgan County Sheriff's Office and will be surrendered upon request.
 - i. One long sleeve uniform shirt
 - ii. One short sleeve uniform shirt
 - iii. Radio and charger
 - iv. Morgan County Sheriff's Reserve badge
 - v. Inner belt and Duty Belt
 - vi. Flashlight ring
 - vii. Flashlight and charger
 - viii. One set of handcuffs
 - ix. Handcuff case.
- f. After training and certification, the following equipment will be issued. These items shall remain the property of the Morgan County Sheriff's Office and will be surrendered upon request.
 - i. O.C. pepper spray
 - ii. O.C. holder
 - iii. Baton
 - iv. Baton holder
- g. Members are required to provide the following equipment.
 - i. Plain toe boots or shoes, black in color.
 - ii. Black pants, the following are acceptable:
 - (1) Black jeans that are not faded
 - (2) Black slacks
 - (3) Black BDU's may be worn but may not be bloused above the boot.

- iii. Plain black, waist length, jacket or coat. It may not display any logos. Patches will be furnished for jackets or coats.
- h. Members are responsible to maintain all uniforms and equipment in a manner that exhibits professionalism and represents the Morgan County Sheriff's Office in a favorable manner.

10. Resignation, Termination and Leave of Absence

- a. Resignation. Members wishing to resign must do so in writing, submitted to the Reserve Commander. Once a resignation is accepted, the member must surrender all departmental issued equipment within seventy-two (72) hours to the Reserve Commander.
- b. Termination. The decision to terminate a member can be initiated by the membership of the Reserve Unit. The membership shall submit a recommendation for termination to the Reserve Liaison for approval by the Sheriff or his designee. Recommendations to terminate membership may be for the following reasons:
 - i. Failure to complete a probationary period
 - ii. Failure to attend monthly meetings, without cause.
 - iii. Failure to maintain minimum requirements for membership.
 - iv. Unsatisfactory performance
- c. The Morgan County Sheriff's Office may terminate an individual's membership at any time for any violation of department policy or a member's involvement in any illegal or immoral activity.
- d. The member must surrender all departmental issued equipment to the Reserve Commander within seventy-two (72) hours of being notified of their termination.
- e. Leave of Absence
 - i. A member may request a leave of absence for no more than thirty (30) days. An approved leave may be extended twice, allowing a total of ninety (90) days.
 - ii. Requests must be submitted to the Reserve Commander in writing.
 - iii. Members who are granted a leave of absence must surrender all departmental issued equipment, prior to starting the leave of absence
 - iv. Members who are granted a leave of absence and return to active membership within the time limit of the leave will not be required to reapply for membership.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 1000 OPERATIONS



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: VEHICLE PURSUITS		Policy No: 1001
Effective Date:	Reference:	
Standards:		

- I. PURPOSE:** To provide Deputies guidance of the Office policy concerning vehicular pursuits.
- II. DEFINITIONS:**
- BOXING-IN:** Surrounding a suspect vehicle with pursuit vehicles in an attempt to slow it to a stop.
- EMERGENCY OPERATION:** The act of driving a marked or unmarked patrol vehicle with emergency lights and siren in operation while in pursuit of a violator or while en route to an emergency call. It will also include those times when an officer is in pursuit of a suspected violator and under the provisions of law is not operating emergency lights or siren.
- INVOLVED SHIFT COMMANDER:** The senior employee monitoring the pursuit.
- PURSUIT:** The use of a police vehicle in emergency operation to pursue someone who willfully and knowingly uses illegal or evasive driving tactics in an effort to avoid detection, apprehension or arrest.
- RAMMING:** Deliberately steering a pursuit vehicle into a suspect vehicle to stop it or force it off the roadway.
- ROADBLOCKS:** Placing a patrol vehicle, barricade or other obstacle across the roadway to stop the suspect vehicle.
- STOP STICKS:** A three foot section of hardened plastic triangular tubing containing 36 Teflon coated steel quills designed to puncture the tires of a pursued vehicle.
- III. POLICY:** It is the policy of this Office that deputies shall pursue known wanted criminal offenders and traffic violators who fail to yield upon receiving proper notice; however, good judgement and common sense shall be used in every pursuit, keeping in mind that it is of the utmost importance that the deputy attempt not to endanger the public, the deputy or others. No deputy shall ever be indifferent to the safety of the public, and every endeavor must be made to keep the hazards to a minimum.
- IV. PROCEDURES:**
- A. EQUIPMENT CRITERIA:**
1. To obtain verification or evidence of guilt, audible and visual signals need not be used. This will reduce the suspect's temptation to evade contact.
 2. Audible and visual signals must be activated in order to initiate contact with an actual or suspected violator or known or suspected criminal.

B. PURSUITS PROCEDURES:

1. **Think of Consequences.** Deputies have a duty and responsibility to apprehend law violators. The Office does not intend, however, that pursuits of misdemeanor or traffic infraction violators be extended to the point that the lives of the community, deputies or suspect(s) are placed in jeopardy. The seriousness of possible consequences of a pursuit requires that a deputy weigh many factors when deciding whether or not to pursue. Some specific questions deputies must ask themselves include:
 - a. Does the seriousness of the crime warrant a pursuit at unsafe speeds?
 - b. What is the probability of apprehension?
 - c. Will the pursuit take place on residential streets, in a business district or on the freeway?
 - d. What are the traffic conditions?
 - e. What are the weather conditions?
 - f. What is the condition of the patrol vehicle?
 - g. Is the pursuing deputy alone, or does he have assistance of other law enforcement officers?
 - h. Does the pursuing patrol vehicle carry a non-sworn rider, if so, the pursuit is unauthorized?
2. **Equipment Requirement.** When the pursued vehicle increases speed or drives in such a manner as to endanger the safety of others, the pursuing deputy shall immediately activate the siren and emergency lights and shall continuously use both throughout the pursuit.
3. **Communication Requirement.** When safe to do so, the pursuing deputy shall establish communication with dispatch, relaying information such as identity of the unit, location, direction of travel, exact reason for the pursuit, and other details which will enable other law enforcement officers to assist in the pursuit.
4. **Radio Responsibility.** In a two-car pursuit, the second pursuing vehicle will be responsible for all radio communications and will constantly coordinate all efforts between agencies and other officers.
5. **Radio Traffic Content.** To the fullest extent possible, detailed descriptions of the pursued vehicle, license plate information, the occupants and directions of travel shall be obtained and broadcast.
6. **Following Distance.** During the pursuit, deputies shall maintain a safe distance between vehicles enabling the pursuing deputy to duplicate any sudden turn or lessen the possibility of a collision in the event that the pursued vehicle stops suddenly.
7. **Ramming.** Deliberate physical contact between vehicles (RAMMING) will not be justified, except when deputies are in pursuit of know and extremely dangerous fleeing felon, who if allowed to escape, would create a substantial risk of another person being killed or seriously injured, or except under the orders of competent authority.
8. **Coming Alongside.** Because of potential dangers involved, pursuing deputies shall not pull alongside of the fleeing suspect in an attempt to force it into a ditch, curb, parked car or any other obstacle, except under circumstances described in (7).

9. **Number of Close Pursuit Cars.** During the pursuit, no more than two law enforcement vehicles will be operated in **close** pursuit.
 10. **Unmarked Car Rules.** Any unmarked vehicle involved in the pursuit shall relinquish close pursuit to a marked unit as soon as possible.
 11. **Change to Foot Pursuit.** If a suspect should abandon his vehicle in favor of escaping on foot, notify dispatch of the location, quickly check the suspect vehicle for additional suspects and remove the keys prior to foot pursuit.
- C. **TERMINATION OF PURSUITS:** The pursuing deputy must at all times use the best judgement in evaluating and re-evaluating the pursuit, making continuous appraisals in deciding whether the pursuit should be continued. The deputy shall discontinue the pursuit when:
1. the hazards of exposing the deputy or the public to unnecessary dangers are significant; or
 2. the environmental conditions indicate the futility of continued pursuit; or
 3. the offense is a misdemeanor or traffic infraction and the identity of the suspect is known; or
 4. the deputy is directed to do so by an higher ranking officer; or
 5. the pursuing deputy knows, or is almost certain, the fleeing vehicle is operated by a juvenile, and the offense constitutes a misdemeanor or a felony that did not involve an actual or threatened attack, and the hazardous factors are involved obviously greater than a juvenile can cope with; or
 6. when the pursued vehicle leaves the roadway, containment rather than pursuit should be initiated, unless a felony involving death or serious bodily injury has occurred; or
 7. if radio communication ceases, the pursuit should revert to surveillance mode only.
- D. **USE OF FIREARMS DURING A PURSUIT:** Decisions to fire at a moving vehicle must be based on the most compelling circumstances and an understanding that act will be subject to careful review. Deputies shall be guided by the following:
1. Deputies shall not, under most circumstances, fire upon a moving pursued vehicle. If fired upon, deputies may return fire when appropriate.
 2. Firing to disable a vehicle shall be a last resort measure and done only when failure to do so will, with a high degree of probability, result in injury or death to innocent people.
 3. Deputies shall take into consideration the location, vehicular and pedestrian traffic, and hazards to innocent persons before firing at a moving vehicle.
- E. **USE OF ROADBLOCKS:** Roadblocks shall not be employed for the purpose of apprehending wanted suspects when it is apparent that innocent persons would be endangered. Once a roadblock has been ordered and an Office vehicle has been stationed as part of it, no one shall remain in or behind the vehicle.

- F. **USE OF STOP STICKS:** Are a viable alternative to extended vehicular pursuits that endanger the deputy, the public and the fleeing suspect. Only those deputies trained in their use should deploy them. Some of the considerations in their use are:
1. Consider a tactical location (bridge, around obstacles, at an intersection).
 2. Advise pursuing units that the sticks are going to be deployed.
 3. The timing of placement should depend on whether time of deployment or time of impact is most important.
 4. They should be placed on the roadway perpendicular to the target vehicle either by direct placement, tossing them, or pulling them in front of the oncoming target vehicle.
 5. The deputy deploying the stop sticks should make every effort to maintain officer safety during the process.
 6. Extreme care should be taken when removing the stop sticks after they been run over, sharp edges may be protruding from the plastic cases.
 7. When deploying of the pull cord, do not wrap the cord reel around any portion of the body.
 8. Do not use on motorcycles.
 9. Use only at speeds greater than 25 mph.
- G. **SUPERVISORY RESPONSIBILITY DURING PURSUITS:**
1. Upon being notified of a pursuit in progress, the involved shift commander shall immediately begin to monitor the pursuit and to evaluate all criteria until the pursuit is concluded. The involved shift commander will determine within a responsible amount of time whether to allow the pursuit to continue.
 2. Once concluded, the involved shift commander will immediately go to the location where the chase ended and assume command.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: VEHICLE IMPOUNDS AND INVENTORIES		Policy No: 1002
Effective Date: 4-7-1999	Reference: HB 99-1024	
Standards:		

- I. PURPOSE:** The purpose of this policy is to establish guidelines for the towing, inventorying, and impounding of vehicles by Office personnel.
- II. DEFINITIONS:**
- IMPOUND:** The seizing and temporary custody of a motor vehicle for a legitimate law enforcement purpose.
- INVENTORY:** An administrative measure designed to protect motor vehicles and their contents while in police custody.
- MOTOR VEHICLE:** Any vehicle operating or capable of being operated on public streets or highways to include automobiles, trucks, trailers, recreational vehicles, mobile homes, motor homes, and any other type vehicles, whether self-propelled or towed. This policy does not apply to vehicles of any type that have been immobilized in one location for use as a temporary or permanent residence or storage facility, or which are otherwise classified by law as residences or buildings.
- VEHICLE IMPOUND DEPUTY:** That deputy who handles the notification, documentation, and disposition of impounded vehicles.
- III. POLICY:**
- A.** Deputies are routinely faced with the question of whether to impound or tow motor vehicles for purpose of safekeeping property, securing evidence, protecting the public, or securing property under asset forfeiture statutes, among other reasons. This policy provides guidelines that deputies should use to decide issues related to the propriety of and procedures for impounding motor vehicles.
- B.** A vehicle inventory is designed to protect the owner's property while it remains in Office custody; to protect the Office against claims of lost, damaged, or stolen property; and to protect deputies from potential danger. It shall be the policy of this Office to conduct an inventory of all vehicles towed or impounded. This policy doesn't apply to vehicles for which a private tow is summoned by the Office at the request of the vehicle owner or operator.
- IV. PROCEDURE**
- A.** Deputies are authorized to tow and impound vehicles under the following circumstances:
1. Any vehicle left unattended upon a street or highway, and is illegally parked or constitutes a hazard, or an obstruction to the normal movement of traffic, or unreasonably interferes with snow-removal operations;
 2. Any vehicle that has been stolen or operated without the consent of the owner and is located upon either public or private property;

IV. Procedure A (continued)

3. Any vehicle displaying illegal license plates or failing to display the current lawfully required plates and is located upon any public street or other property open to the public for purpose of vehicle travel;
4. Any vehicle that has been used in or connected with the commission of a crime and is located upon either public or private property;
5. Any vehicle that has been unsafe or defective so as to be inoperable or violates equipment provisions of the traffic code whereby it continued operation would constitute a condition hazardous to life, limb or property and is located on any public street or other property open to the public for purposes of vehicular travel or parking;
6. Any vehicle left unattended either on public or private property due to removal of an ill, injured or arrested person;
7. Any vehicle that has been operated by any person who has failed to stop in case of an accident or collision and is located on either public or private property;
8. Any vehicle being operated by any person who is driving without a lawful license or while his/her license has been suspended, denied or revoked and is located upon a public street or other property open to the public for the purpose of vehicular travel or parking.
9. Where alcohol use is present in the driver and the owner of the vehicle is not in the vehicle and not arrested or under the influence of alcohol.
10. Where it is impossible to secure the vehicle by locking the doors as a protection against illegal entry or theft.
11. When a vehicle has potential evidence inside or the vehicle needs to be secured to preserve the evidence.
12. When the vehicle is wanted by another agency and they request we tow it.
13. Deputies may impound a motor vehicle with the intent of initiating forfeiture proceedings when the vehicle is used in the commission of a felony.
14. Pursuant to a court order.
15. For any lawful purpose not specifically stated above.

B. General:

1. Vehicles shall be impounded using contract commercial towing services as authorized by the Sheriff.
2. Vehicles may be released at the scene to a responsible person at the express direction of the registered owner or agent.
3. When impounds occur, the operator and passengers should not be stranded. Deputies shall take reasonable measures to ensure that they are provided transportation.
4. Vehicle operators may be permitted to remove unsecured valuables of a non-evidentiary nature from the vehicle prior to its removal. The nature of those items should be noted on the Vehicle Impound/Recovery Report.
5. A "hold" may be placed on any vehicle impounded for evidence for such a period of time necessary to complete collection.
 - a. Holds must be approved by a supervisor.
 - b. Collection should be completed in a timely manner.

C. Inventory:

1. All vehicles impounded by or otherwise taken into custody shall be inventoried to protect the owner's property and to protect the impounding deputy and the Office from claims of lost, stolen or vandalized property and to guard the deputy and others. The description of the vehicle and the results of this inventory should be shown on a Vehicle Impound/Recovery Report.
2. The inventory shall be conducted at the scene prior to towing whenever possible.
3. The inventory shall be conducted at a location other than the scene when circumstances, such as officer safety at the scene, require immediate removal of the vehicle. In such cases, the inventory shall be conducted as soon as possible after the tow.
4. The owner or operator of the vehicle shall be asked to remove, if possible, all valuables from the vehicle prior to impound. If such items cannot be removed, the owner/operator shall be requested to verify the completeness of the inventory by signature.

D. Scope of the inventory:

1. The scope of the inventory shall include the vehicle exterior, interior, engine compartment, glove compartment and trunk.
2. The inventory shall also include any vehicle, trailer or item being towed by the motor vehicle.

E. Property Control:

1. All items of significant value (i.e., jewelry, expensive electronics) shall be itemized on the Vehicle Impound/Recovery Report and such materials turned over to the control of the Evidence Custodian.
2. Control and safekeeping of hazardous materials shall be the responsibility of Evidence Custodian.
3. Contraband and evidence discovered during the course of the inventory shall be deposited with the Evidence Custodian according to procedure.

F. Documentation: Three (3) days after impound, the impounding deputy will determine if the vehicle has been released. If not, the Impound Control Deputy will begin sale processing.

G. Notification:

1. If the registered owner of a vehicle towed is not present at the time of such tow, the Office shall make a reasonable effort to notify him/her of:
 - a. reason for the tow;
 - b. date and time of the tow;
 - c. place of storage; and
 - d. conditions of release;
2. The date and time of the notification or attempts shall be noted.

- H. Towing of Vehicles Abandoned on Private Property: This policy governs the Office's obligation when a tow operator advises that they will be towing an abandoned vehicle off private property.
1. When advised of a tow governed by this policy, the deputy shall assign a case number to that tow. An Vehicle Impound/Recovery Report should be completed documenting the CR number, time, date, location, vehicle description, tow operator, deputy involved and a narrative stating this is a private tow of an abandoned vehicle.
 2. The deputy will respond to the location of the tow or the impound yard and run a check on the VIN to verify that is not stolen.
 3. It is the responsibility of the tow operator to send a copy of the notice sent to the owner by certified mail or personal delivery to the Office.
 4. A Certified VIN verification is required on any vehicle less than eight (8) years old that is impounded under this law.
- I. Release of Towed Vehicles:
1. Any person desiring the release of a towed or impounded vehicle shall appear at the tow yard with:
 - a. satisfactory evidence of identity;
 - b. proof of ownership or right to possession; and
 - c. any other conditions for release noted on the impound sheet (i.e., proof of insurance coverage).
 2. After all the previously listed conditions are met and the claimant is checked for outstanding warrants, the claimant shall sign the impound sheet.
 3. The impound lot operator shall release such vehicle after the release is signed and the storage fees are paid.



MORGAN COUNTY SHERIFFS OFFICE

POLICY AND PROCEDURE MANUAL

Subject: ABANDONED VEHICLES OF PRIVATE PROPERTY		Policy No: 1003
Effective Date:	Reference: HB 99-1024	
Standards:		

- I. PURPOSE: To establish guidelines concerning vehicles abandoned on private property and the Sheriff's Office responsibilities when involved.
- II. DEFINITIONS: None
- III. POLICY: With the implementation of HB 99-1024, it becomes the responsibility of the Sheriff's Office to document and assign a case report number to the towing of abandoned vehicles on private property.
- IV. PROCEDURE:
 - A. Determine whether or not the vehicle has been reported stolen.
 - B. Complete a Vehicle Impound Report.
 - C. Send notice to the owner and/or lien holder by certified mail or personal delivery by a law enforcement agency.
 - D. Follow the normal process for impounded vehicles in an impound lot.
 - E. If the vehicle is to be sold to the tow service that did the impound and the vehicle is less than eight (8) years old, a certified VIN inspection documented on form DR2704 must be done.



MORGAN COUNTY SHERIFFS OFFICE OPERATIONS POLICY AND PROCEDURE MANUAL

Subject: POLICE CANINE PROGRAM		Policy No: 1004
Effective Date:	Reference: IACP Sample Policy, FLSA, Ft. Collins PD Sample Policy	
Standards:		

- I. PURPOSE:** The purpose of this policy is to provide guidelines for the management, training and tactical deployment of canines in a variety of operational functions.
- II. DEFINITIONS:**
- APPREHENSION: When a handler, making use of a police canine in an official capacity, assists in the location and seizure of a suspect.
- CANINE TEAM: A deputy/handler and his assigned police canine.
- DEPLOYMENT: When a handler makes use of a police canine in an official capacity.
- HANDLER: A deputy qualified to care for and used a police canine.
- PATROL DOG: A police canine qualified by recognized standards to perform basic patrol functions (tracking, suspect, drug, and evidence searches, etc.).
- SEARCH AND RESCUE DOG: A police canine qualified by recognized standards to perform searches for hidden persons, objects, specified substances or evidence.
- III. POLICY:** The Working Police Canine Program was established to augment law enforcement services to the community. Because of their superior senses of smell and hearing and physical capabilities, the trained canine is a valuable supplement to police manpower. However, utilization of canines requires adherence to procedures that properly control their use-of-force potential and that channel their specialized capabilities into legally acceptable crime prevention, control and search and rescue activities.
- IV. PROCEDURES:**
- A. Structure: The canine unit is a specialized unit within the Operations division. A canine team will be under the supervision of the Shift Supervisor for operational issues and the Operations Division Commander for all administrative matters.
- B. Handler compensation: The handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the dog as provided in the Fair Labor Standards Act. The compensation shall be prescribed in the employees Memorandum of Understanding.
- C. Handler Responsibilities. The responsibilities of the handler include, but are not limited to the following:
1. perform all patrol/detention functions as directed by the shift supervisor.
 2. responsible for the actions of their assigned dog at all times.
 3. personally responsible for the daily care and feeding of their animal to include
 - a. maintenance and cleaning of the kennel and yard area where the canine is house;
 - b. provision of food, water, and general diet/health maintenance as prescribed by the Veterinarian;

- c. grooming on a daily basis or more often as required by weather, working conditions, or other factors;
 - d. daily exercise; and
 - e. general medical attention and maintenance of health care records.
 - f. shall maintain all department equipment under his/her control in a clean and serviceable condition.
 - g. shall permit the division commander or his designee to conduct spontaneous on-site inspections of affected areas of their residence to verify that conditions and equipment conform to this policy.
4. assisting in the initial and in-service training as directed by the Division Commander.
 5. for responding to dispatched calls for service whether on or off duty.
 6. for active participation in public demonstrations as assigned.
 7. will be responsible for proper care and maintenance of all issued equipment.
 8. responsible to maintain the canine at an acceptable performance level and point out any and all deficient areas to the Division Commander.
 9. responsible for maintaining a log of all the training, deployments, community contacts and apprehension and to insure that all reports are completed in a timely manner.
 10. is expected to use his/her skills and those of his/her canine to actively deter and detect criminal activity.
 11. shall immediately notify the Operations Commander of any changes that would affect the care and housing conditions of their dog.
 12. reporting police canine injuries. In the event a police dog is injured, the injury will be immediately reported to the Shift Supervisor. Depending on the severity of the injury, the dog shall either be treated by the designated veterinarian or transported to a designated medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.
- D. Supervisor Responsibilities. The responsibilities of the supervisor include, but are not limited to the following:
1. direct accountability to the division commander on all canine deployments.
 2. periodically inspect assigned equipment to insure that it is being properly maintained.
- E. Division Commander Responsibilities. The responsibilities of the Division Commander include, but are not limited to the following:
1. responsible for the overall operation of the program.
 2. periodically meet with handlers and supervisors to insure that the program is operating efficiently.
 3. insure that the kennel facilities and environment are properly constructed and maintained at the handlers residence.
 4. assign requests for public demonstrations, scheduling on call time and emergency call out lists for communication.
 5. review and maintain files of all canine reports to insure adherence to policy and complete an annual report to the Sheriff.
 6. insure that all teams are being trained to and maintaining the desired level of proficiency.
- F. Preparations for Utilizing a Police Canine. Prior to the use of a police canine to search for or apprehend any individual, the handler and/or the supervisor on scene shall carefully consider all pertinent information reasonably available at the time. The information shall include, but is not limited to the following:
1. The individual's age or estimate thereof

2. The nature of the suspected offense
3. Any potential danger to the public and/or other deputies at the scene if the dog is released.
4. The degree of resistance, if any, the subject has shown.
5. The potential for escape or flight if the dog is not utilized.
6. The potential for injury to deputies or the public caused by the suspect if the dog is not utilized.

G. Canine Team Utilization for Location/Apprehension of Suspects

1. The deployment of a police canine for the location and apprehension of a suspect is a use of force that must be consistent with this Office's principles policy on use of force.
2. Decisions to deploy a canine shall be based upon the following:
 - a. the severity of the crime;
 - b. whether the suspect poses an immediate threat to the safety of the public, deputies or any others; and
 - c. whether the suspect is actively resisting arrest or attempting to evade arrest at the time.
 - d. when the individual(s) is/are believed to be concealed in an area where entry by other than the police dog would pose a threat to the safety of the deputies or the public.
 - e. when it recognized that situations may arise which do not fall within the provisions set forth in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use the police dog in view of the totality of the circumstances.
3. A canine team may be used to respond to minor situation complaints but the canine should not be deployed.
4. Canine team assistance may be requested by any deputy or other agency officer through an immediate supervisor to the communications center. Communications center personnel shall forward requisite information concerning the incident to the supervisor.
5. Extra care should be taken and alternatives to the deployment of a canine should be considered in the case of juvenile suspects.
6. Where a tactical deployment is justified by Office policy, the tactical measures used shall be at the discretion of the canine handler and must be objectively reasonable.
7. Police canines shall not normally be handled or given commands by anyone other than the assigned handler. Only under emergency conditions shall another handler command the canine.

H. Limitations

1. **Building searches** – handlers should consider the nature of the offense, danger to the public should the subject not be apprehended, officer safety, and determine if the search should be conducted on or off leash.
2. Crowd Control. – police dogs may be used to control a crowd only when necessary to prevent death or serious injury; such deployment requires prior supervisory approval whenever possible and the dog must be on leash.
3. Fleeing or Resisting suspects – police dogs may be deployed to apprehend a fleeing suspect and/or overcome resistance of an arrestee only after consideration of the nature of the offense, danger to the public should the subject not be apprehended, officer safety consideration, and alternative methods of apprehension.

4. Apprehension of intoxicated and mentally disturbed persons – police dogs may be used to apprehend a person under the influence of intoxicants only when another offense is involved, but not including traffic and DUI offenses. Nor will the police canine be used to apprehend a mentally disturbed person if no other crime is involved.
5. Searches for lost children with a patrol dog – police dogs may be used to search for lost children only when a parental or care-giver waiver has been acknowledged; such searches shall be conducted in an “on-leash” mode. This doesn’t apply to Search & Rescue dogs.
6. When the dog is present in a K-9 vehicle, the vehicle should not be used to transport unruly prisoners or prisoner who will be interrogated.
7. The dog must remain in the handler’s vehicle while other routine duties are being performed.

I. Team Qualifications and Training

1. Applicants for police canine teams must have:
 - a. at least three years of uniform patrol experience with satisfactory work performance, disciplinary, and medical leave records.
 - b. a willingness to remain with the unit for an extended period of time as prescribed by this Office.
 - c. a willingness (together with other family members) to care for and house the canine at the deputy’s residence with a secure outdoor area for the canine that conforms with Office requirements.
 - d. a strong desire to work with canines and a willingness to care for and train the animal; and
 - e. the ability to pass designated physical fitness and agility tests related to the tasks of canine handling.
2. The Operations Commander shall be responsible for the selection of canine handlers in accordance with established Office procedures.
3. The Operations Commander shall be responsible for the maintenance of records that document the use and the proficiency of individual canines in drug detection. This document shall be readily available to canine handlers and others who may need it when seeking warrants.
4. All police canines must meet established certification requirements. Untrained canines may not be used for canine duty.
5. New canine handlers must complete the prescribed canine training course and successfully meet all course requirements.
6. It is the duty of the Operations Commander to ensure that basic and in-service training and certification is conducted on a regular basis.
7. Canine handlers are required to demonstrate acquired abilities to the Operations Commander on a periodic basis as prescribed by policy.
8. Failure to participate in or qualify under established training standards will result in de-certification of the team. The team may not be deployed until re-certified.
9. Training and deployment of police canines shall employ “handler control” at all times.

- J. Canine Bites and Injuries. Use of specially trained police canines for law enforcement responsibilities constitutes a real or implied use of force. In this as in other cases, deputies may only use that degree of force that reasonably appears necessary to apprehend or secure as governed by the Office’s use of force policy.

1. Whenever a canine has bitten or scratched an individual or has alleged to have done so, whether or not in the line of duty, the handler shall notify a supervisor and perform the following:
 - a. If no arrest is made, an offer will be made to the individual to provide medical care and treatment by a qualified medical professional.
 - b. If an arrest is made, the individual will be provided with medical attention in accordance with Office policy on transporting and booking prisoners.
 - c. The deputy shall take color photographs of the affected area(s) if possible prior to and following medical treatment.
2. Whenever a canine is deployed or a person is injured, a written report shall be made detailing the circumstances surrounding the incident, the identity of the individual involved and any witnesses, whether the canine located the suspect, the extent of any injuries known, and measure taken in response to the incident.
3. Each canine team shall maintain a current "handlers log" that contains information on deployments, training, certification, awards, bite memos, recall memos and other information designated by the Operations Commander.

- K. Building Searches for Suspects in Hiding. A primary use of police canines is for locating suspects in buildings or related structures. These searches should be governed by the following:
1. The building perimeter shall be secured by police personnel.
 2. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the building's layout.
 3. When a canine building search is anticipated, a preliminary search by deputies should not be conducted as this will interfere with the canine's ability to discriminate scents.
 4. The on-scene supervisor shall also take the following steps in preparation for the canine search.
 - a. Evacuate all tenants, workers, or others from the building.
 - b. Request that all air conditioning, heating, or other air-blowing systems be shut off so as not to interfere with the canine's scent.
 5. Upon entrance to the building, all exits should be secured and communications limited to that of a tactical nature.
 6. The canine may be unleashed during a building search unless there is an imminent risk of injury to innocent persons within the building.
 - a. Generally, the canine should be released once a backup deputy is available to work with the canine team.
 - b. Except in exigent circumstances or where there is an imminent danger of death or serious injury, the canine should be kept in visual contact by the handler.
 7. The canine should not be used to search facilities that contain substances potentially harmful to the animal unless overriding risk to human life exists.
 8. Before commencing the search, the handler or other appropriate personnel shall, when possible, make an announcement and repeat the statement. The announcement shall say that there are police officers on the premises and that a trained police canine will be released and may bite you if you do not surrender.
 - a. A reasonable amount of time shall be allowed for the suspect to respond. This warning shall be repeated on each level of all multilevel structures.
 - b. Where there is a reasonable belief that the suspect speaks a language other than English, a deputy or other individual fluent in that language should be summoned to the scene if available and the exigency of the situation permits.

9. When apprehending suspects, the canine shall be commanded to disengage as soon as the suspect is subdued or readily complies with deputy direction.

L. Crowd Control

1. Canine teams may respond as backup but may not be deployed for crowd control at peaceful demonstrations.
2. Canine teams may be used upon approval of the Sheriff or his designee to protect life or property during a riot or other major unlawful assembly after an order to disperse has been made. In these situations, canines shall
 - a. be short-leashed at all times to protect individuals from injury, and
 - b. not initiate any offensive action, unless to guard against imminent loss of life, serious bodily injury, or substantial property damage.
 - c. where law enforcement personnel are of insufficient strength to manage the situation.

M. Canine Searches for Drugs. Without consent, canine searches (sniffs) for drugs are authorized only when there is no reasonable expectation of privacy in the item(s)/location(s) to be searched. If not specifically addressed in the following guidelines, deputies shall use the foregoing principle and the direction of the on-scene supervisor to determine the permissible scope of canine searches.

1. Public Facilities and Places
 - a. Police canines may not be used to sniff luggage or related personal items in the physical possession of (i.e., control of or close proximity to) an individual in a public facility or place unless:
 - i. there is reasonable suspicion that the personal possession contains illegal drugs or evidence of a crime, and
 - ii. the time required to conduct the sniff is limited in duration.
 - b. Police canines may be used to sniff luggage or other personal effects of an individual on either a random or selective basis if the items are not in the possession of the owner (for example, on conveyor belts, in the possession of baggage handlers, etc.).
 - c. Whenever possible, exploratory sniffing in public facilities should be conducted with the advance knowledge of the facility manager. It should be conducted without interference or annoyance to the public or interruption of facility operations.
2. Canine searches of the exterior of residences-either individual dwellings or the common areas of multiple dwellings-are not permitted without a search warrant or as otherwise permitted by state or federal law.
3. The use of drug detection canines in schools is limited to situations where there is a search warrant, school invitation, or reasonable suspicion to believe that illegal drugs are being sold, possessed, and/or consumed on the premises. Where reasonably possible, the school's principal or designated authority should be contacted in advance of the search, and the canine search should be limited to inanimate objects where there is not reasonable expectation of privacy.
4. Canine drug sniffs of motor vehicles may be conducted when-
 - a. there is reasonable suspicion to believe that the operator or passengers are in possession of illegal drugs, or
 - b. the canine sniff is limited to exterior of the vehicle.
5. Canine deputies may use canines to apprehend fleeing suspects when it is objectively reasonable to believe that-
 - a. the suspect has committed a felony, or a serious or high-grade misdemeanor as defined by the Office; and
 - b. the suspect is actively resisting arrest or attempting to evade arrest by flight.

N. Tracking. Where trained police canines are available for tracking, they may be used with supervisory approval to track missing persons or criminal suspects or to locate evidence that the supervisor has reason to believe has been abandoned or hidden in a specified open area. Such searches are subject to the following conditions and limitations:

1. When deputies are pursuing suspects and contact with the suspect is lost, the deputy, prior to summoning a canine team shall-
 - a. stop and pinpoint the location where the suspect was last seen;
 - b. shut off engines of vehicles in the area if possible; and
 - c. avoid vehicle or foot movements in the area where the suspect or subject was last seen.
 - d. secure the perimeter of the area to be searched;
 - e. secure the integrity of the area to be searched by keeping all personnel out of the area; and
 - f. protect all items of clothing that will be used for scent from being handled.
2. Canines used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities.

O. Canine Use and Care

1. Police canines shall not be used for breeding, participation in shows, field trials, exhibitions or other demonstrations, or on- or off-duty employment unless authorized by the Sheriff.
2. Handlers shall maintain their canine, both on- and off-duty, in a safe and controlled manner. Police canines shall never be allowed to run loose unless engaged in agency-authorized training or exercises.
3. The Office shall provide canine handlers with proper housing, food, medical care, equipment, and grooming for their dog and will conduct periodic inspections to ensure that the housing is properly maintained.
4. Under no circumstances will the police dog be lodged at another location unless approved by the division commander.
5. When off-duty, handlers shall not involve their dogs in any activity or conduct unless approved in advance by the division commander.
6. All police dogs shall be kept on a leash when in areas that allow access to the public. Exceptions would include specific police operations of which the dogs are trained.
7. Where the handler is unable to perform these and related duties due to illness, injury or leave,
 - a. another handler may be assigned to temporarily care for the dog; or
 - b. the canine may be housed in an approved kennel.
8. Teasing, agitating, or roughhousing with a police canine is strictly prohibited unless performed as part of a training exercise.
9. Handlers shall not permit anyone to pet or hug their canine without their prior permission and immediate supervision. Should a civilian express a desire to do so, he should be informed that police canines are serious working dogs and that they can be dangerous if improperly approached.
10. A canine handler may apply for personal ownership of his dog where
 - a. the dog is retired from duty or relieved due to injury; or
 - b. the handler is transferred or promoted or retires and a decision is made not to retain the dog for another handler.

P. Emergency Procedures:

1. deputies on the scene shall direct dispatch to contact the division commander so that a responsible person can respond to the scene.
2. deputies shall follow the directions of the handler if he/she remains conscious.
3. if the handler loses consciousness then deputies shall consider the following:
 - a. if at all possible, wait for the arrival of a responsible person.
 - b. avoid direct eye contact with the dog.
 - c. don't excite the dog with loud noises or sudden movements
 - d. don't approach the handler, unless absolutely necessary, as the canine will be protective.
 - e. attempt to contain the canine by slowly driving the canine vehicle, or other caged vehicle, in close proximity, sound the horn, and loudly yell, "kennel".
 - f. if previous measures are not successful, protective clothing found in the canine vehicle coupled with loud noises and sudden movements will attract the canine's attention. When the canine engages the protective clothing, he may then be dragged to the awaiting vehicle or other suitable confinement.
4. Destroy the canine only as a last resort and when human life is in jeopardy.

Q. Uniform and Equipment. See Appearance, Attire and Equipment Policy.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: CONFIDENTIAL INFORMANTS		Policy No: 1005
Effective Date:	Reference:	
Standards:		

I. PURPOSE: To establish policy, procedures and guidelines for the use confidential informants (CI's).

II. DEFINITIONS:

CONFIDENTIAL INFORMANT: A person who, under the direction of a specific employee and with or without expectation of compensation, furnishes information on any criminal activity or performs a lawful service for the Office in its investigation of criminal activity. If compensated for services rendered to the Office, they must sign a voucher indicating receipt of payment.

CONFIDENTIAL INFORMANT FILE: File maintained in order to document all appropriate information that pertains to confidential informants. This file is maintained by the Undersheriff.

DEFENDANT/INFORMANT: Same as above, but subject to arrest and prosecution for a criminal offense or a defendant in a pending municipal, state or federal case who expects compensation of another form. If there is a reason to believe that an informant has committed a felony offense, a reasonable attempt to notify the appropriate district attorney's office will be made and, after consultation, a determination will be made by the Undersheriff whether or not the Office may continue to use the individual as an informant.

RESTRICTED USE CONTRIBUTOR: Any person who meets any of the following criteria shall be considered a restricted use informant subject to the uses authorized below:

- A. Persons less than 18 years of age.
- B. Persons on probation/parole or previously declared unreliable.

UNRELIABLE INFORMANT FILE: File containing information pertaining to individuals determined generally unfit to perform as informants. This file is maintained by the Undersheriff.

III. POLICY: Office personnel utilizing confidential informants shall adhere to the procedures that fall within the scope of policy and law.

IV. PROCEDURE: The use of confidential informants is important to the satisfactory completion of many criminal investigations. Procedures have been established to provide for this resource within a controlled system in order to avoid abuse and minimize adverse impact. Investigating employees should take additional precaution in dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: INVESTIGATIVE BUY SUPPORT FUND		Policy No: 1006
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish policies and procedures for use and accountability of the Buy Fund.
- II. **DEFINITIONS: None**
- III. **POLICY:** Employees that use the Buy Fund shall adhere to the procedures established in this policy.
- IV. **PROCEDURE:** A fund shall be established to provide employees with the monies to assist them toward the satisfactory completion of criminal investigations. These funds may be used to purchase or agreements to purchase such items of evidence as controlled substances/narcotics, drugs, other contraband, stolen property, and pornographic material.
 - A. **FUND CONTROL:** The Sheriff or his designee will maintain control over the fund. Cash money will be kept on hand, secured in the Sheriff's Office. Requests for funds must be made during business hours, Monday through Friday, excluding holidays.
 - B. **USE OF FUNDS:** Use of the Buy Fund is governed as follows:
 1. Supplying of monies to be used in the purchases or agreements to purchase items of evidence, such as: controlled substances/narcotics, drugs, other contraband, stolen property and pornographic material.
 2. Other costs directly related to an intelligence, surveillance or investigative sting operation at the discretion of the Sheriff.
 - C. Each expense will be evaluated and approved on a situational basis by the Sheriff or his designee prior to the expenditure of the funds.
 - D. **BUY FUND ACCOUNTING:** The Buy Fund receipts and disbursements of funds will be documented in the Cash Box Journal maintained by the Sheriff. All receipts and disbursements from the Buy Fund cash box will be documented in the Buy Fund Cash Journal.



MORGAN COUNTY SHERIFFS OFFICE OPERATIONS POLICY AND PROCEDURE MANUAL

Subject: Identity Theft		Policy No: 1007
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** The purpose of this policy is to provide employees with protocols for accepting, recording and investigating the crime of identity theft.
- II. **DEFINITIONS:**
IDENTITY THEFT Identity theft is the wrongful use of another person's identifying information – such as credit card, social security or driver's license numbers – to commit financial or other crimes. Identify theft is generally a means of committing other offenses such as fraudulently obtaining financial credit or loans, among other crimes.
- III. **POLICY:** It is the policy of this Office to take those measures necessary to record criminal complaints, assist victims in contacting other relevant investigative and consumer protection agencies, and work with other federal, state and local law enforcement and reporting agencies to identify perpetrators.
- IV. **PROCEDURES:**
 - A. Legal Prohibitions
 1. Identity theft is punishable under federal law “when any person knowingly transfers or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a felony under any applicable state or local law.
 2. Identity theft is punishable under (CRS citation) which makes it a crime.
 - B. Taking Crime Reports: All sworn personnel are authorized to take crime reports on identity theft. Recording all relevant information and data in such reports is essential to further investigation. Therefore, deputies and/or supervisors should
 1. Fully record information concerning criminal acts that may have been committed by illegally using another's personal identity as covered by state and federal law.
 2. Classify as identity theft fraudulent acts committed against an individual when there is evidence that the following types of unauthorized activities have taken place in the victim's name.
 - a. Credit card charges, debit cards, ATM cards.
 - b. Credit card checks written against their account.
 - c. Credit card accounts opened or account addresses changed.
 - d. Establishment of a line of credit at a store or obtaining a loan at a financial institution.
 - e. Goods or services purchased in their name.
 - f. Gaining access to secure areas.
 - g. Used as computer fraud.

3. Obtain or verify as appropriate identifying information of the victim to include date of birth, social security number, drivers license number, other photo identification, current and most recent prior addresses, and telephone numbers.
 4. Document the nature of the fraud or other crime committed in the victim's name.
 5. Determine what types of personal identifying information may have been used to commit these crimes and whether any of these have been lost, stolen or potentially misappropriated.
 6. Document any information concerning where the crime took place, the financial institutions or related companies involved and the residence or whereabouts of the victim at the time of these events.
 7. Determine whether the victim authorized anyone to use his or her name or personal information.
 8. Determine whether the victim has knowledge or belief that specific person(s) have used his or her identity to commit fraud or other crimes.
 9. Determine whether the victim is willing to assist in the prosecution of suspects identified in the crime.
 10. Determine if the victim has filed a report of the crime with other law enforcement agencies and whether such agency provided the complainant with a report number.
 11. If not otherwise provided, document/describe the crime, the documents or information used, and the manner in which the victim's identifying information was obtained.
 12. Forward the report through the chain of command to appropriate intelligence agencies and federal agencies, if it appears to have national security implications.
- C. Assisting Victims: Deputies taking reports of identity theft should take those steps reasonably possible to help victims resolve their problem. This includes providing victims with the following suggestions where appropriate.
1. Contact the Federal Trade Commission (FTS) at 1 (877)-IDTHEFT – which acts as the nation's clearing house for information related to identity theft crimes – for assistance from trained counselors in resolving credit related problems.
 2. Cancel each credit and charge card and request new cards with new account numbers.
 3. Contact fraud departments of the three major credit reporting agencies [Equifax 1 (800) 525-6285, Experian 1(888) 397-3742, TransUnion 1 (800) 680-7298], and ask them to put a fraud alert on the account and add a victim's statement requesting creditors to contact the victim before opening new accounts in his or her name. Also request copies of your credit report.
 4. If bank accounts are involved, report the loss to each financial institution, cancel existing accounts and open new ones with new account numbers. If Deemed necessary, place stop payments on outstanding checks and contact creditors to explain.
 5. If a drivers license is involved, contact the state motor vehicle department. If the drivers license uses the social security number, request a new drivers license number. In such cases, also check with the Social Security Administration to determine the accuracy and integrity of your account.

6. Change the locks on your house and cars if there is any indication that these have been copied or otherwise compromised.
- D. Investigations: Investigation of identity theft shall include but not be limited to the following actions where appropriate.
1. Review the crime report and conduct any follow-up inquiries of victims or others as appropriate for clarification/expansion of information.
 2. Contact the FTC Consumer Sentinel law enforcement network and search the database for investigative leads.
 3. Contact other involved or potentially involved law enforcement agencies for collaboration and avoidance of duplication. These agencies include but are not limited to
 - a. Federal law enforcement agencies such as the US Secret Service, the Federal Bureau of Investigation, and the US Postal Service as appropriate whether or not the victim has filed a crime report with them.
 - b. Any state and/or local enforcement agency with which the victim has filed a crime report or where there is an indication that the identity theft took place.
- E. Community Awareness and Prevention: Where reasonable and appropriate, deputies engaged in public education/information forums, community crime prevention and awareness presentations or similar speaking or information dissemination efforts shall provide the public with information and prevention of identity theft.

MORGAN COUNTY SHERIFF'S OFFICE



ADMINISTRATIVE POLICY AND PROCEDURE SECTION 1100 LEGAL



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: MOTOR VEHICLE SEARCHES		Policy No: 1101
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** The purpose of this policy is to provide deputies with guidelines for the search of motor vehicles.
- II. **POLICY:** It the policy of this office to conduct motor vehicle searches that are both legal and thorough. Such searches are to be conducted in strict observance of the constitutional rights of the owner and occupants of the motor vehicle being searched, and with due regard for the safety of all deputies, other persons and property involved.
- III. **DEFINITIONS:**
MOTOR VEHICLE: Any vehicle operating or capable of being operated on public streets or highways to include automobiles, trucks, trailers, recreational vehicles, mobile homes, motor homes, and any other type vehicle, whether self-propelled or towed. This policy does not apply to vehicles of any type that have been immobilized in one location for use as a temporary or permanent residence or storage facility, or which are otherwise classified by the law as residences or buildings.
SEARCH: An examination of all or a portion of the vehicles with an investigatory motive (i.e., for the purpose of discovering fruits, instrumentalities or evidence of crime or contraband, or to enter the vehicle to examine the vehicle identification number or determine the ownership of the vehicle). Inventories of personal property conducted during the impounding of the vehicles are not covered by this policy.
- IV. **PROCEDURES:**
- A. **When Vehicle Searches May be Conducted:** Whenever reasonable, a warrant should be obtained for the search of a motor vehicle. Warrantless searches are to be conducted only when lack of time or other exigencies make it impractical for deputies to obtain a warrant. When a vehicle has broken down, or there is otherwise no significant chance the vehicle will be driven away or the evidence contained within it will be removed or destroyed, the vehicle should be searched only after a warrant has been obtained. In other cases, vehicles may be searched:
1. when probable cause to search the vehicle exists;
 2. with consent of the operator;
 3. incident to an arrest of an occupant of the vehicle;
 4. to frisk for weapons;
 5. when necessary to examine the vehicle identification number or to determine the ownership of the vehicle; or
 6. under emergency circumstances not otherwise enumerated above.

B. Scope of Vehicle Searches

1. Searches with a warrant. When searching under a warrant, deputies may search all areas of the vehicle unless the warrant states otherwise.
2. Probable cause searches. Probable cause searches may extend to all areas of the motor vehicle, unless the probable cause is limited to a specific area of the vehicle.
 - a. Once probable cause to search is established, a search may be conducted without a warrant even though there are adequate opportunities thereafter to obtain a warrant.
 - b. When conducting these or other legal searches of motor vehicles, deputies may also inspect passengers' belongings found in the vehicle, provided that the belongings being searched are capable of concealing the type of object for which the deputy has probable cause to search.
3. Consent searches. The extent of a consent search depends upon the terms of the consent itself. If the consent is limited to specific areas of the vehicle, deputies may search only portions of the vehicle covered by the consent. Written consent should be obtained whenever possible before conducting these searches.
4. Searches incident to arrest. Searches of vehicles incident to arrest of an occupant shall be limited to areas within reach of the arrestee (normally the passenger area of the vehicle). The trunk, engine compartment and locked compartments may not be searched.
5. Frisks for weapons. Frisks for weapons normally must be confined to the passenger area of the vehicle. Areas not immediately accessible to the vehicle's occupants, such as a locked glove compartment, may not be frisked.
6. Examination a vehicle identification number or to determination of ownership. Entries to examine a vehicle identification number or to determine ownership of the vehicle must be limited to actions reasonably necessary to accomplish these goals.
7. Emergencies. Search of a motor vehicle under emergency circumstances not otherwise enumerated above must be co-extensive with the nature of the emergency. The proper extent of the search must therefore be determined by search personnel in each specific situation, but in no event will the extent of the search exceed that necessary to respond properly to the emergency. Note: Where the initial search discloses probable cause to believe that other portions of the vehicle may contain fruits, instrumentalities or evidence of a crime or contraband, any additional portions of the vehicle may be searched that could reasonably contain the items being sought.

- C. Search of Containers Found in the Vehicle: In no instance shall a container in a motor vehicle be searched unless it could contain the item(s) being sought. In addition:
1. Unlocked containers found in motor vehicles are governed by the nature of the search, as follows:
 - a. In a probable cause search, containers such as paper bags, cardboard boxes, wrapped packages, and so forth, wherever found in the vehicle, may be opened.
 - b. When the passenger compartment of a vehicle is being searched incident to an arrest, such containers found within the passenger compartment may be opened.
 - c. Containers discovered during a consent search of the vehicle may be opened provided that the terms of the consent expressly permit or reasonably imply that the particular container may be opened.
 - d. Containers found in or discarded from a vehicle under circumstances that do not justify their search under probable cause rules or in connection with a search incident to arrest should be secured but not searched until a warrant is obtained to search them.
 2. Locked containers such as attaché cases, suitcases and footlockers found during a vehicle search should be opened only if:
 - a. the search is being conducted under a warrant; or
 - b. a valid consent to open the locked container is first obtained.Where these conditions are not met, locked containers should be secured by search personnel and opened only after a warrant has been obtained.
- D. Location and Time of Search: Whenever possible, search of a motor vehicle and containers found therein should be conducted at the location where the vehicle was discovered or detained. Under exigent circumstances, search of the vehicle or container may be delayed and/or moved to another location. However, in all instances searches shall be conducted as soon as is reasonably possible; that is, as soon as adequate personnel are available to conduct a thorough search with due regard for the safety of all deputies, citizens and property concerned.
- E. Conduct of Search: Motor vehicle searches shall be conducted in a manner that minimizes the intrusiveness of the search and the inconvenience caused to vehicle owners, occupants and other persons involved.
1. Deputies may order persons out of an automobile during a routine stop of a motor vehicle for a traffic violation or for other legitimate reasons, even in the absence of suspicion of criminal activity or a reasonable belief that those person pose a threat to police safety.
 2. Where possible, damage to the vehicle or to other property in the course of the search should be avoided. Where unavoidable, such damage should be confined to that reasonably necessary to carry out a safe and thorough search.

- F. **Abandoned Vehicles:** Examination of a vehicle that has been abandoned on a public thoroughfare is technically not a search. If a deputy can determine in advance that the vehicle has been abandoned, examination of the interior of the vehicle shall be conducted only in accordance with the provisions of this policy and the law.
- G. **Seizure of Evidence:** Any evidence discovered in the course of a motor vehicle search shall be collected, handled, packaged, marked, transported, and stored in accordance with applicable policies and procedures of this Office. Where appropriate and feasible, itemized receipts for seized property shall be given to the owner and/or occupants of the vehicle.
- H. **Compliance with Health and Safety Requirements:** Searches of motor vehicles are to be conducted in strict compliance with all applicable laws, governmental regulations, and Office policies and procedures pertaining to the protection of Office personnel from communicable diseases and hazardous substances. Any exposure of search personnel or others to such substances shall be reported in accordance with regulations, policies and procedures of the Office.
- I. **Security of Vehicles and Property Contained Therein:** If search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.
- J. **Responsibility of Supervising Deputy:** A Supervising Deputy supervising a vehicle search shall be responsible for ensuring that it is conducted in accordance with this policy. In the event that the vehicle search is conducted under a warrant, the deputy shall ensure that the execution of the warrant is properly reported to the issuing court or other authority. The Supervising Deputy shall also be responsible for making any other reports regarding the search that may be required by law, policy or procedure.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: SEARCH AND SEIZURE		Policy No: 1102
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish and provide guidelines for all types of searches that an employee conducts during the normal course of duty including major search operations and “No Knock” entry warrants.
- II. **DEFINITIONS:**
TYPES OF SEARCHES: Search incident to arrest, search by warrant, search by consent, stop and frisk and vehicle inventory search.
- III. **POLICY:** It is the policy of the Office to execute searches in an expeditious, standardized and legal manner. Care and consideration will be given to both the needs of law enforcement to deal with criminal activity in the community and the Constitutional rights of all individuals.
- IV. **PROCEDURES:** The following information is an overview of the numerous criteria involved in search and seizure issues. Questions pertaining to specific details involving search and seizure may be found in CRS Statutes 16-3-101 through 16-3-309 and consultation with the County Attorney or the District Attorney’s Office.
 - A. Search Incident To A Lawful Arrest:
 1. Full search of the defendant’s person with or without specific knowledge that the person might be carrying contraband, weapons or other evidence.
 2. Seizure of any contraband, weapons, or other evidence shall comply with Fourth Amendment mandates.
 - B. Search Incident To A Lawful Detention:
 1. “Stop and Frisk” 16-3-103 C.R.S. Not an arrest but contact made on belief that person may be related to possible criminal activity or suspicious circumstances surrounding contact.
 2. A peace officer may stop any person who is reasonably suspected of committing, has committed, or is about to commit a crime, and may require them to give their name, address and identification if available.
 3. When a peace officer has stopped a person for questioning, pursuant to 16-3-103, and reasonably suspects that his/her personal safety requires it, said officer may conduct a pat-down search of that person for weapons.
 - C. Consent Search:
 1. Owner, or person having legal possession or control, may give consent. Some examples of persons not allowed to give consent permission include: landlord to search tenants apartment, child to search a home, employer to

search locker, desk or private area of employee, roommate to search another roommates area, parent to search child's room.

2. Consent may be revoked at any time during the search, however, illegal items found may be retained and a warrant obtained to complete search.
3. Consent may be obtained verbally, but written consent is preferred, using the Office consent search waiver.

D. Search Warrant:

1. An investigator or deputy shall prepare a search warrant affidavit and the search warrant. The warrant shall contain specific facts as to the items being sought, property's legal address and visual description, grounds or probable cause.
2. The employee shall meet with the District Attorney for review and approval of the affidavit and warrant then take it to the County or District Court Judge, as appropriate, for review and approval.
3. Warrant execution upon the Judge's approval.
 - a. The employee requesting the search warrant will supervise the search process and will:
 - i. Be responsible and accountable for all planning, briefing, personnel use and the over all control of each search warrant situation.
 - ii. May delegate authority for the specific assignment of personnel, vehicles, equipment and other duties to ensure the safe execution of the warrant.
 - iii. The employee obtaining the search warrant shall ensure that a copy of the search warrant, and copies of the inventory indicating what was seized, is left with the occupant or posted in a conspicuous place.
 - iv. The employee serving the warrant shall complete the search warrant Return and Inventory and return it to the Court Clerk within ten (10) days, or as specified on the warrant.
4. No-knock Warrants: The entry team shall ensure that there is enough manpower to insure officer safety including requesting assistance from other agency CIRT teams. Division Commander and Undersheriff shall be notified before execution of a no-knock warrant. Once entry is gained procedure will be the same as with a standard search warrant.
5. Without no-knock Provision:
 - a. The person in control of the premises to be searched shall be advised of the search warrant and be presented with a copy of the warrant.
 - b. All occupants will be directed to a neutral area prior to search.
6. Vacant or Unoccupied Premises:
 - a. Premises appearing unoccupied may be entered pursuant to the warrant.
 - b. Entry shall be made in a manner to minimize the damage to the affected premise.

E. GUIDELINES FOR ALL SEARCHES

1. The search shall be conducted in a reasonable manner with a minimum of disruption to the premises and contents.

2. The supervisor on the scene, or a designee, shall recheck the searched area in order to insure that no equipment is left behind.
3. The area searched, if forcibly entered, shall be secured by the best possible method at the conclusion of the search.
4. The Public Information Officer, supervisor on the scene, or a designee, shall be responsible for all proper press release information.



MORGAN COUNTY SHERIFFS OFFICE PATROL POLICY AND PROCEDURE MANUAL

Subject: CONSTITUTIONAL REQUIREMENTS		Policy No: 1103
Effective Date:	Reference:	
Standards:		

- I. **PURPOSE:** To establish guidelines governing the protection of the Constitutional rights of all people to include defendants and the integrity of criminal cases.
- II. **DEFINITIONS: None**
- III. **POLICY:** It is the policy of the Office to protect the individual rights of victims, criminal defendants, and to protect the integrity of criminal cases in the pursuit of justice.
- IV. **PROCEDURES:**
 - A. Confessions and admissions shall be obtained on a voluntary basis without coercion or duress.
 - B. Prior to any custodial interrogation, the employee must read the suspect "Miranda" warnings.
 - C. Arrested persons shall have the right to communicate with, and to have present for consultation, an attorney, in accordance with Colorado Revised Statutes 16-3-401 through 16-3-404.
 - D. In keeping with the Constitutional requirement of the defendant's right to a fair trial, pretrial publicity tending to prejudice and sensationalize, should be avoided.
 1. Photographs of the defendant, which are the property of the Office, shall not be released to the news media unless authorized by the Sheriff or Public Information Officer. (PIO)
 2. Details of the crime which are investigative information and should not be released to media.
 3. Crime scene photos which may be shown to a jury at a later date shall not be released to the media.
 4. Pictures of evidence shall not be released and the media shall be asked not to film the evidence. If the evidence is filmed, the media will be asked not to release it.
 - a. When the safety of the community demands, photographs and details of a case may be released to the media.
 - b. When an investigation may be enhanced by public input, pictures of evidence or details of a crime may be released.
 5. Statements to employees by witnesses, suspects, or victims shall not be released to the media.



MORGAN COUNTY SHERIFFS OFFICE OPERATIONS POLICY AND PROCEDURE MANUAL

Subject: RACIAL/BIAS BASED PROFILING		Policy No: 1104
Effective Date: Jan 4, 2002	Reference:	
Standards:		

I. **PURPOSE:** The purpose of this policy is to unequivocally state that “profiling,” as defined herein, is an abhorrent and unacceptable practice in the Office; to provide guidelines for deputies to prevent profiling; and to protect deputies from unwarranted accusations of profiling when they act within the dictates of the law and policy.

II. **DEFINITIONS:**

CONTACT: The act of communication between a person and a law enforcement officer in which the officer does not use his authority (express or implied) or any physical force to restrict that person’s freedom of movement. A contact does not require reasonable suspicion for its justification.

PROBABLE CAUSE: Exists when a set of fact(s) or circumstance(s) based on reliable information, personal knowledge, or observation by an officer, which reasonably shows and would warrant an ordinarily prudent person in believing that a particular person has committed an offense, or that certain items are connected with a crime and therefore may be seized under the law and that these items are in a place to be searched.

PROFILING: The detention of a suspect or other person on the basis of race, ethnicity, age, or gender without the existence of any individualized suspicion of the particular person being stopped.

RACIAL: Pertaining to a group of people classified together based on their common history and ethnicity.

RACIAL/BIAS PROFILING: The detention, interdiction, or other biased treatment of any person solely on the basis of their age, race, ethnicity, creed, politics, gender, sexual orientation, income, physical or mental disability, or other personal characteristic.

REASONABLE BELIEF: Having knowledge of facts, which, although not amounting to direct knowledge, would cause a reasonable deputy, knowing the same facts, to reasonably conclude the same thing.

REASONABLE SUSPICION: Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a deputy combined with his or her training and experience, and/or reliable information received from a credible outside source(s).

STOP: Occurs when a law enforcement officer uses his authority (express or implied) to temporarily detain a person based on reasonable suspicion that the individual may be committing, has committed or is about to commit a crime.

III. POLICY: It is the policy of this Office to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe that they have committed, are committing, or are about to commit, an infraction of the law; and to educate members on the issue of racial/bias based profiling. Racial/bias based profiling is a form of discrimination under Title VII and will not be tolerated.

IV. PROCEDURES:

A. TRAFFIC ENFORCEMENT AND CITIZEN CONTACTS:

1. The Office's efforts will be directed toward assigning deputies to those areas where there is the highest likelihood that crimes will be prevented and crashes will be reduced through proactive patrol.
2. Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that deputies do not go beyond the parameters of reasonableness in conducting such activities.
3. Motorists and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction. Each time a motorist is stopped, the deputy shall radio to the dispatcher the location of the stop, the description of the person or vehicle being detained, and the reason for the stop, and this information shall be logged.
4. The Office recognizes that with experience, individual deputies may develop individualized approaches that they find work best for them in minimizing conflict during deputy/violator contacts. The following is provided as a recommended approach, except that Paragraph 6, concerning furnishing of a business card, is mandatory whenever the motorist is stopped by NOT cited or arrested:
 - a. Give a greeting.
 - b. Identify yourself and your agency.
 - c. State the reason the person is being stopped or detained.
 - d. Politely ask for identification and any required documents.

- e. After completing the necessary paperwork, inform the driver or pedestrian as to what action is being taken and what, if any, the person must do as a result.
 - f. **As required by CRS 24-31-309(4)(a), whenever a person is detained in a traffic stop but is not cited or arrested, the person must be furnished a business card, which includes officer identification information and a telephone number that may be used by the person to report any comments, positive or negative, about the stop.**
 - g. Give an appropriated closing.
5. Appropriate enforcement action should always be completed, generally in the form of a summons, warning, or other citation, or by arrest when warranted.
 6. The proper form must be filled out by the officer, and shall include the gender and race/ethnicity of the person stopped, if the information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
 7. No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent.
 8. In each case where a search is conducted, this information shall be recorded, including the legal basis for the search and the results, thereof.
 9. It is strongly recommended that consent searches only be conducted with written consent, using the proper form. If the individual indicates that he or she will consent to a search but refused to sign the form, fill out the form anyway and indicate "consented to search but refused to sign", inserting initials and the signature of any witness in the signature block.
 10. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, gender, or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.
 11. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or an enforcement purpose is prohibited.

B. TRAINING:

1. Deputies will receive initial and ongoing training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, search and seizure laws, interpersonal communications skills, and profiling prevention.
2. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action, and will include an examination of patterns, practices, and protocols that result in profiling and prescribe patterns, practices, and protocols that prevent profiling.

C. COMPLAINTS OF RACIAL/BIAS PROFILING:

1. Any person may file a complaint with the Office if the person feels that a deputy has stopped or searched the person based on profiling. No person shall be discouraged, intimidated, or coerced from filing such complaint, or discriminated against because they have filed such a complaint.
2. Any employee contacted by a person who wishes to file such a complaint, shall immediately attempt to have a supervisor take the information, and the supervisor shall request the person's name, address and telephone number. Failure to properly report the complaint will result in disciplinary action. The complainant may file the complaint through the normal process or the less formal process shown above.
3. The information concerning the identity of the complainant is confidential and can only be released in a manner consistent with State Statute.
4. The supervisor or any other employee receiving such report shall immediately forward it to the Undersheriff. All such complaints shall be reviewed, the complaint acknowledged to the complainant in writing. The complainant shall be informed of the results of the review within a reasonable period of time. The report and the reviewer's conclusion shall be filed with the Sheriff and shall contain findings and any suggestions for disciplinary action or changes in policy, training, or tactics.
5. On an annual basis, the Office shall compile any information derived from telephone calls received due to the distribution of business cards that allege profiling, and derived from any complaints made by persons in writing. The Office shall make such information available to the public, but shall not include in such the names of any deputies alleged to be involved in such profiling or the names of the persons alleging profiling.
6. Supervisors shall review profiling complaints, periodically review a sampling of reports filed on stops and respond at random to back up deputies on vehicle stops, and shall take appropriate action whenever it appears that this policy is being violated, being particularly alert to any pattern or practice of possible discriminatory treatment by individual deputies.