

BOISE POLICE DEPARTMENT



POLICY AND PROCEDURES MANUAL

**Eighth Edition
May 2013**

PREFACE

This is the eighth edition of the new **Boise Police Department Policy and Procedures Manual**. This manual supersedes the seventh edition of the Boise Police Department Policy and Procedures Manual dated January 2012. This eighth edition also incorporates all Special Orders approved since December 31, 2011, through April 30, 2013, and changes completed during the annual Policy Committee and Command Staff workshops.

This *Policy and Procedures Manual* is intended primarily as a reference document for employees of the Department. It is also available to the general public on request and upon payment of reproduction costs.

This manual will be distributed electronically to all Department employees who have access to the BPD servers. Printed hard copies of the manual will be issued as needed. Minor revisions to the manual, such as through Special Orders, will be distributed to all BPD employees electronically and noted in the Summary of Changes. Also, printed copies of the revisions will be added to the three-ring binders.

All employees shall check for and read electronic policy manual updates regularly. Any employee who has a question about manual revision and/or content should contact his/her supervisor for explanation and clarification. Being aware of and understanding updates to the policy manual is an employee's responsibility.

The content of this manual has received extensive review from all divisions of the Department and, where necessary, legal and technical reviews from outside sources. The manual has been approved for implementation by the Deputy Chiefs of Police and the Chief of Police.

We appreciate the assistance of all those who have provided ideas, technical input, review, and assistance during the development and revision of this manual. We hope that it proves to be a useful tool for all employees of the Department.

Boise Police Department Policy Committee (As of the publication date)

Jennifer Rhead	Professional Development and Standards, Planning and Training Unit(Chair)
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Joe Schott	Professional Development and Standards Division

APPROVAL

This manual has been recommended by the Boise Police Department Policy Committee and has been reviewed and approved by the BPD Executive Staff. The **Boise Police Department Policy and Procedures Manual, Eighth Edition**, May 2013, is approved for distribution and implementation.

Michael F. Masterson

Chief Michael F. Masterson
Chief of Police

4/25/13

Date

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INTRODUCTION

Boise Police Department Organization

The Boise Police Department is subdivided into various groups for command and control purposes. The Department is directed by the Chief and organized into two bureaus (Operations Bureau and Information and Police Services Bureau) and six divisions (Patrol, Criminal Investigations, Community Outreach, Police Support Services, Police/Fire Finance and Administration, and Professional Development and Standards).

Boise Police Department 2013 Organization Chart

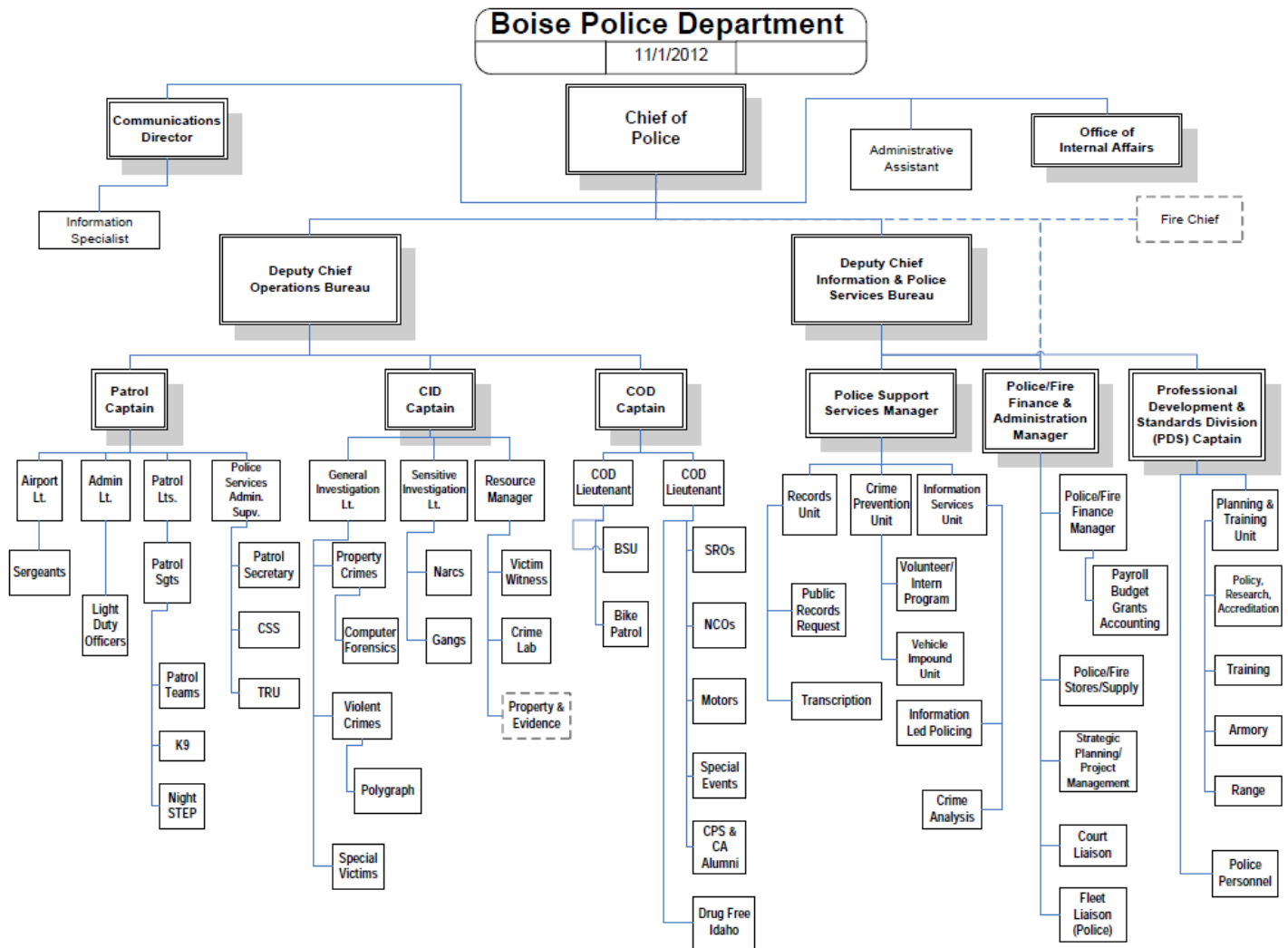


Figure 1: Organizational Chart

Boise Police Department Command Groups

Group names follow a specified designation, based on the individual's rank directly in command of the particular group.

COMMANDED BY	GROUP NAME	EXAMPLE
Chief	Department	Boise Police Department
Deputy Chief	Bureau	Operations Bureau
Captain/Commander	Division	Patrol Division
Lieutenant/Mid-Level Manager/ Watch Commander/Lieutenant	Section or Watch (multiple teams or functions)	Victim/Witness or Days Watch
Sergeant/Supervisor	Unit(s) or Team	Valley Nights SMT Team
Other small groups as defined by the Division Commander	Unit, Team, or Office	Purchasing Unit

Figure 2: Boise Police Department Command Groups

Equal Employment Opportunity

The City of Boise provides equal opportunity to all employees and applicants for employment without regarding to race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran's status or any other applicable legally protected status. (See *Boise City Employee Policy Handbook, 1.03 Equal Employment Opportunity*.)

Boise Police Department Policy and Procedures Manual

The **Boise Police Department Policy and Procedures Manual, Eighth Edition**, supersedes all previous publications. All copies of previous publications are kept on file in the BPD Planning and Training Section for reference. The manual is intended primarily as a reference document for Department employees. It is also available to the general public on request and upon payment of reproduction costs. This manual will be distributed to all Department employees. Minor revisions to the manual, such as through Special Orders, will be distributed electronically to all BPD employees.

The **Boise Police Department Policy and Procedures Manual** is organized into operational and administrative policy. Policy is stated in broad terms that describe the Department's core values, guiding principles, and the general parameters of Department operations. Policy is formulated by analyzing the Department's mission and operating philosophies and is based upon police ethics and experience, the desires of the community, and the mandate of the law. Policy is written and published to inform the public and employees of the principles that will be adhered to in the performance of the Department's law enforcement function. In order to make this manual an effective working document for Department employees, it is important that users provide comments on its accuracy and usability. Any comments and recommendations for change should be directed to the Policy Committee Chairperson.

The manual is for department use only and does not apply to any criminal or civil proceedings. Department policy and procedure should not be construed as a creation of higher legal standards of safety

or care in an evidentiary sense with respect to third party claims. Violation of these directives will only form the basis of Department administrative sanctions.

Due to legal and/or safety concerns related to law enforcement services, it may be necessary for the Boise Police to implement rules and procedures that vary from the Boise City Employee Policy Handbook. In such cases, the variance will be clearly identified and, in the event of a conflict, the department policy and procedure will prevail. The Policy Committee Chairperson will work with Human Resources to resolve any policy conflicts.

The contents of the manual have been reviewed from all divisions and, where necessary, legal and technical reviews from outside sources. The Deputy Chiefs and the Chief of Police have approved the manual for implementation. Signatures will be kept on file in Planning.

Boise Police Department Logo and Badge



Figure 3: **Boise Police Department Logo**



Figure 4: **Boise Police Department Police Officer's Badge**

The Mission Of The Boise Police Department

- **Protect, serve, and lead our community to a safer tomorrow.**

Figure 5: **Mission of the Boise Police Department**

Core Values

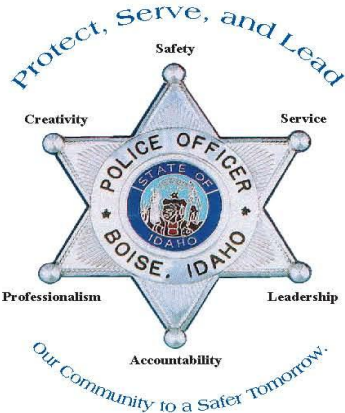
- **Safety** - We regard the safety of our employees, our citizens, and our communities as our highest priority.
- **Service** - We are committed to providing the highest quality police services.
- **Leadership** - We expect our employees to be leaders in our organization and community.
- **Accountability** - We hold ourselves accountable for our actions and decisions.
- **Professionalism** - We require the highest professional and ethical standards.
- **Creativity** - We provide an environment that fosters creative thinking.

Figure 6: **Core Values**

Guiding Principles

- Preserve life, protect property, and respect constitutional rights while enforcing the law with fairness and impartiality.
- Safety is of paramount importance in all aspects of our work.
- Provide courteous police service.
- Embrace community input and involvement to enhance public safety, prevent and solve crime, and address quality of life issues.
- Exceed our customers' expectations on service.
- Strive to maintain the proud tradition of our past while meeting the challenges of our future.
- Believe in doing the right thing, in the right way, at the right time, and for the right reasons.
- Operate openly, maintaining public trust and confidence.
- Make decisions in the best interest of the community we serve.
- Be courageous, fair, and decisive.
- Demonstrate professionalism and uphold the law treating everyone with respect and dignity.
- Uphold the highest ethical standards.
- Demonstrate honesty and integrity in our words and in our actions.
- Provide an individualized and innovative approach to each situation.
- Seek employee input to continuously improve our practices, programs, and services.

Figure 7: **Guiding Principles**



Guiding Principles

Safety

Preserve life, protect property, and respect constitutional rights while enforcing the law with fairness and impartiality.
Safety is of paramount importance in all aspects of our work.

Service

Provide courteous police service.
Embrace community input and involvement to enhance public safety, prevent and solve crime, and address quality of life issues.
Exceed our customers' expectations for service.

Leadership

Strive to maintain the proud tradition of our past while meeting the challenges of our future.
Believe in doing the right thing, in the right way, at the right time, and for the right reasons.

Accountability

Operate openly, maintaining public trust and confidence.
Make decisions in the best interest of the community we serve.
Be courageous, fair, and decisive.

Professionalism

Demonstrate professionalism and uphold the law treating everyone with respect and dignity.
Uphold the highest ethical standards.
Demonstrate honesty and integrity in our words and in our actions.

Creativity

Provide an individualized and innovative approach to each situation.
Seek employee input to continuously improve our practices, programs, and services.

Figure 8: Mission, Core Values and Guiding Principles of the Boise Police Department

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 the regulations of my department. Whatever I see or hear in a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

Figure 9: **Law Enforcement Code of Ethics**

LAW ENFORCEMENT CODE OF CONDUCT

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing.

The International Association of Chiefs of Police believes it important that police officers have clear advice and counsel available to assist them in performing their duties consistent with these standards, and has adopted the following ethical mandates as guidelines to meet these ends.

Primary Responsibilities of a Police Officer:

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality, and justice.

Performance of the Duties of a Police Officer:

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity.

Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

Discretion:

A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest – which may be correct in appropriate circumstance – can be a more effective means of achieving a desired end.

Use of Force:

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

The use of force should be used only with the greatest restraint and only after discussion, negotiation, and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading, or inhumane treatment of any person.

Confidentiality:

Whatever a police officer sees, hears, or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise.

Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

Integrity:

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; respect can only be earned and cultivated

Cooperation with Other Police Officers and Agencies:

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

Personal-Professional Capabilities:

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

Private Life:

Police Officers will behave in a manner that does not bring discredit to their agencies or themselves.

A police officer's character and conduct while off-duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

Figure 10: **Law Enforcement Code of Conduct**

POLICY AND PROCEDURES

1.00.00 Use of Force

1.01.00 Use of Force

It shall be the ultimate responsibility of the Chief of Police to determine the enforcement needs of the City of Boise. The enforcement of laws shall be firm and fair with no favoritism in regulation, either for personal or political reasons. The Boise Police Department's basic consideration is that the police mission is accomplished most efficiently and public confidence is maintained at the highest level.

1.01.01 Definitions

Control: Techniques including physical force that are used to subdue a subject's resistant actions. These control techniques include (bullets listed in alphabetical order):

- Deadly Force: Any force used by an officer that is likely to result in great bodily harm or the loss of human life.
- Hard Empty-Handed Control: Higher probability of injury.
- Intermediate Weapons: The application/use of any Department-approved weapon/object that is not part of the human body to control resistance or an assault.
- Officer Presence: The identification of police officer's authority, either by the uniformed presence or the verbal identification of being a police officer.
- Soft Empty-Handed Control: Minimal chance of injury.
- Verbal Direction: Commands of direction or arrest.

Resistance: Actions which seek to evade an officer's attempts of control, directed from a subject towards an officer. Types of resistance include:

- Active Aggression: Physical actions or assaults against the officer or another person with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.).
- Deadly Force Assaults: Any force used against an officer and/or another person that may result in great bodily harm or the loss of human life.
- Defensive: Any action by a subject that attempts to prevent an officer from gaining control of the subject. It is not an attack on the officer.
- Passive: Any type of resistance where the subject does not attempt to defeat the officer's attempt to touch or control him/her, but he/she still will not voluntarily comply with verbal and physical attempts of control (e.g., dead weight, does not react to verbal commands, etc.).
- Psychological Intimidation: Nonverbal cues indicating subject's attitude, appearance, and physical readiness.
- Verbal Noncompliance: Any verbal response indicating subject unwillingness to obey commands of detainment, arrest, or to stop unlawful or dangerous behavior.

1.01.02 Authorization

An officer shall use only the amount of force that is reasonable and necessary to protect life, effect a lawful arrest, and/or gain control in any lawful circumstance. An officer may use deadly force when necessary to defend himself/herself or others when the officer reasonably believes that imminent danger

of death or serious bodily injury exists. An officer may also use deadly force when necessary to effect the capture or prevent the escape of a subject, whose freedom is reasonably believed to represent an imminent danger of death or serious bodily injury to the officer or to others. When authorized techniques are not available or practical, an officer may also use any other reasonable force to gain control of the situation.

1.01.03 Use of Firearms in the Line-of-Duty

An officer shall be authorized to discharge firearms in the line-of-duty under the following conditions:

- To use his/her firearm to protect himself/herself or others from what he/she reasonably believes to be an imminent danger of death or serious bodily injury.
- To use his/her firearm to effect the capture or prevent the escape of a felony suspect whose freedom is reasonably believed to represent a significant threat of serious bodily injury or death to the officer or other persons.
- During firearms training sessions as directed by the firearms instructors.
- To shoot an animal as outlined in [11.03.24 Treatment of Animals](#).

An officer shall not discharge firearms:

- As a warning
- When the discharge of the weapon may unreasonably endanger the lives of persons not involved in the commission of the crime in progress.

1.01.03A Use of Firearms at a Moving Vehicle

Firearms have limited effectiveness in stopping moving vehicles. Officers in the path of a moving vehicle have a better likelihood of survival if able to move out of the vehicle's path, instead of shooting at the vehicle. An officer threatened by a vehicle will move out of its path if possible, allow the vehicle to pass, and utilize other tactical or investigative means to apprehend the suspect.

An officer shall not discharge a firearm at a vehicle or its occupants in response to a threat posed solely by the vehicle, unless both of the following circumstances exist:

- The officer has a reasonable belief that the suspect poses a continuing threat of death or serious bodily injury to self or others; and
- The officer has no reasonable alternative course of action

1.01.04 Pursuit Intervention Technique (PIT)

Circumstances warranting the use of PIT or other forced stop methods in non-pursuit situations when an imminent danger to the public or the officer is present, shall be as follows:

- Continued movement of the suspect vehicle would place others in significant danger of serious bodily harm and is so great as to outweigh the risk of harm in making the forcible stop and
- Other means of apprehension have been considered and rejected as impractical.

1.01.05 Criteria for Use of Force

The appropriateness of an officer's actions will be determined by the totality of the circumstances and by the reasonableness of the officer's perceptions at the time of the incident. The criteria for determining use of force shall include, but not be limited to:

- The nature and extent of the threat posed by the suspect
- The severity of the crime (non-violent vs. violent, non-criminal mental hold, etc.)
- The degree to which the subject resists arrest or detention
- Attempts by the subject to evade arrest by flight
- Other factors, including
 - Nature and quality of intrusion upon the individual
 - Duration of that intrusion
 - Severity of injuries inflicted, if any
 - Officer/subject size and other physical attributes
 - Environmental considerations
 - Reaction time
 - Totality of circumstances

1.01.06 Officer's Responsibilities

When force techniques are used, the following guidelines shall apply:

- Notify supervisor immediately anytime that the use of force occurs and:
 - Complaint of injury is likely to be made
 - Results in injury or complaint of injury
 - Deadly force is used
 - As soon as practical anytime the following force is used:
 - Hard empty-handed control techniques
 - Intermediate weapons (baton, specialty impact munitions, conducted energy weapon, OC Aerosol)
 - Canine deployment
 - Vascular neck restraint (LVNR)
 - Any object used as a weapon
- Collect all evidence that is relevant to the investigation.
- If the use of force results in serious injury or complaint of serious injury, ensure medical treatment is obtained.
- If the subject is rendered unconscious but no medical emergency exists, notify dispatch and request EMS to transport to the hospital for medical clearance. When the scene is not conducive to EMS response and medical assessment of the subject, transport the subject a short distance away for medical review.
- If the subject is uncooperative or combative and EMS assessment cannot be made, transport for booking and document the efforts made in the report(s).
- Complete a supplemental report and include:
 - Facts, circumstances, and chain-of-events
 - Resistance encountered
 - Type, extent, and reasons for the force used
 - Disposition of subject(s)
- Review the Administrative Use of Force Report with your supervisor.

1.01.07 Supervisor's Responsibilities

When force techniques are used, the following guidelines shall apply:

- Monitor involved officer's use of force activities to ensure compliance with these policies and procedures.

- Consult with a Lieutenant if problems are noted in situations where force is applied.
- when one of the following techniques are used regardless of injury or complaint of injury:
 - Hard empty-handed control techniques are used
 - Vascular neck restraint is used
 - Intermediate weapons are used (baton, specialty impact munitions, conducted energy weapon, OC Aerosol)
 - Canine deployment when force is involved
 - Any object used as a weapon
- Complete and forward the Administrative Use of Force Review form for each involved subject, unless there is an intentional use of deadly force, when there is injury or complaint of injury.
- Conduct the initial investigation to obtain and document the facts. The supervisor shall:
 - Attempt to obtain photographs (digital images) of the subject and any alleged injuries
 - Attempt to obtain recorded interviews with subjects and witnesses
 - Complete and attach a supplemental narrative
- Attach copies of incident reports to the Administrative Use of Force Review form and download any audio recordings. Send any photographs to the lab for processing or storage.
- Review all collected evidence as part of a regular administrative Use of Force investigation.
- Review completed Administrative Use of Force Review form with involved officer, note the review in the investigation, and forward to Internal Affairs as outlined [12.03.05H](#) Performance Review Document policy.

1.01.08 Lieutenant's Responsibilities

The Lieutenant is responsible for reviewing and forwarding appropriate copies of the Administrative Use of Force Review form to the Division Commander with actions taken or needed, as well as any recommendations. The Lieutenant will also review use-of-force activities by involved officer(s) and make recommendations for changes to policy, procedure, and/or training.

1.01.09 Division Commander's Responsibilities

The Division Commander shall review the Administrative Use of Force Review form and forward it to the Office of Internal Affairs, including any concerns, recommendations, and/or necessary follow-up.

1.01.10 Office of Internal Affairs (OIA) Responsibilities

OIA shall review and file the Administrative Use of Force Review form. When litigation is expected, this office will confer with the Boise City Attorney's Office.

1.02.00 Intermediate Weapons

An officer is authorized to carry and use an intermediate weapon to gain control when faced with actual or threatened physical resistance and the use of an intermediate weapon is reasonably necessary based on officer-to-subject disparity, reaction times, environmental conditions, and the totality of the circumstances. Physical resistance includes all physical resistance, except passive physical resistance.

Only Department-authorized intermediate weapons will be carried and used by an employee. Authorized intermediate weapons include:

- Baton (side-handle or collapsible)
- “Specialty Impact Munitions” (40 mm Launcher)
- Conducted energy weapon

Oleoresin Capsicum (OC) Aerosol

Uniformed officers shall carry two or more intermediate weapons on their person while on-duty.

Uniformed officers who are issued a conducted energy weapon shall carry it as one of those weapons. If the baton or PR24 is not carried on the officer’s person, it shall be carried in his or her assigned vehicle.

SIM is considered a specialty weapon and is not included in the intermediate weapon carry requirements for uniformed officers.

Note: The flashlight will be used only for self defense or when other intermediate weapons are not readily available or practical. The flashlight is not a primary impact weapon.

1.02.02 OC Aerosol

Oleoresin Capsicum (OC) Aerosol is defined as a non-flammable aerosol chemical.

1.02.02A Authorization to Carry and Use

An employee shall only carry Department provided OC. An officer assigned to plainclothes duty should carry OC Aerosol on his/her person when encountering suspected or known combative situations.

An officer will consider all options before using OC Aerosol on a passive resistor and articulate those options in the arrest report. An officer’s use of OC Aerosol on a passive resistor during peaceful demonstrations shall be determined by the Incident Commander. An officer may use OC Aerosol when faced by a crowd that will not disperse and would threaten the loss of a subject that is in the officer’s custody. An officer will not use OC Aerosol on the driver of a motor vehicle to gain compliance while the subject is still in the vehicle and has the capability of driving away from the scene and the officer’s control.

1.02.02B Officer’s Responsibilities

The officer shall use the OC Aerosol as prescribed in Department training and shall:

- Cease use of OC Aerosol when subject discontinues resistance or aggression.
- Ensure the subject receives adequate decontamination or medical attention after having been exposed to OC Aerosol.
- After subject(s) have been controlled and secured, attend to innocent bystanders that may have been exposed.
- As soon as possible after the incident, notify a supervisor that OC Aerosol had been used and the nature of the incident.
- Include details of the incident, the rationale for the use of OC Aerosol, and the results of that use in related reports.

1.02.02C Civilian's Responsibilities

The civilian employee who is issued OC Aerosol will be trained on the use of OC Aerosol. OC Aerosol should only be deployed in defense of self or others. If OC Aerosol is deployed, the civilian employee shall notify dispatch to request immediate police assistance. He or she shall also notify a patrol supervisor, as well as their immediate supervisor.

1.02.03 Conducted Energy Weapon

The Conducted Energy Weapon is defined as a weapon that fires barbed projectiles. The deployment generates an electrical current that causes motor dysfunction and pain compliance. An officer shall only carry the Department-approved Conducted Energy Weapon.

1.02.03A Issuing of the Conducted Energy Weapon

Employees shall only carry and use the Conducted Energy Weapon as approved by the Chief. Issue of the Conducted Energy Weapon will be to selected officers, based on their duties. Personnel may only use Department-issued Conducted Energy Weapon cartridges.

1.02.03B Use of Conducted Energy Weapon

The decision to use the Conducted Energy Weapon shall be based on the immediate threat posed by the suspect to officers or others (based on current case law) with consideration of the following factors:

- The totality of the circumstances
- The severity of the crime committed
- Prior acts by the suspect (crimes of violence, threats, etc.)
- The level of resistance
- To prevent them from harming themselves or others
- Other criteria listed for determining use of force (see 1.01.05 Criteria for Use of Force)

In the case of a fleeing subject, the fact that the subject is fleeing shall not be the justification for use of the Conducted Energy Weapon.

Unless exigent circumstances exist, the Conducted Energy Weapon will not be used:

- On women known to be or that obviously appear to be pregnant
- On elderly persons, young children, and visibly frail persons
- On passive subjects
- In combustible environments
- On a handcuffed subject unless actively resisting or exhibiting active aggression to prevent individuals from harming themselves or others
- On subjects in physical control of a vehicle in motion, including automobiles, trucks, motorcycles, ATVs, bicycles, and scooters
- On subjects in a location where a fall may cause substantial injury or death

1.02.03C Multiple Conducted Energy Weapon Deployments

No more than one officer should activate a Conducted Energy Weapon against a person at a time unless exigent circumstances exist.

1.02.03D Officer's Responsibilities

Before being issued a Conducted Energy Weapon, an officer shall successfully complete the certified Conducted Energy Weapon class. On completion of the program, an officer will be certified to carry and use the Conducted Energy Weapon. The officer shall:

- Conduct a spark test every day.
- Determine if the Conducted Energy Weapon needs to be deployed based on Department policy.
- Ensure all personnel at the scene are notified by radio or other means that the Conducted Energy Weapon is being deployed and may be used if time and conditions permit.
- Ensure that a plan is in place for taking physical control of the subject once the Conducted Energy Weapon has been deployed.
- Use minimum activations necessary to control the subject. Subsequent cycles will not exceed three applications unless exigent circumstances exist.
- Once the suspect is restrained or has complied, there should be no further use of the Conducted Energy Weapon.
- Ensure the subject receives medical treatment by EMS in the field and/or hospital personnel after a Conducted Energy Weapon deployment. Only EMS or medical personnel shall remove probes from the Conducted Energy Weapon.
- Request photographs be taken of probe impact sites and any other related injuries.
- Probes that have penetrated a body should be treated as bio-hazardous and handled properly.
- Securely store the Conducted Energy Weapon when off-duty.
- Send an email to Internal Affairs regarding the incident if an officer "red-dots" a subject and gains compliance without deployment. The officer will also notify his or her supervisor.

1.02.03E Supervisor/Lieutenant's Responsibilities

To ensure the officer is conducting daily spark tests, the supervisor shall complete a download of the taser information every month as part of the inspection and ensure the date and time are correct on the taser.

The supervisor shall respond to the incident when an officer indicates the necessity for the Conducted Energy Weapon to be deployed or when the Conducted Energy Weapon has been deployed if the conditions did not permit previous notification. He/she shall also ensure that all guidelines for deployment are met and that proper care is provided to injured officers/subjects. Because the probes are considered biohazards, he/she will ensure the probes are disposed of properly, typically deposited in a sharps container (property, ambulance, hospital).

The supervisor shall download data from the Conducted Energy Weapon deployment and print the results. He/she shall attach the printout of data downloaded to a completed UOF form.

The supervisor will ensure an email is sent to Internal Affairs if an officer "red-dots" a subject and gains compliance without deployment.

1.02.04 Police Canines

Canine teams are available to conduct building searches for offenders in hiding, assist in the arrest or prevent the escape of serious violent offenders, protect officers or others from death or serious injury, track suspects, locate lost or missing persons, locate hidden instruments or evidence of a crime, and detect the presence of illicit drugs or explosives.

Canine handlers are responsible for determining whether a situation justifies canine use and the appropriate tactical measures that should be taken. Decisions to use canines will be reviewed based on this standard in view of the totality of circumstances that existed at the time of deployment. When the on-scene field commander disagrees with the handler's tactical assessment, the canine unit supervisor shall be notified. When time does not permit such notification, the canine shall not be deployed.

Decisions to deploy the canine shall be based upon the following:

- The severity of the crime.
- Whether the suspect poses an immediate threat to the safety of officers and others.
- Whether the suspect is actively resisting arrest or attempting to evade arrest at the time.
- Whether deployment of the canine presents a danger to the safety of uninvolved citizens and other officers.

2.00.00 Arrests, Searches, Detentions, and Citations

2.01.00 Arrests

Idaho Code (IC) 19-601 through 19-625 addresses how and when arrests are to be made. Updates to the codes shall be addressed in annual training and/or legal bulletins. When an arrest is made for which there is a city code and state code, the officer shall book the suspect under the state code unless approved by a supervisor.

2.01.01 Warrant Not in Arresting Officer's Possession

Arrest under an Idaho warrant is lawful, even though the arresting officer does not have the warrant in his/her possession. Officers shall reasonably ensure that the warrant is valid. If requested, he/she shall show it to the arrestee as soon as practical. A copy of the warrant can be electronically transmitted to one or more officers.

An out-of-state warrant has no validity in Idaho as an arrest warrant. However, the officer's knowledge of an out-of-state felony warrant is sufficient probable cause to arrest for Fugitive to Idaho. In cases where an arrest warrant is required to enter a residence to make the arrest, the officer shall first obtain an Idaho arrest warrant. If the suspect is in a third party residence, a search warrant or valid consent to search shall be obtained prior to entering the third party residence.

2.01.02 Field Arrest

When an officer operating in the field contacts a subject on which a record check discloses an outstanding warrant, he/she shall contact Ada County dispatch to confirm the following:

- That this Department (or another agency which is being checked) has a valid warrant in its possession. (This requires that it has the actual warrant in its physical custody. If the warrant is not held in its possession, a supervisor or Watch Commander/Lieutenant shall be notified and he/she shall determine if the arrest will be made.)
- That the warrant is valid on its face.

2.01.03 Delays in Misdemeanor Arrests

Misdemeanor arrests shall be made at the time of the offense or as soon as possible after the offense. Acceptable delays include the time involved in fresh pursuit and apprehension of the suspect. Misdemeanor arrests that are not made during the officer's shift shall be accomplished by obtaining a warrant of arrest or the suspect may be issued a citation.

Exceptions:

- With supervisory approval as the situation warrants.
- In situations pursuant to the Domestic Violence Investigations and Follow-up SOP #200.01.

2.01.04 Supervisory Review

When a felony arrest is made on probable cause where the victim is not yet identified or if an arrest involves an unusual application of the law, the arresting officer shall contact his/her supervisor or Watch Commander/Lieutenant as soon as practical and advise him/her of the circumstances of the arrest.

2.01.05 Arrest of a Probation or Parole Violator

An officer may make an arrest of a probation or parole violator without a court warrant when a probation or parole officer has supplied written authorization (agent's warrant), setting forth that the person to be arrested has violated the terms of his/her probation or parole.

2.01.06 Arrest of a Bail Jumper

The Department shall not normally become involved in the retaking of a bail jumper. However, assistance may be rendered with prior supervisory approval or if taking the defendant into custody would assist the Department in an investigation.

2.01.07 Arrests for Domestic Violence

BPD has a pro-arrest policy regarding domestic violence. Each officer shall take appropriate enforcement action:

- When there is probable cause to believe that the terms of a protective order or no contact order have been or are knowingly being violated.
- When there is probable cause for an arrest for domestic assault or battery.

Note: When both parties appear to have been violent toward one another, it will be necessary to attempt to determine who is the predominant aggressor. The factors guiding such determination include: the spirit of the law, which is to protect victims of domestic violence; the relative degree of injury or fear inflicted on each individual; and any other pertinent facts.

2.01.08 Miranda Warnings

Miranda warnings apply to interrogations initiated by officers after a person has been taken into custody or otherwise deprived of his/her freedom of movement in a manner similar to that of a custodial arrest. Only the officer who is responsible for the investigation and conclusion of a case will advise the suspect of his/her "Miranda" rights. Miranda warnings are not required when:

- The statements are voluntary and unsolicited.
- The suspect is not in custody nor could he/she reasonably believe that he/she was under arrest based on the totality of the circumstances.
- The suspect makes statements in response to interrogation by a private citizen without police influence.
- The suspect responds to questions necessary of a "general, on-the-scene" type of investigation.

2.02.00 Arrests by a Private Person

Idaho Code 19-604 establishes conditions for arrest by a private person. This law does not require an officer to receive custody of a person who has been unlawfully detained by another. When questionable arrests are made by a private person, the officer shall contact a supervisor prior to accepting the custody of the arrested subject.

If the officer determines that there has been an excessive and unreasonable delay by the citizen, the officer shall file the necessary crime report and either advise the citizen to seek a warrant of arrest from the Prosecuting Attorney or issue a summons signed by the citizen.

Upon accepting physical custody of the arrested subject, an officer shall either transport him/her to the place of detention for booking or release him/her with a citation. The signature of the private person making the arrest shall be placed on the space marked "Complainant or Officer."

2.02.01 Reporting Requirements

In every case involving an arrest by a private person, the officer shall complete a General Report, including:

- A statement affirming that the private person is the arresting party and that the arresting party requested that the officer take the arrested subject into custody.
- All appropriate descriptive and personal information regarding the private person making the arrest, so that he/she may be easily contacted for proceedings against the defendant.
- Information the officer used to verify that the arrest was lawful.

2.03.00 Citations

In general, for all misdemeanors, an officer may issue a Uniform Citation in lieu of arresting the suspect or obtaining a warrant and arresting the suspect.

2.03.01 Guidelines for Issuing Citations

Physical custody arrests will be made in all misdemeanor cases authorized by law, except when:

- The violation is so minor that it does not have significant impact upon the successful completion of the police mission and the booking information (such as mug shots and/or fingerprints) will likely be of little value in criminal identifications during future investigations.
- The prisoner requires medical attention to the extent that a physical custody arrest is impractical.

When a physical custody arrest is not made, the officer may issue a citation. Physical custody arrests shall never be used to punish an offender for his/her acts or omissions if he/she would not otherwise have been taken to jail. Situations in which physical custody arrests should be made in lieu of issuing a summons include:

- Acts which are particularly offensive to witnesses or the victim
- Acts of a violent nature
- Domestic violence
- When there is reason to believe that retribution against the victim or witness will result with the suspect's continued presence at the scene

- When the officer believes that release of the suspect in that immediate area would pose a further threat to the safety of any person or property
- When the suspect is attempting to agitate a negative or disorderly response in a group or crowd situation that could cause additional problems
- When physical custody of the suspect would benefit ongoing investigations

2.03.02 Citations Signed by Citizens

Private Citizens may sign complaints for infractions or misdemeanors, assuming that they can articulate probable cause for the violation. The officer will complete a General Report.

2.04.00 Searches of Individuals

2.04.01 Field Search Incident to Arrest

The arresting officer shall conduct a thorough field search of all arrested subjects at the time of arrest and prior to transporting. The search shall be conducted to remove all weapons from the subject and to recover any evidence of the crime or any contraband.

Release of a suspect after their person and/or belongings have been searched incident to arrest will not occur. Exceptions will be approved by the officer's supervisor.

For more information regarding the search of a vehicle when the driver is arrested, see [10.03.06 Arrest of a Driver](#). For information regarding releasing an arrested individual, see [2.05.06 Removal of Handcuffs When Continued Detention is not Necessary](#).

2.04.02 Handcuffing Prior to Search

Arrested subjects will be handcuffed prior to being searched.

2.04.03 Stop and Frisk (Terry Stop)

Terry Stop detention requires a reasonable and articulated suspicion of criminal activity. An officer conducting a Terry Stop may frisk the subject when there is a reasonable suspicion that he/she is armed and dangerous. If an officer conducts a Terry Frisk, he/she shall document the frisk in the related reports. If a report is not generated, the officer shall document the circumstances of the Terry Frisk on a Field Interview Card.

2.04.04 Searching of Female Prisoners by Male Officers

The search of a female prisoner by a male officer requires special consideration in order to prevent the possibility of complaints or embarrassment to the officer or to the Department. Searches of female prisoners by male officers should normally be done with the assistance of a female employee. If the officer has cause to believe that the prisoner is armed with a weapon, he shall search the prisoner's person and retrieve the weapon. When possible, this should be done in the presence of a female witness.

When a male officer searches a female prisoner, he will use the following procedure:

- Use of Hands –The officer will use the back of his hands, rather than the palms.

- Removal of Clothing – An officer may have a prisoner remove only the clothing which would normally be removed in mixed company.
- Body Search – Tight female clothing does not require searching in the field. Loose articles of clothing may be searched by pulling (or instructing the subject to pull) the article tight against the body so the bulge of any foreign object is revealed. The officer will avoid as much hand-to-body contact as possible.
- Shoes – Shoes with sharp heels, which may serve as weapons, should be removed from the prisoner before transportation.

2.04.05 Strip Searches

A strip search is defined as a search of an individual requiring the removal or arrangement of some or all of his/her clothing so as to permit a visual inspection of the breasts of a female or the genitals, buttocks, or undergarments of the individual.

An arresting officer may provide information to personnel in the jail, which may lead to a strip search of the arrested individual conducted by jail personnel. Strip searches not done by the jail shall be limited to those instances in which a search warrant authorizes the search of a named individual or when exigent circumstances exist. The officer conducting the strip search shall articulate reasons justifying the necessity of the strip search. This policy does not apply to Confidential Informants or other agents of BPD who may be requested to submit to a strip search as a condition of his/her involvement with BPD activities as directed by Narcotics SOP.

A supervisor shall be notified prior to the strip search. The strip search shall be conducted by an officer of the same gender as the person to be searched. Another employee of the same gender as the person to be searched will witness the strip search. The search shall be done in private, where the search will not be viewed by anyone other than the searching officer and the witness employee.

The steps taken to assure the privacy of the strip search will be documented in an Administrative Incident Report, including the following information:

- The offense(s) for which the person was arrested or detained.
- The specific facts justifying the necessity of the search.
- The supervisor's name authorizing the search, the officer conducting the search, and any other persons witnessing or present during the search.
- The time, date, and place of the search.
- Any weapons, evidence, contraband, and property discovered as a result of the search.

Body cavity searches shall not be conducted, except by court order, in which case the suspect will be transported to the hospital for examination.

2.04.06 Consent Searches

Consent searches may be requested when an officer has conducted an interview and the officer is able to articulate a reason to ask for the search. Officers shall take reasonable steps to ensure the subject has legal standing over the area to be searched, and that consent is freely and voluntarily given. The subject's consent will be either written or recorded.

2.05.00 Handcuffs and Hobbles

2.05.01 Use of Handcuffs

An officer effecting an arrest or detention of a subject shall not use any more restraint than is necessary. Except as noted in [2.05.05 *Additional Restrictions Pertaining to Age, Illness, or Deformity*](#), an officer shall employ the use of handcuffs when he/she has a subject under arrest or for detaining a subject when the officer can state reasonable suspicion that the subject has been, is, or is about to be engaged in criminal activity and when the officer believes his/her personal safety or the safety of others is at risk. If the subject is detained, but not placed under arrest, the duration of handcuffing cannot be unreasonable considering the law enforcement purposes served.

When handcuffing a prisoner or detainee, the officer shall:

- Handcuff the prisoner or detainee with hands behind the subject's back and in the appropriate position (if possible). No prisoner or detainee shall be handcuffed with hands in front unless an injury, deformity, age, or disability makes it necessary to do so.
- Double lock the handcuffs.
- Ensure that the handcuffs are not too tight by inserting the little finger up to the first knuckle between the handcuff and the area on the underside of the wrist.
- Keep the handcuffs on until arrival at the place of destination. Handcuffs may be removed in the interview/interrogation rooms for the purpose of furthering the investigative process.
- Handcuff and hobble a prisoner who is violent and uncontrollable to prevent injury and/or property damage.

The use of belly chains should be considered in cases where the suspect has a deformity, an injury, or is physically incapable of being handcuffed behind the back.

2.05.02 Use of Hobbles

When a handcuffed prisoner is extremely violent and uncontrollable, he/she will be further restrained with the department-authorized hobbles in order to prevent injury to persons or property. All incidents of maximal restraint of subjects shall be documented in the officer's report. (See [2.06.07 *Maximally-Restrained Prisoner*](#).)

2.05.03 Use of Flex Cuffs

Department-approved flex cuffs may be used as a temporary device in place of handcuffs. Flex cuffs will be removed or replaced by handcuffs as soon as practical.

2.05.04 Restrictions on the Use of Handcuffs

An officer shall not handcuff a prisoner or detainee to any part of a vehicle, handcuff himself/herself to a prisoner or detainee, or use handcuffs as a come-along or leading device with the exception of authorized compliance techniques used during the handcuffing process. Under normal circumstances, a prisoner will not be handcuffed to a stationary object, with the exception of detention facilities or interview areas.

2.05.05 Additional Restrictions Pertaining to Age, Illness, or Deformity

Use handcuffs and hobbles according to [2.05.01 Use of Handcuffs](#) and [2.05.02 Use of Hobbles](#), except under the following circumstances:

- Young juveniles, elderly, injured, or deformed subjects who, by the nature of the offense, demeanor, or stature, clearly do not present a threat to the officer during the search or while in transit.
- Subjects who are suffering from an injury, disability, or deformity that makes handcuffing or hobbling impossible or impractical.

2.05.06 Removal of Handcuffs When Continued Detention is not Necessary

Whenever an officer has a subject detained by the use of handcuffs and determines that continued detention is not necessary, the subject shall be released immediately.

2.05.06A Officer's Responsibilities

When a subject has been handcuffed and continued detention is not necessary, the following procedures shall be followed:

- Release the detainee without delay.
- Offer an explanation to the detainee for the arrest/detention and handcuffing.
- Issue a summons, if appropriate.
- Contact the supervisor and relate the details of the incident when a summons is not issued.
- If no other report is completed, document the incident on a miscellaneous report.

Note: Reporting the arrest, detention, or handcuffing of a confidential informant is not required if custody took place as a result of confidential informant activity and a supervisor has been advised of the circumstances.

2.05.06B Supervisor's Responsibilities

The supervisor will ensure that proper release procedures are followed and that the appropriate reports or documentation is completed.

2.06.00 Transporting Prisoners

2.06.02 Use of Seat Belts

Prisoners will be seat-belted prior to transport, unless circumstances prevent the use of seat belts. A statement will be included in the arrest report, noting whether the prisoner was seat-belted and, if not, why. The transporting officer shall ensure both back doors are securely closed and locked.

2.06.03 Notification of Transport

When an officer transports a prisoner, the officer shall notify dispatch at the beginning and end of transport. An officer should provide mileage during the transport of a subject of the opposite gender or a juvenile.

2.06.04 Removal of a Prisoner

When a subject is taken into custody, the arresting officer will remove (or cause the removal of) the prisoner from the scene without unnecessary delay. The transporting officer shall transport the prisoner directly to the place of detention or a place determined by investigative necessity. In the latter case, the prisoner shall be transported directly to the place of detention once the investigative necessity has been satisfied.

2.06.06 Search of the Police Vehicle

The officer shall search the portions of his/her police vehicle in which a prisoner may be transported, both before and after transporting. The purposes of this requirement are to ensure officer safety and to establish cause for criminal prosecution for any evidence, weapons, or contraband found.

2.07.00 Release from Arrest/Detention

2.07.01 Requirement for Immediate Release

After the arrest of a subject, if the investigating officer determines there is insufficient evidence to prosecute or that no charges should be filed, the subject shall be immediately released from custody. Supplemental reports to the arrest and/or offense reports shall contain sufficient information to support the arrest and also support the suspect's release without being charged.

2.07.02 Conditions Requiring Release

If any of the following conditions exist, the subject should be released without charges being filed. An officer shall notify his/her supervisor immediately whenever any of these conditions exist.

- There is insufficient evidence to prosecute.
- The charge for which the suspect was arrested on probable cause cannot be substantiated.
- In the interest of justice and with the prosecutor's concurrence, no charges will be filed in exchange for information, resources, or investigative leads that would be more valuable to the Department's mission and the welfare of the community as a whole.

Refer to [2.05.06](#) Removal of Handcuffs When Continued Detention is not Necessary.

2.07.03 Medical Attention for Those Released from Arrest/Detention

An officer will ensure medical attention is offered to a suspect who will be released and who appears or claims to have an injury requiring medical attention. Offer of medical attention shall be captured either by audio recording or written report.

2.10.00 Mental Holds

Under Idaho Code 66-326, an officer may take a person into custody if the officer has reason to believe that the person is gravely disabled due to mental illness or the person's continued liberty poses an imminent danger to that person or others, as evidenced by a threat of substantial physical harm. This provision is an exception to the general rule of law that adult involuntary mental commitments shall be

accomplished through the judicial commitment process under Idaho Code 66-329. In juvenile cases, an officer will use a hold pursuant to Idaho Code 16-2411 only if the parents can't (incapacitated) or won't admit the child voluntarily to a hospital. Also see [6.04.00 Juvenile Mental Holds](#).

2.10.01 Definitions

- Idaho Code 66-317(1) defines a “mentally ill” person as a person “who as a result of a substantial disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize and adapt to reality, requires care and treatment at a facility.” Incapacitation due to alcohol intoxication or impairment due to drugs does not, by itself, meet the mentally ill definition. However, a person suffering from dementia or Alzheimer’s disease may come under the definition.
- Idaho Code 66-317(m) defines a “gravely disabled” person as a person “who as a result of a mental illness, is in danger of serious physical harm due to the person’s inability to provide for any of his basic needs for nourishment, or essential medical care, or shelter or safety.” This danger must be imminent.
- “Imminent danger” has been defined by the Supreme Court of Idaho as “immediate dangerousness.” Therefore, the person must either be engaging in the dangerous act, about to engage in the act, planning on engaging in the immediate future, or have just engaged in the dangerous act with a likelihood of immediate reengagement if the officer does not intervene.

2.10.02 Officer’s Responsibilities - General Procedure/No Offenses

2.10.02A Initial Response

When an officer has identified a mentally ill subject involving a probable “gravely disabled” or “imminent danger” situation, he/she shall:

- Make a decision concerning the existence of sufficient probable cause to believe a grave disability or imminent danger exists to support invoking an emergency mental hold pursuant to Idaho Code 66-326. When making the decision to take a subject into custody, an officer may consider his/her observations of the subject and all other information available, such as statements from others, prior acts of the person, and physical evidence, such as weapons or instruments that would support the danger aspect.

Patients already presented for treatment or admitted to the hospital without officer intervention do not require subsequent police involvement for mental holds.

2.10.02C Emergency Mental Hold Not Invoked

If a hold is not initiated, the officer may provide reasonable assistance at his/her discretion as requested by MCU for alternative arrangements suitable to the facts of the case and the welfare of the subject and others. Unusual assistance, such as transport or extended stand-by, should be cleared through the on-duty supervisor. As a general rule, voluntary “courtesy” transport of the subject by the officer to a treatment facility should be avoided.

A miscellaneous report shall be completed if the person fits the criteria for a mental hold, but the officer does not place the subject on the hold, and no other report is taken. This report shall outline

the call response, the circumstances of the contact, and the subsequent decision to not invoke the emergency mental hold.

2.10.02D Unusual Circumstances

Bring unusual circumstances or transportation requests, including transportation outside city limits, to the immediate attention of a Watch Commander/Lieutenant prior to taking or completing the action. Mental holds shall not be transported outside of Ada County.

2.10.03 Supervisor's Responsibilities

The supervisor shall review information, written reports, and the petition (if required) supporting the officer's decision whether or not to place the subject on an emergency mental hold for compliance with the law. The supervisors will notify the Watch Commander/Lieutenant about unusual requests or procedural problems.

2.10.04 Mental Hold - Pending Felony Offenses

A mentally disturbed subject will be booked into the Ada County Jail's secure medical facility if the subject commits a serious felony. If this is not possible, the officer shall confer with a supervisor, as well as the Ada County Prosecuting Attorney when appropriate, for available alternatives, including the option to post a 24-hour police guard on the subject in the hospital.

2.10.05 Mental Hold - Pending Misdemeanor or Infraction Offenses

If there are non-violent misdemeanor or infraction charges pending against the subject, the officer will proceed with the implementation of the emergency mental hold as detailed in [2.10.02 Officer's Responsibilities - General Procedure/No Offenses](#). In addition, the subject should be issued a complaint and summons or a written report should be routed to the City Attorney for issuance of a warrant. The physical-custody arrest of a mentally ill subject for minor offenses shall be the last resort. Facts concerning the subject's mental condition shall be included in the report.

2.11.00 Alcohol and Detoxification Holds

In accordance with Idaho Code 39-307A, an officer may take persons who are incapacitated by alcohol into protective custody. Incapacitation shall be defined as the inability to provide for or make rational decisions for one's own well-being. An officer may transport an intoxicated person to a detoxification or other health facility, release him/her to a competent individual, or take him/her to the Ada County Jail.

2.11.01 Alcohol and Detoxification Transportation

An intoxicated or incapacitated subject being transported by an officer will be handcuffed, searched, and transported in the same manner as a criminal arrestee to insure the safety of the officer and the subject. In the case of an incapacitated subject, the officer shall determine through dispatch if the detoxification or other health facility has space available. The subject may also be released to a competent individual. If neither of these options is available and/or the person is too combative, the officer shall transport the subject to the Ada County Jail. An officer shall not transport an unconscious subject who cannot be easily

awakened, but shall consider the situation potentially to be a medical emergency and shall call for EMS assistance. Medical assistance shall be described in the officer's miscellaneous report.

2.11.02 Reporting Requirements

The officer shall:

- Complete a miscellaneous report and assign a DR number.
- Include all relevant descriptive and identification information.
- Describe the details indicating the subject's incapacitation.
- Indicate the location where the subject was taken.
- Leave a copy of the report with the holding facility.

2.12.00 Immigration Violations

An officer will not stop, detain, question, or arrest a subject solely on the basis that the subject might have unlawfully entered the country and/or exceeded his/her Visa. An officer shall not enforce immigration laws. However, if Immigration and Customs Enforcement (ICE) officers request assistance from a BPD officer in detaining a subject, the officer will provide such assistance only with the approval of a supervisor.

2.13.00 Unbiased Policing

An officer will not effect a stop, a detention, or the search of the subject, or exert legal authority when such action is motivated by race, color, ethnicity, age, gender, religion, sexual orientation and/or gender identity/expression and the action would constitute a violation of the subject's civil rights. Specifically, an officer will not engage in any activities that are discriminatory or indicative of the practice of biased policing. In the absence of a specific report, the race or ethnicity of a subject will not be a factor in determining the existence of probable cause to place in custody or arrest of a subject, or in constituting a reasonable suspicion that can be articulated that the offense has been or is being committed so as to justify the detention of a subject or the investigatory stop of a motor vehicle. In response to a specific credible report of criminal activity, the race or ethnicity of a subject will not be the sole factor in determining the existence of probable cause to place the subject in custody or under arrest. The detention of a subject that is not based on factors related to a violation of or investigation of a violation of federal law, Idaho statutes, Boise City Code, or any combination thereof is prohibited.

2.15.00 Enforcement of Camping/Sleeping Ordinances

The Boise Police Department is committed to safeguarding the rights of all people. In furtherance of this goal, the department will work in partnership with other agencies and community groups, who have an interest in the well-being of homeless persons. It is appropriate and encouraged for officers to provide a homeless person with information as to availability of shelter or other services.

2.15.01 Definitions

Available overnight shelter: is a public or private shelter, with an available overnight space, open to an individual or family unit experiencing homelessness at no charge. To qualify as available, the space must take into account sex, marital and familial status, and disabilities.

2.15.02 Enforcement Discretion

Officers have discretion to enforce camping/sleeping in public ordinances except when,

- Person is on public property and
- There is no available overnight shelter.

(Note: Officers should be aware that sleeping in a public park during park hours is not prohibited.)

If an individual cannot utilize available space because the space does not allow for or is not suitable to meet the individual's disability needs, or the individual has exceeded the maximum allowable stay, then the space cannot be considered available for that individual. However, if the individual cannot utilize the space due to voluntary actions such as intoxication, drug use or unruly behavior, the space shall still be considered available.

Use of tents, shacks or other temporary structures for camping purposes is not permissible regardless of the availability of the overnight shelter. The exception to enforcement of these ordinances is in recognition of the fact that when shelters are full an indigent, homeless person who has no access to private spaces, has no alternative but to sleep in a public space. The exception is not intended to provide homeless persons temporary housing or shelter in a public space nor an expectation thereof.

3.00.00 Incident Management

3.01.00 Operational Priority

3.01.01 Operational Strategies

BPD will begin its response on the assumption that it can protect lives and property. We will risk our lives, if necessary, in a calculated manner to protect savable lives. We may risk our lives slightly and in a calculated manner to protect savable property. We will not risk lives at all to protect lives or properties that are already lost.

3.01.02 Priorities of Life

The following list establishes a priority basis for incident objectives:

- A. Innocents
- B. Hostages
- C. Police Officers
- D. Suspects
- E. Property/Evidence

3.01.03 Risk Assessment

An officer is responsible for being aware of the risks involved in all investigatory and/or enforcement activities. Time and circumstances permitting, an officer should ensure that risks are assessed prior to initiating action on any type of activities. A supervisor will be notified if the situation warrants. A Risk Assessment is available in the Officer's Resource Guide for this purpose and should be completed with the following situations:

- Arrests (felony, misdemeanor, probable cause)
- Warrant Service (arrest or search – residential, commercial, or vehicle)
- Mutual Aid (e.g. a request for K9 or Bomb Squad or a request to assist the DEA, FBI, ATF, or Probation and Parole)
- Investigative field contacts at a residence, a business, or a vehicle (e.g. Knock-and-Talks)
- Civil paper service (mental hold, protection order, move-out, etc.)
- Special events, including VIP or dignitary visits

3.04.00 Mutual Aid

BPD will respond to incidents to assist other agencies as requested by mutual aid or by Memorandum of Understanding (MOU). In these cases, we will limit our response to that which is requested and will operate within BPD policy. In cases that may involve risk to BPD officers or that may require a BPD officer to use force, a BPD supervisor shall also respond to monitor, support, or reassign BPD officers as necessary. Examples include K9, a pursuit, and the Bomb Squad.

3.05.03 The Incident Command System (ICS)

The Boise Police Department will utilize the Incident Command System. For incidents involving police action, BPD will assume responsibility for the incident and will direct other agencies that may respond to assist. BPD will also utilize specialize law enforcement procedures and terminology, called Field Operations, and may use Specialty Response Teams.

3.05.04 Incident Management Objectives

Incident management objectives are as follows:

- Reduce/minimize loss of life and property
- Care for injured and maintain public health
- Alleviate suffering and hardship
- Maintain law and order
- Restore essential services and provide vital resources to affected area
- Provide for continuity of the government
- Provide the basis for subsequent recovery

3.05.05 Field Operations Objectives

The Incident Commander (IC) of a field operation will work to resolve the situation in such a manner as to maximize the safety of all persons, the likelihood of capturing the suspects, the preservation of evidence, and the protection of property.

3.05.06 Participation in Unified Command

On incidents that are multi-jurisdictional in nature and responsibility does not clearly belong to one agency, BPD will participate in a Unified Command. BPD resources assigned to the incident will respond as directed by the Unified Command.

3.07.00 Command Notification

3.07.01 Significant Major Events

Command staff shall be notified by a command text when a significant major event occurs. Others deemed necessary by the Department will also be notified. Significant major events include, but are not limited to:

- Police Use of Deadly Force against a person regardless of injury.
- Serious injury or death of an employee.
- Serious injury or death related to employees actions.
- Homicides, fatal car crashes, or unusual or noteworthy deaths that may draw media attention.
- Bank robberies or robbery with injury or loss of life.
- An employee or suspect is medically admitted to the hospital as a result of police action.
- Any non-preplanned SOU activation.
- Any juvenile abduction committed by an unknown subject (stranger) or Amber Alert.

When a significant major event occurs, the reporting employee shall notify the supervisor, who shall advise the Watch Commander/Lieutenant of the event and the particular details. The Watch Commander/Lieutenant should notify his/her Division Commander and the Public Information Officer if media interest is expected. The Watch Commander/Lieutenant will initiate a command text with the following information:

- Nature of the event
- Event location
- Name of the Incident Commander
- Location of the command post, if applicable
- Phone number designated for Commanders to call for further information

Not all situations requiring notification can be predetermined, so the WC shall be responsible for making reasonable decisions and exercising good judgment of when to notify Command Staff or when initiating a command text. When in doubt, the WC should make the notification.

3.07.02 Unusual or Noteworthy Events (previously known as UOR – Unusual Occurrence Report)

Unusual or noteworthy events include, but are not limited to:

- Minor injury to employees
- Major damage to Department property
- Out of the ordinary criminal occurrences
- Arrest of a public employee or a prominent citizen
- Outstanding arrests or extraordinary police efforts
- Police/community relations problems
- Emergency or threatening situations reported by the Mayor, the Mayor’s Office, members of the City Council, and/or their families
- Attempted child abduction by unknown suspect (stranger)

Unusual or noteworthy events shall be routed via e-mail to the appropriate Command Staff.

3.08.00 Supervision

3.08.01 Rank and Chain-of-Command

The chain-of-command shall be followed for Department business. Each rank shall forward communications up or down as indicated and, where it applies, shall include recommendations for approval or disapproval. Rank shall not be bypassed or lines of authority crossed, except in emergencies or when necessary to facilitate the immediate accomplishment of a task.

3.08.02 Chain-of Command Authority and Responsibility

Each employee assigned an area of responsibility shall be given the authority to carry out that responsibility. An employee assigned to a specified function will have a voice in formulation of the corresponding procedures.

3.08.03 Command

When a question of command authority arises regarding who shall be in command, such authority shall be determined:

- By rank
- By one officer being designated by a competent authority (as in the case of the ICS)
- By continuous length of service in the rank, if employees are of equal rank
- By position on the certified eligibility list (when two or more officers have been appointed to that rank on the same day)

3.08.04 Supervision Authority and Responsibility

Supervision involves authority and responsibility. In the Department, these are applied as follows:

- Authority: The Chief has the authority to establish policy and to direct all actions of the Department and its employees. The Chief may delegate authority to fulfill the Department's mission and operational requirements. In the Chief's absence, the Deputy Chiefs will assume the Chief's authority. The authority delegated to all ranking supervisors is not confined to their respective positions in the organization, but is inherent to their rank. This delegation gives them authority over all employees of lower rank, not just those who they directly supervise. However, if a ranking supervisor exercises authority over employees who he/she does not supervise, it should be done with the utmost discretion and only in period of absolute need. The situation that requires such action should be communicated to the individual's assigned supervisor without delay.
- Responsibility: Each supervisor is responsible for the performance and actions of his/her subordinates. Therefore, it is important that each supervisor ensures Department policies, procedures, and specific job requirements are clearly understood and correctly implemented. A supervisor is also responsible to his/her subordinates for providing direction, information, training, counseling, and resources to perform their specific jobs. He/she should be knowledgeable of the performance and progress of each of his/her subordinates and should assist them in the resolution of any problems that affect their performance. All problems should be identified and resolved promptly. Counseling, correction, or reprimand of the employee shall be done privately and out of the hearing of others unless operational circumstances make it impossible.

3.08.05 Types of Supervision

3.08.05A Direct Supervision

Direct supervision is exercised by a supervisor over the employee who is assigned directly to him/her. Direct supervision includes, but is not limited to:

- Making work assignments
- Monitoring work performance
- Handling disciplinary matters
- Resolving questions and problems
- Forwarding communications up and down the chain-of-command
- Ensuring the completion of routine administrative requirements relating to subordinates
- Coaching

3.08.05B Functional Supervision

Functional supervision is exercised by an employee who is assigned other employees to complete a specific task. Under normal circumstances, functional supervisors will refer disciplinary concerns to the subordinate's direct supervisor for any action needed. Situations in which an employee may be assigned functional supervision responsibilities include, but are not limited to:

- Primary officer in a pursuit
- Primary officer on a call with assist units
- Committee chairperson
- SOU Commander at the scene of a tactical operation
- Assigned investigating officer at a crime scene

3.08.06 Conflicting Orders

A supervisor will avoid giving an order to an employee who is not assigned to him/her or which conflicts with the orders of the employee's direct supervisor. In the event of a conflict, the employee will inform the supervisor issuing the order that there is a conflict. If that supervisor stands by his/her order, the employee will carry it out to the best of his/her ability. The supervisor issuing the order shall be responsible for informing the employee's direct supervisor of the change.

3.08.07 Illegal Orders

An employee shall not obey any order which he/she knows (or should know) would require him/her to commit any illegal act. If in doubt as to the legality of an order, an employee shall request the employee issuing the order to clarify it through the chain-of-command.

4.00.00 Special Field Responses

4.01.00 Vehicle Pursuits

A vehicular pursuit is recognized as a valid law enforcement activity performed by an officer attempting to apprehend a fleeing subject under limited circumstances.

4.04.00 Clandestine Laboratories

The Boise Police Department recognizes that clan labs are inherently dangerous. Federal and state laws require special handling of hazardous materials by certified personnel. Components of the lab will be maintained in their discovered location or position until certified personnel respond.

4.05.00 Sexual Assault Response

Sexual assault calls shall be given a high priority. Response by Patrol and CID personnel will be as timely as possible, although Patrol officers may not need to respond in certain circumstances. BPD will actively and thoroughly investigate all reported incidents with a victim-centered approach. The Department is committed to be impartial, to seek the truth, and to protect the constitutional rights of both the victim and the suspect.

The Department will work in partnership with other agencies and community groups, who also have an interest in the victim's well-being and the outcome of these investigations. The victim's or the family's (in the case of a juvenile) needs and desires will always have a high priority when considering the course of action to be taken in the initial response, investigation, and potential prosecution phases.

The Department recognizes that there are special needs cases in which the victim-centered approach may include a third party's involvement. Special needs cases are defined as those involving victims who are impaired in making educated choices pertinent to a criminal investigation, (i.e., mentally impaired or vulnerable adults).

The Sexual Assault Response applies to the following felony crimes, as defined by Idaho Code:

- Rape (ISC 18-6101)
- Rape of Spouse (ISC 18-6107)
- Male Rape (ISC 18-6108)
- Crimes Against Nature (ISC 18-6606)
- Forcible Sexual Penetration by Use of a Foreign Object (ISC 18-6608)
- Sexual Abuse of a Child Under the Age of Sixteen Years (ISC 18-1506)
- Lewd Conduct with a Minor Child Under Sixteen Years (ISC 18-1508)
- Sexual Battery of a Minor Child Sixteen or Seventeen Years of Age (ISC 18-1508A)

4.06.00 Crimes Motivated by Hate and Bias

The Boise Police Department is committed to safeguarding the rights of all people as guaranteed by the Constitution and applicable federal and state laws, regardless of race, religion, ethnic background,

disability, and/or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes designed to infringe upon these rights are viewed seriously by BPD and will be given a high priority. BPD is dedicated to the vigorous investigation and prosecution of hate/bias motivated crimes, as well as addressing the security and related concerns of the immediate victims, as well as their families and others affected by these crimes. The Boise Police Department will immediately and thoroughly investigate such crimes.

Although Idaho Code 18-7902 states that “it shall be unlawful for any person, maliciously and with the specific intent to intimidate or harass another person because of that person’s race, color, religion, ancestry, or national origin,” this code does not apply to crimes motivated by hate or bias based on a person’s disability and/or sexual orientation. Disability and/or sexual orientation may however be a motivating factor in other crimes, such as assault.

4.06.01 Definitions

Bias: An inclination or preference, especially one that interferes with impartial judgment. “Bias” can also mean prejudice and imply an irrational hatred or suspicion of a specific group, race, or religion.

Disability: The Americans with Disabilities Act defines disability as “a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.” Major life activities include, but are not limited to, caring for one’s self, walking, seeing, hearing, speaking, breathing, learning, and working.

Ethnic Group: A group of persons of the same race or national origin who share common traits, languages, customs, and traditions.

Hate Incident: Any malicious or offensive act directed against an individual or group based upon the individual’s or group’s perceived race, religion, culture, disability, ethnic background, and/or sexual orientation. Non-criminal acts include, but are not limited to, activity that would cause an individual or members of a group to feel threatened or intimidated.

Hate-Motivated Crime: Any criminal act or attempted act directed against an individual or group based on the individual’s or group’s actual or perceived race, religion, culture, disability, ethnic background, and/or sexual orientation.

Race: A group of persons who possess common physical characteristics (e.g., color of skin, facial features, etc.) genetically transmitted by descent and heredity that distinguish the group as a distinct division of humankind.

Religious Group: A group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, atheists, etc.).

Sexual Orientation: A sexual attraction toward, and responsiveness to, members of one’s own sex or members of the opposite sex (e.g., homosexuals, heterosexuals, bisexuals, etc.).

4.08.00 Persons with Disabilities Policy

Title II of the American Disabilities Act (ADA) prohibits discrimination against persons with disabilities. It is the intention and policy of the Department to protect the rights of the disabled. In furtherance of this policy, the Department will provide sign language interpreters or other trained persons, when necessary, to assist those with physical or mental disabilities when necessary to include, but not limited to, speaking, hearing, seeing, and learning.

Contacts that may require such special services by law enforcement are:

- Citizen complaints;
- Witness interviews;
- Suspect interviews;
- Arrest of suspects;
- Other law enforcement duties.

4.08.01 Approval for Interpreter Services

Sign language interpreters shall be activated only with the approval of a supervisor or Watch Commander/Lieutenant in those instances listed above if other effective methods are not available, or are not suitable considering the circumstance. Example: interrogating suspects.

5.00.00 Critical and Traumatic Incidents

5.01.00 Investigation of Employee-Involved Critical Incidents within Boise City

5.01.01 Critical and Traumatic Incident Definitions

Administrative Investigation: An investigation of a critical incident to determine compliance with applicable policy and procedure, to establish the need for any disciplinary action, to determine an employee's suitability to return to work, to assess improvement and quality control of the Department, and to provide accountability to the public.

Assigned Escort: An employee not involved with the current critical incident who is assigned to remain with the involved employee and whose purpose is to provide emotional support and assist with the involved employee's needs. Conversations with the assigned escort are not protected by the privileged conversation requirements of law.

Civil Investigation: An investigation of a critical incident to gather information that can be used by the City to defend itself against a civil lawsuit. The civil investigation focuses on two primary litigation areas: liability and damages. Civil investigations are undertaken by OIA under the direction of the Boise City Attorney. CID will detail investigators to OIA to assist in a civil investigation of the incident. The detective(s) assigned to OIA shall not be directly involved in the criminal investigation.

Criminal Investigation: An investigation of a critical incident to ascertain all the relevant evidence so a decision can be made as to whether or not a person committed a crime during the course of the events that led up to and included the critical incident.

Criminal Investigations Division (CID): The division responsible for establishing the facts, circumstances, and chain-of-events surrounding the critical incident and conducting a criminal investigation of the incident.

Critical Incident: An event of a serious nature in which an employee is involved as a principal, victim, witness, or custodial employee, as defined below:

- Use of force or any other Department action that results in death or life-threatening bodily injury (excluding animals)
- Use of deadly force where only minor bodily injury occurs (excluding animals)
- Intentional use of deadly force, but no injury occurs (excluding animals)
- Vehicle pursuits, roadblocks, or intercepts resulting in death or life-threatening bodily injury
- Employee-involved traffic accident resulting in death or life-threatening bodily injury while operating a city vehicle (either on-duty or off-duty) or a private vehicle while on-duty
- Use of force or any other Department action of a serious nature when deemed to be a critical incident by the Chief or his/her designee

Critical Incident Task Force (CITF): An interagency task force that responds to investigate an event in which an officer is involved as a principal, victim, or custodial officer where death or injury likely to cause death was the result of the use of force. A critical incident, as defined by BPD policy, may not

qualify for a CITF activation. If the Critical Incident Task Force Protocol is invoked, the CITF is responsible for the criminal investigation under its policies. The CITF, when invoked, will supersede the responsibilities of CID.

Inner Perimeter: The area encompassing the scene of the actual critical incident, including all weapons, shell casings, injured or deceased subjects, and/or other evidence. The inner perimeter is initially established by the involved parties and/or first arriving supervisor and may later be modified by CID/CITF.

Involved Employee: An employee directly associated with a critical incident as a principal, victim, or eyewitness to the event.

Office of Internal Affairs (OIA): The section responsible for conducting administrative and civil investigations and review to determine compliance with Department policy and procedures, including the adequacy of training and supervision.

Office of the Community Ombudsman (Ombudsman): The civilian Boise City office responsible for conducting independent administrative investigations to determine compliance with Department policy and procedures, including the adequacy of training and supervision.

Principal: An employee in a critical incident who uses force or who has a causal relationship to the incident.

Traumatic Incidents:

A traumatic incident is defined as a sudden or unexpected experience, outside the normal police employee experience, that might be expected to produce a response that interferes with one's ability to cope with one's feelings, emotions, or ability to perform job-related duties.

Uninvolved Employee: An employee who has no direct association with a critical incident, but who responds for aid, assistance, or investigative purposes after the event has occurred.

5.01.02 BPD Critical Incidents Calling for CITF Protocol

The Critical Incident Task Force (CITF) protocol has been established among the Boise Police Department, the Meridian Police Department, the Garden City Police Department, the Ada County Sheriff's Office, and the Idaho State Police Department. The protocol serves as a guideline for the criminal investigation of employee-involved critical incidents resulting in death, life-threatening bodily injury, or other serious incidents with the concurrence of the other participating agencies' executives. CITF members will share investigative responsibilities and resources. Invoking the CITF protocol is a joint decision among participating agencies. The protocol will follow policies and procedures agreed upon by those agencies. When the CITF Protocol is invoked, CITF conducts the criminal investigation among participating agencies.

5.01.03 BPD Critical Incidents Not Calling for CITF Protocol

BPD may declare a critical incident within the City that does not call for the CITF Protocol and the following guidelines shall be followed in critical incidents that are declared by BPD only:

- The Department will utilize CID and the Office of Internal Affairs (OIA) when investigating a critical incident.
- Investigations in anticipation of civil litigation will be conducted by OIA investigators in conjunction with the Boise City Attorney. An administrative investigation will be jointly conducted by OIA and the Ombudsman. However, either of these offices may pursue leads independently at the discretion of the OIA Commander or the Ombudsman.
- All critical incident investigations shall adhere to local, state, federal, and constitutional laws. An employee may have access to union or legal representation prior to the beginning of the CID, OIA, and/or Ombudsman investigative processes.
- Only those persons with bona fide investigative or medical service responsibilities shall enter the inner perimeter. BPD personnel entering the inner perimeter shall be requested to complete reports and/or statements documenting the times he/she was present within the inner perimeter, the reason for entry, and any actions taken while inside the inner perimeter. Other persons who have entered the inner perimeter shall be requested to complete a similar report and/or statement. These reports will normally be submitted to the CID lead investigator within 24 hours of the incident.
- An initial interview will be conducted with the involved employee(s) by CID shortly after the incident to establish basic information for the investigators. All CID interviews will be audio recorded. An in-depth interview will be conducted at a time and place determined on an individual basis by CID and command personnel, taking into account the following factors:
 - Overall circumstances of the critical incident
 - Role the employee played in the critical incident
 - Emotional and physical status of involved employee
 - Consideration of the fatigue of the involved employee
- All reports, notes, recordings, videos, and related information (except those generated by or at the direction of OIA and/or the Ombudsman) will be forwarded to the lead CID investigator, who will be responsible for creating the entire case or incident report. CID reports will be reviewed by the involved employee for content and accuracy. The involved employee may be required to furnish written statements to OIA and/or the Ombudsman during the administrative review process.

5.01.04 Consultations Prior to CITF or CID Interview

An involved employee may not discuss details of the incident with anyone, except a clergyman, a psychologist, or legal counsel of his/her choice prior to the initial CITF or CID interview.

5.01.05 Critical Incident Procedure

When a critical incident occurs, the following guidelines shall apply. If the involved employee is injured, the application of these procedures will be governed by the extent and nature of the injuries.

5.03.00 Critical Incident Post-Trauma Response

5.03.01 Placement on Administrative Leave

Following an employee-involved critical incident, the principal employee will be placed on administrative leave with pay for at least three working days. An extension of this period shall be at the discretion of the Chief or his/her designee.

6.00.00 Juveniles

6.01.00 Custody and Detention of Juveniles

6.01.01 Juvenile Custody

Juveniles found to be within the purview of the Idaho Child Protective Act (Title 16 I.C., Chapter 16) or the Juvenile Corrections Act (Title 20 I.C., Chapter 5) may be taken into custody by an officer. Juveniles in custody for criminal violations will normally be released to a parent or guardian per Idaho Code.

6.01.02 Juvenile Detention

When it becomes necessary to take a juvenile into custody for purposes of detention, he/she may be taken to the Ada County Juvenile Detention Center if the violation meets the written detention criteria. The detention official will be advised of the circumstances surrounding the juvenile's custody and will be the final authority on whether the juvenile is placed into detention and held until a detention hearing. A juvenile will not be placed in the Ada County Jail except by court order. Juveniles not accepted into custody by the Ada County Juvenile Detention Center shall normally be released back to that juvenile's parent or guardian. Questions regarding the detention of juveniles will be referred to the SRO supervisors.

6.01.03 Jailing of a Juvenile

A juvenile who is taken into custody for a serious violent felony shall be transported to the Ada County Juvenile Detention Center. Upon advisement of the Detention official and the on-call Ada County prosecutor, a complaint and warrant may be pursued for the purpose of housing the juvenile in the Ada County Jail and prosecuting him/her as an adult. The officer shall provide the jail with a copy of the signed complaint and warrant at the time he/she delivers the juvenile to the jail.

6.02.00 Juvenile Citations

Citations should not be issued to a subject under 18 years of age, except as specified in the Idaho State Code and as updated through annual training and legal bulletins. Currently, these include:

- Routine traffic violations
- Alcohol and tobacco violations
- Waterway violations
- Fish and Game violations

6.03.00 Transporting a Juvenile

A juvenile prisoner shall not be transported with an adult prisoner, unless the adult is a co-conspirator, a guardian, or a relative of the juvenile.

6.04.00 Juvenile Mental Holds

When a juvenile meets the criteria for a mental hold, the officer shall notify the juvenile's guardian. If the officer is unable to make contact with a guardian, the officer will contact his/her supervisor to initiate an imminent danger investigation through SVU. If the guardian is unwilling to take appropriate action, contact SVU for appropriate action. The fact that the officer was unable to find a guardian shall be detailed in the report by the officer, explaining what methods or means of attempt were used.

6.05.00 Runaway Juveniles

All reasonable efforts shall be made to locate and return a runaway juvenile to a parent or guardian.

The incident shall be documented using the Runaway/Missing Person Report form, including:

- Complete entry of mother's maiden name on the report.
- Contact information for the parent/guardian, including phone numbers, addresses, etc.
- Complete entry of the juvenile's place of birth (city, county, and state).
- Note which school the juvenile currently attends or the last school the juvenile attended.
- Obtain a photograph of the juvenile (if possible).

The heading on the Information for Parents Reporting Runaway Children form will be completed and a copy will be provided to the reporting party. The report shall be provided to a supervisor and shall be copied to the SRO section for follow-up. The reporting employee shall contact dispatch for an Attempt to Locate (ATL). The reporting employee shall also contact Records so an NCIC entry can be made as soon as possible (see [10.04.00 Telephone NCIC Entries](#)). If the runaway is located and returned, the broadcasted ATL shall be canceled and the NCIC entry shall be removed as soon as possible, documenting the cancellation, as well as the name and Ada number of the person canceling the NCIC entry, in the appropriate reports.

If there are unusual circumstances present, indications of foul play exist, or if the juvenile is 12 years of age or younger, the reporting employee will immediately notify his/her supervisor and follow the procedure described in [6.06.00 Missing Juveniles](#).

6.05.01 Supervisor's Responsibilities

- Assign a Patrol unit to follow-up on a runaway report taken by a TRU employee when it is determined that immediate follow-up is necessary.
- Review and approve the Runaway/Missing Person Report to ensure completeness and compliance with this order. Also ensure the report includes the appropriate information.
- Notify the Watch Commander/Lieutenant, the Special Victims Supervisor, and the SRO Supervisor immediately if there are unusual circumstances associated with the runaway juvenile or if the juvenile is 12 years of age or younger (see [6.06.00 Missing Juveniles](#)).

6.05.02 SRO Supervisor's Responsibilities

- Receive and review the report, assigning the case to an investigator.
- Notify the SVU Supervisor and the COD Lieutenant when the juvenile cannot be located if unusual circumstances are present, indications of foul play exists, or if the juvenile is 12 years of age or

younger. The SVU will have the primary investigative responsibility when unusual circumstances are present and/or indications of foul play exist.

- Review and approve the Runaway/Missing Person Report to ensure compliance with procedure as reflected in the investigative report(s).
- Notify the COD Lieutenant if the juvenile has been missing for 15 days or more. Also, confirm that the NCIC Missing Person Data Entry Guide booklet has been completed as much as possible and submitted to Records within 30 days of the date of the disappearance.

6.05.03 Investigator or SRO's Responsibilities

- Conduct and note in writing the follow-up investigation of all case leads including, but not limited to,:
 - The subsequent contacts with the parents or guardians, witnesses, and/or associates.
 - The coordination efforts with other agencies or request assistance from other specialized investigators.
 - The final clearance of the case and notification of the juvenile's school.
- If the juvenile cannot be located and unusual circumstances are present, there are indications of foul play, or the juvenile is 12 years of age or younger, notify the SRO Supervisor.
- If the juvenile is enrolled in school, notify the appropriate school administrator as soon as possible and request that he/she flag the student's record, as required by Idaho Code 18-4509 (2).
- When a juvenile has been missing for 15 days, initiate data collection with the NCIC Missing Person Data Entry Guide booklet and complete it as much as possible. The booklet shall be submitted to Records no longer than 30 days from the date of disappearance.
- Notify your supervisor or any SRO supervisor that the juvenile has been missing for 15 days.
- Notify Records personnel to remove the juvenile's name from NCIC and verify the cancellation when a juvenile has been located. Ensure the cancellation documentation includes the name and the Ada number of the person canceling the NCIC entry. Advise the juvenile's school of the cancellation, documenting the name of the person contacted at the school and the date and time of the cancellation. The State Criminal Investigation Bureau will notify the Bureau of Vital Statistics.

6.05.04 SRO Senior Department Specialist's Responsibilities

- Enter data from the report and assignment information into the Case Management System. Route to the officer for investigation.
- Forward information to the Patrol Senior Department Specialist.
- Print the Runaway Report weekly and post as a resource for COD employees.
- At the time of clearance, enter the information from the Case Status into the Case Management System, update the juvenile's record, and route copies of the report to the Juvenile Prosecutor when the disposition dictates.

6.06.00 Missing Juveniles

A missing juvenile is defined as a subject less than 18 years of age who cannot be located and has not exhibited a recent intent to leave without consent of a parent or guardian or who would not be capable of willingly running away. All reasonable efforts shall be made to locate and return a missing juvenile to safety.

6.07.00 Amber Alert

An employee having knowledge of an abduction may request the activation of the Amber Alert plan through the Idaho State Police to broadcast abduction information, upon authorization from a supervisor and after meeting each of the following suggested criteria:

- A child is known or suspected by law enforcement officials to have been abducted;
- The abduction occurred within 12 hours of initial activation of AMBER Alert;
- The child is 17 years of age or younger;
- Law enforcement must believe the child is in imminent danger of serious bodily harm or death;
- There must be enough descriptive information to believe that an AMBER Alert will assist in the recovery of the child (must include as much of the following information as possible);
- The missing child must be entered into NCIC.

This plan should not be used for runaways or most child custody situations.

7.00.00 Department Vehicles

7.01.00 Requirements for Operations

An employee who operates a city vehicle or operates a personal vehicle while conducting city business shall have a valid Idaho Motor Vehicle Operator's or Commercial Driver's License in his/her possession. An employee shall use seatbelt devices and ensure all occupants in the vehicle are seatbelted (for exceptions, see **2.06.00 Transporting Prisoners**). An officer is exempt if the use of a seatbelt would jeopardize his/her mission or otherwise expose him/her to undue risk.

7.02.00 Employee-Involved Vehicle Collisions

An employee shall operate Department vehicles, as well as personal vehicles while on-duty, in a safe and prudent manner. Involvement in a vehicle collision in which the employee is at fault is evidence of a violation of policy. Vehicle collisions involving an employee will be investigated in the following sections. An employee involved in a vehicle collision may also be subject to testing for alcohol and illegal drugs, as required by City policy.

7.02.01 Collision Investigation

BPD will ensure impartial investigation of collisions involving employees. To further ensure that investigations involving employees or Department vehicles are impartial, all employee-involved collisions occurring within Boise City jurisdiction will be investigated as follows (refer also to Command text Policy 3.07.00):

If the collision involves an employee and –

- Involves life-threatening injuries or a fatality while:

- **On-Duty or Off-Duty Driving a Department Vehicle:** These collisions will be investigated through critical incident protocol (see **5.01.00 Investigation of Employee-Involved Critical Incidents within Boise City**).
- **Off-Duty and Driving Personal Vehicle:** These collisions will be investigated by BPD when the accident occurs in Boise City limits, unless fault of the employee is in question or circumstances dictate the need for another agency to investigate. If another agency is called to investigate, BPD will conduct a parallel investigation and STEP officers will be assigned to the investigation, when available and practical.

- Involves non-life-threatening injuries:

- **On-Duty or Off-Duty Driving a Department Vehicle:** These collisions will be investigated by BPD, unless fault of the employee is in question or circumstances dictate the need for another agency to investigate. If another agency is called to investigate, BPD will conduct a parallel investigation and STEP officers will be assigned to the investigation, when available and practical.
- **Off-Duty and Driving a Personal Vehicle:** These collisions will be investigated by BPD, unless fault of the employee is in question or circumstances dictate the need for another agency to investigate.

- Is reportable with no injuries involved:

- **On-Duty or Off-Duty Driving a Department Vehicle:** These collisions will be investigated by BPD, unless fault of the employee is in question or circumstances dictate the need for another agency to investigate. If another agency is called to investigate, BPD will conduct a parallel investigation and STEP officers will be assigned to the investigation, when available and practical.
- **Off-Duty and Driving a Personal Vehicle:** These collisions will be investigated by BPD, unless fault of the employee is in question or circumstances dictate the need for another agency to investigate.

- Is not reportable while:

- **On-Duty or Off-Duty Driving a Department Vehicle:** All collisions involving Department vehicles or on-duty employees in a personal vehicle will be investigated by BPD. However, a BPD supervisor may call Garden City or Meridian for assistance, if circumstances dictate that involvement of those departments in the investigation is in the best interest of the Department. If possible, the supervisor shall request that photographs of damage from the collision be taken at the scene.
- **Off-Duty and Driving a Personal Vehicle:** For all collision involving an employee who is off-duty and driving a personal vehicle, the employee shall exchange information with the other driver.

If the collision involves an immediate family member (spouse, child, or parents) of an employee and if the officer believes that there may be a conflict of interest, he/she should contact a supervisor to arrange for another officer or agency to investigate the collision.

7.02.03 Collisions Involving Employees Out of Jurisdiction

Any collision involving employees' on-duty and/or driving a City vehicle will be reported to the agency of jurisdiction and the on-duty BPD Watch Commander/Lieutenant as soon as possible.

7.02.04 Involved Employee's Responsibilities

- Determine immediate actions as detailed in [7.02.01 Collision Investigation](#). If it is a reportable collision, request that dispatch send a uniformed supervisor to the scene.
- If the employee is on-duty or driving a Department vehicle, he/she shall notify the on-duty Watch Commander/Lieutenant as soon as possible.
- Attempt to protect and preserve the scene, unless leaving the vehicles in the post-collision resting position creates undue hazard, in which case an officer will mark the location of the tires and move the vehicle(s) to eliminate the hazard.
- If able and trained, render aid to other parties involved (if needed).
- Remain at the scene unless emergency circumstances prohibit.
- As circumstances allow, collect witness, driver, and passenger information.

7.02.05 Supervisor's Responsibilities

- Ensure the CITF protocol is activated if the collision involves life-threatening injury or fatality (see [5.01.00 Investigation of Employee-Involved Critical Incidents within Boise City](#)) if an employee is on-duty in any vehicle or off-duty and driving a Department vehicle. For all other collisions, ensure the investigation is completed as outlined in [7.02.01 Collision Investigation](#).

- For either reportable or non-reportable collisions, ensure the following reports are completed (typed reports shall be required for personal injuries (PIs) and fatalities):
 - An Idaho State Collision Report, although this report does not need to be completed if only a BPD vehicle is involved, the collision is not reportable, and there is no damage to any private property. No DR number will be assigned to a non-reportable collision. An employee's home address and phone number will not be placed on reports or other public documents when a collision occurs involving a Department vehicle.
 - SD-1A Employee's Vehicle Accident Report, if employee is in a Department vehicle. Take (or arrange to have taken) photographs of the damage.
 - SD-1 Employee's Personal Injury Report, if the employee is injured and on-duty.
 - IC Form-1 (Industrial Commission) Notice of Injury and Claim for Benefits form, if the employee requires medical attention and is on-duty.
 - Administrative Incident Report, if the employee is in a Department vehicle or in a personal vehicle being driven on-duty.

7.03.00 Use of Push Bumpers

The use of push bumpers shall be restricted to only those circumstances in which a disabled vehicle may be pushed off the roadway to expedite the normal flow of traffic and shall be used to clear the roadway of a disabled vehicle via the shortest possible distance. Push bumpers shall not be used to push a disabled vehicle to a repair facility, initiate a restart of the engine, or for similar purposes. An officer will make every effort to ensure a proper match of bumpers, relatively smooth roadway, and competence of the disabled vehicle's operator. A wrecker should be utilized if there is any doubt of safely completing the removal.

7.04.00 Use of the Opticom Traffic Control System

Use of the Opticom system on public highways is authorized by officers for any legitimate law enforcement purpose.

7.05.00 Emergency Escort

An officer shall not provide an emergency escort service to citizens, even those en route to a hospital with an injured or ill person, but shall offer to call for an ambulance or advise the driver to proceed carefully and obey all traffic laws. An officer shall not transport injured or ill citizens to the hospital in their police vehicle, except for mental hold subjects or prisoners as allowed by policy.

7.06.00 Assigned Vehicle Usage

Depending upon his/her position, an employee may be assigned a vehicle to help him/her complete his/her duties (e.g. while in "on-call status"). On-call status is assigned based upon the *Collective Labor Agreement*, the *Boise City Employee Policy Handbook*, or as designated by the Chief. When assigned on-call status, an employee will have his/her assigned vehicle with him/her to be available for quick response. The Chief shall retain the right to authorize take-home vehicles for officers with the rank of lieutenant or higher.

7.06.01 Restrictions on Use of Assigned Vehicles

Use of these vehicles is restricted as follows:

- Assigned vehicles shall only be used for official police business or when the employee is assigned on-call status.
- Assigned vehicles may be taken to and from duty assignments and home, as long as the domiciling of the assigned vehicle is within a 21-mile distance from the Boise City limits. The Collective Labor Agreement may supersede the 21-mile domicile limit for contract employees.
- Assigned vehicles shall not be used during off-duty employment. Transportation to or from such employment is allowed if the employee is on-call and able to leave off-duty employment if called out.
- Assigned vehicles may not be used to transport family members or other passengers, except when it is for official business, authorized by supervisor, pursuant to policy, or when the employee is assigned on-call status. Any passengers shall be discharged before responding to or engaging in an emergency, if practical.

7.06.02 Guidelines for Use

The following guidelines shall apply to the operation of an assigned vehicle:

- An officer shall be armed with an approved weapon, police identification, and badge, and shall constantly monitor the police radio. If away from the police radio, an officer shall carry his/her assigned phone.
- An employee will always operate his/her vehicle in a manner that will not bring criticism or disfavor to himself/herself or the Department.
- An employee shall not use handheld electronic devices to transmit text messages, e-mails, or access the internet while operating a City owned vehicle. Employees are exempt when using the handheld electronic device to obtain geographical positioning system (GPS) information.
- An employee shall not use tobacco while in a police vehicle.
- Employees shall not operate an assigned vehicle within four hours after consuming any alcoholic beverage. However, a supervisor may authorize minimal use of alcohol during a duty-related investigation, provided the investigator minimizes the use of the vehicle.
- Employee shall not operate a city vehicle or equipment while under the influence of intoxicants. This includes assigned vehicle for on-call employees.

8.00.00 Uniform and Equipment

8.01.00 Issuing Uniform and Equipment

8.05.00 Specified Equipment Use

For the purpose of this policy, electronic messaging devices (EMD) include, laptop/desktop computers, cellular telephones, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards and Internet services, mobile digital terminals (MDTs), and facsimile transmissions.

Employees are advised that they do not maintain any right to privacy in EMD equipment or its contents. The Department reserves the right to monitor or access information contained in EMDs.

Laptop/desktop computers and MDTs are designed and intended to conduct business of this agency and is restricted to that purpose. Installation of, or access to, any software not approved by IT is prohibited.

Exceptions to business use include the following:

- Infrequent personal use of these devices may be permissible if limited in scope and frequency, if in conformance with other elements of this policy, and if not connected with a profit-making business enterprise or the promotion of any product, service, or cause that has not received prior approval of this agency.
- Personnel may make off-duty personal use of agency computers for professional and career development purposes when in keeping with other provisions of this policy and with prior knowledge of an appropriate supervisor.

Personal Digital Assistants (PDA) include Smart Phones and Tablets. In an attempt to encourage employees to carry their assigned PDAs off-duty, personal use is authorized. Smart device applications are not considered software and may be downloaded.

The accessing or transmission of the following materials on any department owned device (other than that required for police business) is prohibited:

- Obscene language, images, or jokes
- Sexually explicit materials
- Illegal gambling
- Messages that disparage any person, group, or classification of individuals.

8.05.01 Computer Use and Security

The computers addressed in this policy include all City owned electronic devices.

8.05.01A Use of Internet and E-Mail

Internet access and e-mail services through Department-owned equipment or communication links is for official business only. Unless approved by a supervisor, the following uses of the Internet using Department equipment or facilities are not allowed:

- Access, retrieval, or printing of text and/or graphic information that exceeds the bounds of generally accepted standards of good taste and ethics. Pornographic sites shall not be accessed.
- Engaging in personal commercial activities, including offering services or merchandise for sale or ordering services or merchandise from online vendors.
- Engaging in any activity that would compromise the Department's or City's host computer's security.
- Endorsing any product or services, participating in any lobbying activity, or engaging in any political activity.

8.05.01B Authorized Software and Hardware

An employee shall not install or operate hardware or software not authorized by the MIS Project Leader, including Internet downloads and personally-owned software. Any unauthorized hardware or software found by MIS personnel will be removed immediately. Undercover investigators and computer forensic investigators do not have to obtain prior approval for installation of hardware or software as a part of investigative activity approved by the supervisor.

8.05.01C Computer Games

An employee shall not run computer games on Department-owned laptop/desktop computers and MDTs.

8.05.01D Computer Security Practices

An employee shall take whatever steps he/she can to protect Department systems, equipment, and the information they contain. An employee will log off his/her computer station when leaving for an extended period of time or otherwise secure the computer system. He/she will not share his/her password.

8.05.01E Electronic Policy and Procedure

The purpose of this policy is to provide employees with guidance on the electronic distribution of the Boise Police Department Policy and Procedures Manual.

Policy and procedure shall be disseminated through electronic mail to all employees. All employees shall read the electronic policies and procedures regularly to ensure they are aware of changes, revisions or updates. Employees shall be responsible for being aware of and understanding the Boise Police Department's policies and procedures contained in the Policy and Procedure Manual.

Receipt of the email shall serve as the acknowledgement that the employee has been provided availability to Policy and Procedure; acknowledgement that he/she has reviewed the revised Policy and Procedure and agree to abide by the information contained in the Policy and Procedure.

8.05.02 Department Owned Cell Phones

An employee assigned a cell phone will have his/her phone on and operating during normal duty hours. Employees shall setup their voice mail box identifying them by rank and last name, or first and last name. Employees shall check the voice messaging system regularly during the duty shift for messages

and calls received. The cell phone number of an employee will be provided to citizens when appropriate.

Cell phone bills will be reviewed regularly for usage. A Division Commander or his/her designee may request an explanation of excess usage (more than the allocated minutes). An employee may be responsible for reimbursing the Department for excess usage that cannot be justified for business purpose.

8.05.02A Cell Phone Camera

To establish procedures for the use of the cell phone camera by employees of the Boise Police Department. This includes, but is not limited to, the photographing, processing, storage, dissemination, and preservation of images. The policy is intended to protect the evidentiary integrity of all images captured. No video taping or audio recording is authorized for evidentiary purposes using the cell phone.

Cell phone cameras may be used when there are extenuating circumstances or for minor cases.

The CSI, CSS, Crime Lab, or camera cars should always be the first choice for processing evidentiary digital camera photos.

Evidentiary photos produced from a cell phone shall be submitted as evidence and are considered the property of Boise Police Department. Any unauthorized distribution will be subject to department disciplinary action up to and including termination, and/or criminal prosecution. Photos of non-evidentiary nature, training, and historical events are subject to policy 8.05.00.

The employee producing the evidentiary item with a cell phone camera will submit them via the camera email address: Labphotos@cityofboise.org. This is the one and only repository for evidentiary photographs taken with cell phones. Photos submitted via email shall identify the DR number, description of photo, and location of photo. When appropriate, the citation number will be noted. Photos missing any of the above information will not be entered into the digital archive system and will be returned to the sender. Evidentiary items will not be processed until the above information is obtained.

Photos shall be retained on the cell phone until a confirmation from the Crime Lab has been received that all photos have been successfully downloaded. Digital camera photos shall be deleted upon confirmation of receipt from the Crime Lab.

The Crime Lab will print two copies of the email with the above information on it, submit one copy to records, and retain the other as the employee's photo log.

8.05.03 Digital Voice Recording

Officers in uniform shall audio record all personal contacts with suspects, enforcement contacts, during prisoner transport, persons complaining of officer misconduct, or when a contact is anticipated to be confrontation in nature, unless an articulated reason justifies otherwise. Officers are responsible for audio recording their own actions. SOG and ESU members under team deployment conditions are exempt from

this policy. The Department recognizes that in some cases activating a recording device may jeopardize the safety of the officers and those in cases failing to record will not be considered a violation of policy.

See [12.02.04 Recordings of Complaints](#) for recording procedures of citizen complaints.

8.06.00 Standards of Appearance

8.06.01 General Dress Standard

Each employee shall wear only the clothing or uniform specified for his/her particular rank and assignment. All articles of uniform, insignia, and equipment worn or carried by an on-duty employee shall conform to Department specifications. An on-duty employee shall not wear non-regulation articles of clothing or equipment at any time, except under designated casual dress days or a supervisor's approval.

8.06.02 Uniform Appearance

All uniform articles shall be kept in good repair and maintained in a neat, clean condition. All uniforms shall be fitted properly. The long-sleeve uniform shirt shall be worn with the sleeves fully extended and all buttons fastened. Uniform articles shall not be worn at any time if they are noticeably repaired. Wallets and similar items carried in pockets on the uniform should be fully concealable.

All uniform shirt buttons, with the exception of the collar button on the short and long sleeve uniform shirt (without tie), shall be worn securely fastened so that they stand out from the shirt. The front closure shirt buttons shall be aligned with the trouser fly. The short sleeve uniform shirt shall remain open at the neck, but shall be worn with a white or black T-shirt. If an officer wears a long sleeve shirt without a tie, the uniform shirt shall remain open at the neck, but shall be worn with a white or black T-shirt.

8.06.03 Personal Hygiene

When reporting for duty, an employee shall maintain appropriate personal hygiene so as not to offend fellow employees or members of the public.

8.06.04 Jewelry

A uniformed employee shall not wear jewelry visible around the neck. A female officer or female uniformed employee may wear one pair of earrings in the ear lobe, provided they shall be the post type for pierced ears and shall have a visible portion no greater than 3/16 inch in diameter. A male officer or male uniformed employee shall not wear earrings.

8.06.05 Body Piercings

No employee shall have visible body piercing jewelry, including all facial and tongue piercings, with the exception of ear piercings for female employees outlined in [8.06.04 Jewelry](#). This includes any piercings visible through the uniform.

8.06.06 Cosmetics, Perfumes, and Colognes

The use of cosmetics will be moderate and in good taste. Each employee shall not use make-up that lends itself to an excessively gaudy appearance or use excessively odorous perfumes or colognes.

8.06.07 Hair

A male employee shall wear his hair neatly trimmed, clean, and well-groomed while on-duty. The hair shall not extend below the top of the shirt collar or cover any portion of the ears. The hair style shall not interfere with the proper wearing of the uniform hat, helmet, or chemical agents mask. An officer assigned to investigative duties shall be allowed to maintain his hairstyle to the mid-point of the ears or cover no more than half of his ear.

A female employee shall wear her hair in a clean and well-groomed manner while on-duty. Each female officer shall wear her hair in a short style or worn fastened up off the neck and ears. The hairstyle shall not interfere with the proper wearing of the uniform hat, helmet, or chemical agents mask.

Each employee shall wear his/her hair in a naturally-occurring hair color that does not detract from professional decorum. If a wig is worn, it shall comply with the provisions in this section.

8.06.08 Sideburns (See Job Aid - [side burn sketch](#))

The sideburn shall be trim and neat in appearance. Sideburns shall not extend beyond the point even with the bottom of the ear's inner opening and shall end in a clean-shaven horizontal line. The flare (lower portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than ¼ of the unflared width.

8.06.09 Facial Hair

Each employee shall be clean-shaven when reporting for duty. Beards and goatees are prohibited. Requests for variances (e.g., for medical reasons) shall be made through the chain-of-command. A short and neatly trimmed mustache of a naturally-occurring color is acceptable. Mustaches shall not extend over the upper lip, may not extend to the side more than ½ inch beyond the corner of the mouth, and may not extend below the corner of the mouth.

8.06.10 Tattoos, Body Art, and Brandings

An employee shall not have any tattoos, body art, or branding on the head, face, neck, scalp, or hands. Any pre-existing tattoos, body art, or branding on any of these areas will either be removed or covered by cosmetics or clothing. While on-duty, excessive tattooing, body art, or brandings shall not be exposed or visible (including through the uniform). "Excessive" is defined as any tattoo, body art, or branding that exceeds one third of the exposed body part.

Any visible tattoos, body art, or branding that are obscene, advocate or symbolize gang, supremacist, or extremists groups, drug use, or sexual discrimination shall not be permitted.

9.00.00 Firearms

9.01.00 Firearms Authorization

An officer is authorized to carry firearms as described in [9.00.00 Firearms](#).

9.04.00 Firearms Program Administration

9.04.01 Firearms Program Manager

The Firearms Program Manager shall be appointed by the Chief and shall have responsibility for the development and implementation of the firearms program for the Department.

9.04.02 Range Master

The Range Master shall be appointed by the Chief. The duties of the Range Master include:

- Implementing firearms training for employees
- Evaluating new and currently approved weapons, ammunition, and related equipment
- Providing care and maintenance of Boise Police equipment at a designated range
- Scheduling BPD firearms training
- Causing the following information to be collected and maintained for all personal weapons that are used by officers while on-duty and off-duty:
 - Make, model, serial number, and caliber
 - Ownership of the weapon
 - Date of inspection and inspection results
 - Intended use of the weapon

9.04.03 Department Armorer

The Armorer shall be appointed by the Chief. The duties of the Armorer include responsibility for:

- Inspecting and maintaining Department-authorized firearms
- Issuing new service ammunition to each officer every 12 months and as necessary
- Causing the following information to be collected and maintained for all Department weapons that are used by officers while on-duty and off-duty:
 - Make, model, serial number, and caliber
 - Ownership of the weapon
 - Date of inspection and inspection results
 - Intended use of the weapon
- Arrange for appropriate repair of primary duty weapons, which are found to be mechanically deficient or unsafe. Records of weapon repairs shall be maintained in the permanent firearms file.
- Other duties as specified by the Firearms Program Manager.

9.05.00 Qualifications and Training

9.05.01 Training Responsibility

The training format and minimum qualification standards for firearms proficiency shall be established by the BPD Training Unit in conjunction with the Firearms Program Manager. The Firearms Training Staff shall be comprised of employees recommended by the Firearms Program Manager and approved by the Training Committee.

10.00.00 Property and Evidence

10.01.00 Property and Evidence

The purpose of this policy is to provide guidelines for the proper collection, storage, and security of evidence and other property. Boise Police Department is committed to protect the chain of evidence and persons authorized to remove and/or destroy property.

An employee who comes into possession of property, to include evidentiary, safekeeping, and found items shall complete an Ada County/Boise City Property Invoice Form or a Vehicle Disposition Report Form and clearly indicate the purpose for retaining the property. An employee will check the property for serial, VIN, or other identifying information and compare with NCIC. All containers shall be inventoried and items shall also be checked. If the property is found or abandoned, it can be released in the field if the owner can be identified and located. Vehicles can also be released to their owners. If possible, the employee should obtain a waiver signature on the form if the person from whom the property was taken is not the rightful owner.

The property will be prepared for storage by tagging all items with appropriate evidence tags, date and initial all items when possible (unless this would destroy the evidentiary value), and package items in the smallest acceptable container. The Property Invoice Form (or the VDR for vehicles) will be completed, carefully noting the reason for booking, including a waiver signature at the bottom of the form if appropriate and containing a list of all items booked. A VDR shall include all notable items of significant value within the vehicle. Under certain circumstance, employees may have to take possession or custody of the personal property of another. Employees shall adhere to these policies to ensure property and evidence are properly handled while in the custody of BPD.

All property shall be booked prior to the end of shift. An employee unable to book property prior to end of shift shall obtain authorization from a supervisor to secure the property at the police station for protection and to ensure the chain of evidence until such time as it can be booked.

10.01.01 Release of Property or Evidence

The release of all property booked for destruction shall be the responsibility of the Ada County Property/Evidence Office. Release of property booked for safekeeping or as found property shall be the Department's responsibility through the employee assigned to property and gun releases.

During a pending criminal court case, the release from police custody of evidentiary property, other than that alleged to be stolen or embezzled or which was obtained through a search warrant, shall be the responsibility of the booking officer. The officer shall seek prosecutor approval from the handling agency prior to releasing any property. If the criminal court case is closed or if no criminal complaint was filed, the release of such evidentiary property, if it is still in the custody of the Ada County Property/Evidence Office, shall be the Department's responsibility through the employee assigned to property and gun releases. The exception is that no firearm will be released without prior approval of the Boise Police legal advisor or his/her designee.

Evidence that is alleged to have been stolen or embezzled shall not be released without the approval of the Boise Police legal advisor or designee. The exception is that vehicles may be released upon proof of ownership, consisting of the title or registration, and a valid driver's license or picture ID card.

Due to the impact that seizure of certain property may have on an individual's living and working conditions, an officer shall exercise due diligence in obtaining the release approval.

10.02.00 Damage or Loss of Property Belonging to Others

Each employee shall take reasonable precautions in protecting the property of another subject or entity from damage or loss. If an employee damages or loses property, the employee shall promptly notify his/her supervisor. Where no other procedure is provided, the supervisor shall report the incident on an AIR.

10.03.00 Abandoned, Stolen, and Seized Vehicles

10.03.01 Abandoned Vehicles

The Impound Unit shall establish procedures for impounding abandoned vehicle in accordance with Idaho Code. The procedures should ensure the ability to provide prompt responses regarding a vehicle's location or disposition to officers or vehicle owners.

10.03.02 Recovered Stolen Vehicles

Recovered stolen vehicles shall be handled as follows:

- If evidence processing is needed, [10.03.03 Evidence Seizures](#) procedures shall be followed.
- If the owner can be immediately located, the officer will comply with the owner's request to either have the vehicle towed at the owners' expense or leave the vehicle at the scene under the owner's responsibility.
- If the owner cannot be immediately located, the vehicle shall be impounded and towed to the City-operated storage lot, and inventoried.

10.03.05 Accidents

If a vehicle is involved in a traffic accident and must be towed to eliminate a traffic hazard or obstruction, the driver shall make his/her own arrangements as expeditiously as possible. If the driver is unable or unwilling to do so, the officer shall have the vehicle towed by a towing company. A VDR shall be completed if a tow is ordered without the driver's authority or knowledge.

10.03.07 Supervisory Approval

All impounds made for evidentiary or forfeiture purposes shall have supervisory approval before making the impound.

10.03.09 Distribution of Vehicle Disposition Report

The four copies of reports shall be distributed as follows:

- Original – Records
- Yellow – Impound Unit
- Pink – Towing Company
- Goldenrod – Driver/owner if available (if not, to the Patrol Administration Office)

The officer shall complete the form and submit it to the Patrol Administration Office, Impound Unit mailbox, as soon as possible after any situation for which a form is completed and before terminating his/her shift. An officer who needs a copy of the form shall make a copy for his/her own use.

10.03.10 Towing Vehicles off I-84/I-184

Vehicles abandoned shall be towed from I-84 and on I-184/U.S. 20/26 (connector). If the driver is arrested from a vehicle and there is no one to immediately remove the vehicle off the freeway, the vehicle shall be towed. A VDR and an inventory of the vehicle contents shall be completed.

10.03.12 Towing from DUI Arrests

There is a compelling public safety interest in ensuring DUI drivers do not return to their vehicles upon release of custody and drive while still under the influence. In this regard, vehicles shall be towed from DUI arrests except under limited circumstances. When an officer tows a vehicle under this policy, a VDR and an inventory of the vehicle contents shall be completed.

Upon a DUI arrest, the vehicle will be towed unless there is a sober, licensed driver at the scene who can take custody of the vehicle and the suspect has provided audio recorded consent for that individual to assume responsibility for the vehicle and its contents.

10.03.13 Property Inventory

Boise Police Department property inventory policy is an administrative measure designed to protect the public and departmental personnel.

The inventory is a police and community care taking procedure designed to secure and protect property; protect the agency against claims of lost, stolen, or damaged property and to protect employees from dangerous or hazardous items.

10.03.13A Conducting Inventory

The employee shall complete a Boise Police Department VDR form when conducting a vehicle inventory. The employee will conduct the inventory of the vehicle at the location the vehicle is seized unless limited by reasons of safety or practicality. If so, it may be inventoried at a later time following impoundment.

11.00.00 Conduct

11.01.00 Conduct

11.01.01 Conduct Unbecoming an Employee

Each employee shall conduct himself/herself in such a manner as to reflect most favorably on the Department at all times. Conduct unbecoming an employee shall include that which brings the Department into disrepute or reflects discredit upon the individual as a Department employee or that which impairs the operation or efficiency of the Department or any of its employees.

11.01.02 Conformance to Laws

Each employee shall obey all laws of the United States and of any state and local jurisdiction in which they are present. A conviction for the violation of any law shall be prima facie evidence of a violation of this section.

11.01.03 Notification of Criminal Charges

An employee who is charged with a misdemeanor or felony offense shall immediately inform his/her supervisor. OIA shall be notified via the employee's chain-of-command.

11.01.04 Domestic Battery

Under federal law, no individual found guilty of domestic battery is allowed to carry a firearm. As police officers are required to carry a firearm as a part of their job, any officer found guilty of this offense is subject to immediate termination.

An officer who is the respondent of a protection order shall not be allowed to carry a firearm and all department issued weapons will be retained by the department until adjudication.

11.01.05 Loyalty to the Department and Department Employees

An employee shall not criticize the Department, its employees, or its policies in a manner which is defamatory, obscene, or unlawful or when the criticism is false or malicious.

11.01.06 Insubordination

An employee shall not be insubordinate. Examples of insubordination include, but are not limited to:

- Refusal to promptly obey a lawful order of a ranking employee or supervisor.
- The use of derogatory remarks or criticism directed toward or about a ranking employee or supervisor that affects the Department's operation or efficiency.
- By-passing a ranking employee or supervisor in the chain-of-command.

11.01.07 Relationships with Others and Demeanor

An employee shall treat all other persons in a civil and respectful manner. He/she shall not use profanity or uncomplimentary speech in the presence of members of the public, prisoners, or other persons he/she has contact with nor shall he/she intentionally antagonize any person.

11.01.08 Use of Tobacco Products

An employee shall not smoke tobacco products in any law enforcement facility or vehicle in use by Boise City Police. An employee shall also refrain from smoking or using tobacco products while on-duty when addressing the public in a structured group, forum setting, or participating in crowd or traffic control. The exception to this policy is interrogators and/or suspects, upon mutual consent, may use tobacco products in interrogation rooms when necessary to facilitate the interview process.

11.01.09 Use of Alcohol and Drugs

The Boise City policy on a Drug-Free Workplace applies to all employees, except in the performance of duty and while acting under proper and specific orders from a ranking employee (e.g., during an undercover operation). See *Boise City Employee Policy Handbook, 4.20 Drug-Free Workplace*.

Each employee working his/her assigned hours, on an on-call paid status, appearing to be on-duty, or while wearing any part of the uniform identifying him/her to be a Department employee shall not:

- Consume intoxicating beverages.
- Be under the influence of intoxicants to any degree whatsoever or with an odor of intoxicant on his/her breath.
- Operate a city vehicle or equipment while under the influence of intoxicants to any degree. This includes assigned vehicle for on-call employees (see [7.06.00 Assigned Vehicle Usage](#)).
- Possess or use a controlled substance or prescription drug, except as prescribed by a physician.
- Store or bring any alcoholic beverages, controlled substances, narcotics, or hallucinogens, except those which are held as evidence, for destruction, or for approved training purposes, into any City facility or vehicle.
- Carry a concealed firearm, either on-duty or off-duty, while under the influence of alcohol, drugs, or prescription medications which cause impairment based on a physician's assessment.

11.01.10 Associations

An employee shall avoid regular dealings with persons who he/she knows are under criminal investigation or who have a reputation for present involvement in felonies or criminal behavior, except as necessary for the performance of official duties or where unavoidable because of the employee's personal relationship.

11.01.11 Claims for Damages and Lawsuits

On matters pertaining to the Department, an employee may initiate legal action with the approval of the Chief, unless prohibited by other policies. An employee shall make an immediate notification to his/her supervisor at any time he/she becomes a party to a lawsuit or claim prior to the lawsuit.

11.01.12 Judicial Orders or Process

Unless requested by City Legal or their representative, an employee shall not testify in any civil case in which the Department may have an interest, unless he/she has been issued a subpoena and has notified his/her Division Commander. The only persons authorized by the Department to accept service of court process and documents naming the Department as a defendant or requesting records or information from BPD files are the Chief, the Chief's designee, or City Legal. This applies only to those situations other than the normal subpoena process used by the Ada County Prosecutors' Office or City Legal. Examples include:

- Civil suit filed against BPD or its employees
- Subpoenas for records or dispatch information
- Subpoenas in civil matters in which the Department is a party

11.01.13 Confidentiality

No employee shall divulge any confidential information obtained in the course of employment with the Department without proper authority.

11.01.14 Workplace Violence

The City of Boise and BPD are committed to maintaining a workplace that is free from violence or threats of violence (see *Boise City Employee Policy Handbook, 6.10 Workplace Violence*). All reports of workplace violence will be taken seriously and investigated.

11.01.15 Workplace or Other Harassment

Each employee, regardless of his/her employment status, has a right to work in an environment free from intimidation, ridicule, or harassment based on gender, race, color, age, religion, sexual orientation, or national origin. All employees are strongly encouraged to report workplace or other harassment. A supervisor who has knowledge of workplace or other harassment shall report the harassment through the chain-of-command. Workplace or other harassment, including retaliation against an employee who has reported harassment, constitutes illegal employment discrimination, is unacceptable conduct in the workplace, and will not be tolerated. Where it is found to exist, immediate corrective action will be taken to assure it is stopped and does not recur. EEO violations will be investigated by the Office of Internal Affairs in conjunction with Human Resources. (See *Boise City Employee Policy Handbook, 1.03 Harassment*.)

11.01.16 Workspace Policy

Police Department employees may display material (pictures, work related documents, awards, certificate etc.) in the employee's individual workspace area that is professional and inoffensive. Materials may not be displayed above any opaque cubical partition.

Employees shall not display any material which:

- Contains words, symbols, or images that would be regarded as lewd, obscene, vulgar or plainly offensive.
- Defames or demeans any individual or organization.

Supervisors shall be responsible for monitoring their areas to ensure employees are within policy.

11.01.16A Posting of artwork/printed material on Walls

The posting of any picture or other item on walls within the Police Department areas of City Hall West without the approval of a ranking supervisor (Division Commander and above or assigned designee) responsible for the affected area is prohibited.

11.02.00 Ethics

11.02.01 Law Enforcement Code of Ethics and Code of Conduct

While on- and off-duty, an officer will conduct himself/herself in accordance with the Law Enforcement Code of Ethics and Code of Conduct. See [Figure I-7: Law Enforcement Code of Ethics](#) and [Figure I-8: Law Enforcement Code of Conduct](#).

11.02.02 Ethics of Official Position

An officer shall use his/her position as a sworn law enforcement officer only for the purpose of accomplishing his/her assigned duties with the goal of serving and protecting the citizens of Boise and their property. An employee shall not use his/her position as a means of personal gain, personal favor, or personal influence. Furthermore, each employee shall avoid involvement in any endeavor which may reasonably constitute a conflict of interest with his/her position as an employee.

An employee shall not use his/her official position, official identification cards, or badges:

- For personal or financial gain
- For obtaining privileges not otherwise available to them, except in the performance of duty
- For avoiding the consequences of illegal acts

11.02.03 Use of Outside Influence

An employee shall not knowingly use, attempt to use, or permit the use of any outside influence to gain promotion, transfer, or change of duty for himself/herself or another employee.

11.02.04 Employment in a Liquor Establishment

Without the Chief's approval, an employee shall not own, hold office in, or be employed in any organization or establishment licensed by the State of Idaho (or any other state) to dispense alcoholic beverages.

11.02.05 Labor Activity

An employee shall not engage in any strike. This shall include the unauthorized failure to report for duty, willful absence from one's position, unauthorized holidays or sickness, or the abstinence, in whole or in part, from the full, faithful, and proper performance of the duties of employment. This includes work "speed-ups" or "slow-downs" for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

11.02.06 Politics

Each employee shall abide by Boise City Policy in regard to political activities. The City supports an employee's expression of political interests provided there is no conflict with the employee's job responsibilities. (See *Boise City Employee Policy Handbook, 4.50 Political Activities.*)

11.02.07 Bail

An employee may become surety or guarantor, post bond, or furnish bail for himself/herself and members of his/her immediate family. An employee shall not become surety or guarantor, post bond, or furnish bail for other persons, unless such action is approved by a Division Commander or a higher ranking supervisor and it is determined that Department interests are not at stake.

11.02.08 Purchase from Prisoner/Confidential Informant

An employee shall not purchase anything from a prisoner or CI unless the purchase is made through an authorized outlet. No employee shall knowingly purchase anything from a person against whom the Department has a criminal charge pending or in which the employee is involved in the prosecution as the arresting officer or as a witness.

11.02.09 Interference with Prosecution

Following an arrest or the issuance of a citation, an employee shall not make or negotiate any compromise or arrangement to allow a person to escape the penalty of the law, unless cleared by his/her supervisor and/or the prosecutor. Also, an employee shall not seek, out of friendship for the defendant, to obtain any continuance or suspended sentence in any trial in court or otherwise interfere with the courts of justice. This section shall not be construed to restrict an employee from arriving at mutually productive agreements with defendants with a view to developing information about criminal activity or otherwise in the furtherance of justice when cleared by his/her supervisor and/or the prosecutor.

11.02.10 Recommendations, Endorsements, and Referrals

Without the approval of the Chief, an employee shall not authorize the use of his/her name, photograph, or official title, which identifies him/her as a Department employee, in connection with testimonials or advertisements of any commodity or for any commercial enterprise. Except in the transaction of personal business, an employee shall not recommend or suggest the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, towing service, bondsman, mortician, taxi, etc.). In the case of taxi and towing services, an employee will contact Dispatch for the rotational service.

11.02.11 Bribes, Discounts, Gratuities, Rewards, and Gifts

The Department prohibits the solicitation and/or acceptance of any discount, gratuity, reward, or gift that could, in the public mind, be interpreted as capable of influencing an employee's judgment in the discharge of duties or that would reflect favoritism by the employee or Department toward any particular subject, group, or business.

No employee shall solicit or accept a bribe or engage in any act of extortion to obtain money or property of any kind. Bribery attempts by any subject shall be reported and prosecuted as required by law. No employee shall accept any gratuity or gift of any kind, directly or indirectly, from any subject who is liable to arrest, complaint, or in custody or from any friend or family member of such a subject. No employee shall officially promote (or make it appear that the Department promotes) the patronage of any business establishment over another, based upon discounts or service offered by that business, unless there has been Chief's prior approval.

An employee shall not solicit, but may accept:

- Discounts on food or services that are offered to all employees, as long as the employee does not profit by reselling the discounted item or offering the discounted service to another.
- Discounts on consumable items, such as food or non-alcoholic beverages, which are normally offered by a business establishment to on-duty police officers. The discount must be valued at less than five dollars and the employee shall adhere to approved procedures.
- Awards and gifts, including money, given to the employee by a publicly recognized non-profit organization in recognition of outstanding service or achievement. The recipient of all such awards and gifts shall report them to his/her immediate supervisor. The supervisor will obtain appropriate management review to determine if, consistent with the City's Code of Ethics ordinance (B.C.C. sec 1-21) and personnel manual, the award or gift may be kept by the recipient or should be disposed of in some other way, such as to a charitable organization.

The Ethics Ordinance provides it is a misdemeanor to (1) accept any valuable gift (any (a) gift with a value in excess of \$50, including meals, food, service, loan, promise and the like, (b) smaller durable or transferable gift of less than \$50 offered within six months of another similar gift, or (c) when the total value of all gifts exceed \$50 in a six month period) from any person or business interested directly or indirectly in any manner whatsoever in business dealings with the City or (2) accept any kind of gift or discount regardless of value where there is a substantial risk that the gift would undermine official impartiality, as determined by the City Ethics Commission.

11.02.11A Acceptance of Discounts

In accepting discounts, an employee shall adhere to the following:

- Be on-duty.
- Within the constraints of his/her assigned shifts, patronize several different establishments, including those not offering discounts.
- Arrive at every establishment with the intent and the means to pay in full for items ordered.
- Never ask for a discount.
- Employees shall not accept free meals.
- In some cases, it may be corporate policy to offer a police officer discount. If a discount is offered, the employee should courteously thank the subject making the offer. The employee may decline the offer. If the establishment refuses to allow the employee to decline, leave a tip that covers the difference between the discounted price and the full price of the item.

11.02.12 Donations to the Department

Donations typically include cash, equipment, facilities, or services. An employee may solicit donations on behalf of the Department and with prior approval by his/her Deputy Chief. The employee will provide

a synopsis of the project to his/her Deputy Chief with a copy to the employee's chain-of-command and the Police Finance supervisor.

The following procedures will be used for donations:

- Cash: When possible, donor should be directed to make the cash donations by check to the "Boise Police Department, attn: Police Finance" with the intended use specified on the check or by attached document. If the cash or check is given directly to the employee, he/she shall deliver the cash or check to Finance as soon as practical.
- Equipment: An asset number will be obtained from Finance and assigned to all donated equipment.
- Services: When appropriate, service donations should be administered through the Volunteer Section to ensure consistency in addressing security issues, time-tracking, and supervision.
- Facilities: This policy is not intended to address the short-term use of a facility which remains under the management of another entity. The long-term donation of a facility or facility space entails consideration for much more than the facility itself. When considering the merits of such a donation, all related expenses must be itemized in order to evaluate the potential donation.

11.02.12A Donations to Non-Profit Organizations through BPD

A donor to a non-profit organization through the Department will be directed in advance to make the check payable directly to the non-profit organization. Otherwise, the check can be endorsed over to the non-profit group by Finance.

11.03.00 Duty Regulations

11.03.01 Officer's Duty Requirements

Each officer shall:

- Enforce the laws of the City of Boise and the State of Idaho
- Render service to all citizens
- Perform all general and specific duties assigned
- Know and adhere to the rules, regulations, and directives of the Department

11.03.02 Performance of Duty

An employee shall perform his/her duties in a manner which will maintain the highest standards of efficiency in carrying out the Department's functions and objectives. Satisfactory performance and competence is demonstrated by:

- Adequate knowledge of the application of laws required to be enforced
- Willingness and ability to perform assigned tasks properly
- Conformance to the work standards established for the employee's rank, grade, or position
- Taking appropriate and timely action when a crime, disorder, or other situation requiring police action occurs

11.03.03 Support of Fellow Employees

An employee shall support his/her fellow employees in the lawful and just performance of their duties and shall not display cowardice or fail to provide assistance when needed.

11.03.04 General Discharge of Duties

An employee shall discharge his/her duties in an objective, impartial, and firm manner. He/she shall act with other employees to assist and protect each other in the maintenance of law and order.

11.03.05 Reporting for Duty

Each employee shall report for duty at the time and place specified by his/her supervisor and be physically and mentally capable, properly attired, and ready to assume on-duty status. An employee shall not leave prior to completion of his/her shift unless approved by his/her supervisor.

11.03.06 Notification of Injury or Illness

An employee who is unable to report for duty due to injury shall personally notify his/her supervisor as soon as possible and prior to the next duty shift. If the supervisor is unavailable, the employee shall notify the next available ranking supervisor in the chain-of-command. An employee who becomes sick while on-duty shall advise his/her supervisor before leaving his/her assignment. An employee who is injured on-duty shall immediately notify his/her supervisor and will complete an SD-1 Employee's Personal Injury Report, which shall be routed through his/her chain-of-command to Personnel.

An employee on sick leave shall keep his/her supervisor informed of his/her status on a daily basis. Sick leave status is applicable during the employee's entire scheduled tour of duty. Accordingly, when an employee is on sick leave, he/she shall remain at home, except as necessary to attend to his/her injury or illness, to attend to family sick leave business, or unless other arrangements are agreed to by his/her supervisor. An employee on sick leave for more than three consecutive scheduled work days may be required to submit a release from a qualified medical professional to his/her supervisor, indicating his/her fitness to return to work. The written release will be routed to Personnel.

11.03.08 Exchange of Duty or Trading Shifts

An employee shall not replace another employee who is on-duty or scheduled for duty without the prior approval of their Lieutenant(s) or Division Commander(s).

11.03.09 Duty to Check Daily Logs and Mail

An employee reporting for duty will acquaint himself/herself with events that have taken place since his/her last tour of duty and check electronic mail, voice mail, or use other means to retrieve messages.

11.03.10 Duty to Check Policy Manual

Each employee shall regularly read any updates on the policy manual, which will be distributed to each employee. Any employee who has a question about manual revisions and/or content will contact his/her supervisor for explanation and clarification. Being aware of and understanding updates to the policy manual is an employee's responsibility.

11.03.11 Duty to Complete and Review Electronic Time Records

Each employee shall complete and submit their electronic time records according to established due dates. The employee and their supervisor shall ensure the reported hours are accurately reflected on his/her weekly FLSA time records. Any problems will be brought to the attention of their supervisor or Finance. Each employee is required to ensure the correctness of his/her leave balances to be certain sufficient time exists prior to taking leave. Any problems will be brought to the attention of Finance through the employee's supervisor.

11.03.12 Resolution of Questions and Problems

An employee with a question, concern, or recommendation regarding operational or administrative matters will attempt to resolve the issues by utilizing the chain-of-command. All managerial and supervisory personnel should encourage employees to come forward with their ideas and concerns, as well as attempt to resolve questions and problems as soon as possible.

11.03.13 Requests for Service or Assistance

When any subject requests service or assistance, all pertinent information will be obtained in an official and courteous manner and will be acted upon properly and judiciously. Each employee shall properly and expeditiously report or act on any information given to him/her in good faith by any person regarding matters that indicate the need for action by the Department.

11.03.14 Duty to Report Information

An employee shall report to his/her supervisor any information that comes to his/her attention that tends to indicate that any employee has violated a law, rule, regulation, or order.

11.03.15 Department Reports

11.03.15A Timeliness of Reports

An employee shall submit all necessary reports on time. Reports shall be completed in accordance with Department report writing procedures.

11.03.15B False Reporting

No employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information or misrepresent the facts in the Department records or reports. The violation of this policy may result in discipline up to and including termination.

11.03.15C Completion of Work Prior to Going Off-Duty

An employee shall complete all critical reports of incidents and arrests during his/her tour of duty before going off-duty. However, the completion of reports that would require the employee to work overtime shall be approved by the supervisor. The supervisor may authorize overtime when a clear

need exists, but shall, in other cases, direct the report to be completed during the following tour of duty.

11.03.15D Report Accuracy

An employee will confirm to the best of his/her ability the information obtained for any reports, citations, investigations, etc. is accurate and complete.

11.03.15E Documentation of Evidence

The Department recognizes its obligation to document all evidence, including exculpatory evidence, in its investigations. Exculpatory evidence is any evidence that may benefit the defense of any criminal case by showing facts that are favorable to the defendant or those facts which may disprove the allegations of the charges. All such evidence shall be documented and made available to prosecutors.

11.03.15F Disposition of Field Notes

The purpose of this policy is to establish procedure and guidelines for consistent disposition of field notes related to an investigation once all the information has been documented in the investigative report.

During the course of an investigation, employees should take notes while conducting interviews and gathering information. Any information taken in these field notes that is substantive or exculpatory to the case shall be documented in the final investigative report completed by the officer. Once the report is complete and contains the information as specified, the field notes may be disposed of in an approved manner, i.e., shredded. If notes are retained, they are discoverable and shall be made available to the prosecutor.

Note: In situations where there is a court order for preservation of notes, the employee shall attach their notes to the supplemental report or book into property.

11.03.16 Loitering

An officer going on-duty shall be prompt in going directly to his/her work assignment and shall not loiter in the station. An officer desiring to take care of official business prior to going into the field or reporting to his/her duty station will obtain permission from his/her supervisor and check out with Dispatch so that he/she can be contacted for a call if necessary.

11.03.17 Congregation of Officers

While on-duty or in uniform, officers shall not congregate in public places without supervisor approval. Under normal circumstances, no more than three uniformed officers shall take a break or meal at the same time and location. FTO's with trainees and TAC units are an exception, for up to four officers.

11.03.19 On-Duty Time Restricted to Department Duties

Unless otherwise detailed, an employee shall restrict his/her Department duties during working hours to his/her assigned duty area. An employee shall not conduct personal business during on-duty time for the

purpose of private gain. An employee shall not engage in personal recreation or entertainment while on-duty, other than while on approved breaks.

11.03.20 Sleeping On-Duty

An employee shall remain awake while on-duty. If unable to do so during his/her current duty assignment, he/she shall report to his/her immediate supervisor, who will do one of the following:

- Assign the employee to ride with another employee or
- Send the employee home on sick, annual, or compensatory leave as the circumstances dictate.

11.03.22 Responsibility for Providing Identification

An employee shall provide his/her name or Ada number to any person requesting that information, with the exception of undercover operations. If a badge number is requested, the employee shall provide their Ada number.

11.03.23 Treatment of Animals

No employee shall willfully subject any animal to cruel treatment or willfully neglect the necessary humane action which the circumstances may require. The killing of animals shall be justified:

- To prevent injury to the officer or others
- Upon supervisor authorization when the animal must be destroyed to prevent further suffering for humanitarian reasons under the following conditions:
 - In the case of domesticated animals, only at the owner's request or attempts to contact the owner have been unsuccessful.
 - When the supervisor has determined that the animal can be shot without posing a hazard to persons or property.

11.04.00 Representation before the Idaho Legislature or the Boise City Council

An employee shall obtain approval from the Chief or his/her designee through his/her chain-of-command prior to speaking as a Department representative to the Idaho State Legislature, Legislative Committee, or the Boise City Council. If time permits, the notification should be made in writing. However, in cases where requests are of short notice, verbal notification to the Chief or his/her designee may be accomplished in person or by telephone. Approval to speak will be granted if the topic matter is viewed as being of public concern and not disruptive to operations. The Chief or his/her designee shall also review and approve items prior to submission for inclusion on the City Council or the Idaho State Legislative agenda.

This order is not to be construed or impact the employee's right to testify before the Idaho Legislature or the Boise City Council as a private citizen or representative of another group on matters not related to the Department. Any employee testifying as a private citizen before the Legislature or the City Council that is recognized or identified as a BPD employee shall advise the Legislative/Council representatives that he/she is not testifying in an official capacity or as a BPD representative.

11.06.00 Social Networking: Personal Online/Internet Content

Members of the Boise Police Department (BPD) are reminded that their conduct both on and off duty must meet a high standard. This includes, but is not limited to, conduct related to materials posted on the internet or disseminated electronically. No member shall allow or permit any digital media to be posted to the internet that:

- Could reasonably be interpreted to express the opinions of the Boise Police Department. A member may comment on a subject of general interest and of value and concern to the public provided that, in doing so, the member does not suggest or imply that the views expressed are those of BPD.
- Has both a reference to the member being affiliated with BPD and which contains content that is unprofessional, unbecoming or illegal, such as lewd sexual conduct, excessive alcohol consumption or similar behaviors. Members are reminded that courts may scrutinize the credibility of a witness from unintentional sources like the internet.
- Could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operation of the agency, safety of staff or perception of the public.
- Contains any recording, including images, obtained while engaged in the performance of enforcement activities, tactical situations, or anything that will have an adverse effect upon the agency. Digital images such as shop with a cop, promotion ceremonies, etc., are permissible.

Clarification on appropriate postings, if needed, shall be directed to Command Staff.

Note: This does not apply to internet postings that are posted for legitimate law enforcement purposes.

12.00.00 Internal Investigations and Discipline

The Boise Police Department shall establish and maintain fair and equitable procedures governing the administration of internal investigations and discipline.

30.00.00 Personnel Administration

30.02.00 Performance Recognition, Commendations, and Awards

The Department will present awards and commendations to appropriately recognize the meritorious actions and achievements of employees and others.

30.02.01 Nominating Procedure

All awards that require the approval and presentation by the Chief shall first be reviewed by the Awards Committee. Those awards that do not meet this criteria, such as commendations and employee recognitions, may be approved and presented by the appropriate commander or supervisor and do not require review by the Awards Committee.

Any employee may nominate another employee for an award and is encouraged to do so as soon as possible after a meritorious incident. The nominating employee should fill in the nominee, incident data, and description of the actions on the form and submit it through the Division Commander to the Awards Committee. The form shall not include the class of award.

30.02.02 Department Awards and Commendations

Individual service awards are based on exceptional performance of duty (clearly above that normally expected) which has contributed materially to the success of a major project or field operation, in that:

- Conduct was significantly superior to normal conduct
- Demonstrated positive personal initiative and expertise
- Exhibited conduct which would tend to establish a positive role model for other employees/units
- Exhibited cooperative and productive behavior which significantly furthered the police mission

30.02.02A Department Awards/Commendations and Descriptions

Employee Performance Recognition: Recognition of an employee's conduct or behavior.

Letter of Appreciation: The professional conduct on an employee is sometimes such that another agency or a citizen wishes to express appreciation for a job well done, aid, cooperation, or other assistance rendered. This type of documentation shall be routed to the employee mentioned through his/her chain-of-command. A copy of the letter shall be entered in the employee's personnel file.

Supervisor's Commendation: Awarded by supervisors to an employee for exceptional or exemplary conduct and behavior.

Chief's Commendation: Awarded to an employee who distinguishes himself or herself by performing exceptional service in a duty of great responsibility or importance to the Department or community, clearly above that which would be normally expected.

Humanitarian Award: This is given to an employee who, in the performance of his/her duties or in a voluntary capacity, exhibits an exemplary concern for the welfare of others as evidenced by an act(s) which contribute substantially to the wellbeing of another subject and which is perceived to be above and beyond that employee's normal scope of responsibilities.

Meritorious Service Award: Awarded to an employee whose long-term performance distinguishes itself by exceptional quality service to the department or the community or performance of duties clearly above that which would be normally expected.

Distinguished Unit Citation: Awarded to a unit whose performance distinguishes itself by exceptional quality service to the department or the community or performance of duty or duties clearly above that which would be normally expected.

Lifesaving Award: Awarded to an employee who saves someone's life.

Purple Heart: Awarded to an employee who in the honorable performance of his or her duties suffers serious physical injury, directly or indirectly attributable to the criminal or hostile acts of others.

Police Cross: Awarded to an employee who lost his/her life in the performance of duty under honorable circumstances. The Police Cross may be awarded in addition to other awards for the actions that lead to their death.

Police Bronze Star: Awarded to an employee who performs an exceptional act, while unknowingly placing himself/herself in great personal danger while engaged in his/her duty, but performs in a commendable manner upon becoming aware of the danger.

Police Silver Star: Awarded to an employee who performs an exceptional act of bravery with knowledge of his/her personal danger. These acts are performed under less hazardous conditions than those required for the Medal of Valor.

Medal of Valor: Awarded to an employee who acts with outstanding bravery or heroism with risk of death or serious personal injury to himself/herself. These acts are performed under less hazardous conditions than those required for the Medal of Honor.

Medal of Honor: Awarded to an employee who knowingly leaves a position of relative safety with full knowledge of the high likelihood of death to himself/herself in order to save (or attempt to save) another human life.

An employee whose life is given in the line-of-duty and certain circumstances indicate an act of valor was performed will automatically be eligible for the posthumous awarding of the Medal of Honor.

30.02.03 Awards to Citizens

30.02.03A Courageous Service Award

The Courageous Service Award is presented to a civilian employee or a citizen of the community. The award shall consist of a framed citation. The criteria for this award shall be as follows:

- Acted within the law when the incident occurred

- Acted in the face of extreme personal danger without hesitation or regard for his/her own wellbeing
- Undertaken these actions willingly and with full knowledge of the grave risk to his/her own personal safety

30.02.03B Miscellaneous Citizen Service Awards

The Chief will write appropriate letters of thanks, appreciation, and commendation to worthy citizens who substantially aid the Department in service to the community. The Chief may also authorize other awards, release information to the media, or authorize other actions as warranted by the event. An employee familiar with a meritorious action by a citizen shall notify the Chief through his/her chain-of-command.

30.02.04 Awards from the Community

Upon notification from a civilian, civilian agency, or other group that an employee has been selected to receive special recognition or an award related to his/her employment with the City of Boise, the employee shall notify the Chief through the chain-of-command. Prior to the designated time of the proposed award presentation, the Chief will notify the employee of his/her decision regarding receipt of the award as a representative of Boise City and/or the Department. All awards of significant monetary value other than memorabilia (e.g., scrolls, plaques, trophies, medal, etc.) shall be reported to the Chief immediately. The Chief shall determine a fair and equitable disposition of the valuable material. A written summary of the circumstances surrounding the award from the community shall be entered in the employee's personnel file.

30.03.00 Transfers and Promotions

All selections for openings in skill areas and other non-temporary positions will be accomplished through a formal selection process as established and directed by Personnel. The only exception to this is if the Chief elects to fill an opening by appointment, rather than selection, in the best interest of the Department. Short-term special assignments may be selected by the Division Commander through an informal process developed by the division. At his/her discretion and with the Chief's approval, the Division Commander may fill a skill opening within the division or open the position to officers from other divisions when a skill opening exists within the division.

30.03.01 Applicant Eligibility

All selection processes for skill areas shall be open to all Corporals, SO2s, SO3s, and PO3s. All PO1s and PO2s with four years of cumulative law enforcement experience also are eligible. Additional years of experience may be required if such requirements are established by an outside agency for certification purposes. If no officers meeting the above eligibility criteria sign up or pass the selection process, any PO1 or PO2 will become eligible to participate in the selection process. If no PO1 or PO2 signs up or passes the selection process, the Chief shall determine the manner in which the vacant position will be filled.

30.03.02 Selection Process

An announcement shall be published, stating the following:

- Open position
- Sign-up period
- Applicant eligibility
- Description of the selection process
- Application instructions
- Duration of a standing list, if appropriate

The employee shall be notified of dates and times set for the oral interview or other processes described in the announcement. The selection process shall be administered by Personnel and, at a minimum, shall include a review of recent job performance, a supervisory recommendation, a review of personal qualifications, a review of disciplinary action (Department review only), and an oral interview. In order to be selected for an assignment or for a standing list, the employee must achieve a final score of 70% or more or as designated by posting. Each employee shall be notified of his/her score and standing on the list upon completion of the selection process while personnel orders shall announce the selected transfer date. The Chief may make a selection from the list, but is not obligated to select the highest-scoring person.

30.03.03 Special Operations Group Restrictions

The three sections of the Special Operations Group (SOU, EOD, and CNT) are considered special assignments. Supervisory personnel are prohibited from applying for or retaining an officer level task position within a special assignment. An officer shall not be assigned to more than one special assignment at any time. An officer who is assigned to a special assignment may apply for a different special assignment. However, he/she shall resign their current special assignment position at the time of selection to the new special assignment.

30.03.04 Promotions

30.03.04A Scheduled Promotions

A scheduled promotion shall be one which is based upon longevity and positive recommendations by the employee's chain-of-command. Scheduled promotions include promotion to Police Officer I, II, and III. Personnel shall be responsible for tracking Police Officers I, II and III who become eligible for scheduled promotions and for causing the necessary paperwork to be completed.

30.03.04B Competitive Promotions

Competitive promotions shall be those which are made from an established rank-ordered list. This list shall have been established using a testing process conducted in conformance to the Boise City Civil Service Rules. In competitive promotions, rank ordering on the list shall be one of the considerations for promotion. However, the Chief shall have discretion as allowed in the Civil Service Rules in making promotions. The ranks of Sergeant and Lieutenant shall be subject to competitive promotional processes. Police Personnel shall serve as the governing authority in establishing competitive promotional processes. Boise City Personnel and Police Personnel shall function as the developmental

and administrative arm with the purpose of establishing a ranking of employees eligible for promotion.

30.03.04C Discretionary Promotions

The Chief shall have discretion in promotions to the rank of Captain or Deputy Chief.

30.04.00 Separation from Employment

The purpose of this section shall be:

- to ensure that both the employee and the Department realize the maximum possible efficiency in dissolving the employment relationship
- to insure that the employee has been extended all rights and benefits due
- to insure that the Department receives adequate notice, the opportunity to recover all property, and the opportunity to recover any compensation issued in advance which has not been expended

30.04.01 Types of Separation

Termination: Termination shall mean that the Department is the party which instigates the involuntary separation, most likely as a result of the employee's misconduct or unsatisfactory job performance.

Resignation: Resignation shall mean that the employee has elected to voluntarily end the employment relationship.

Retirement: Retirement shall mean that the employee has successfully completed a career with the Department and is entitled to the benefits afforded retirees.

Reduction in Force Lay-Off: A reduction in force lay-off shall mean that the Department, for economic reasons, must reduce the size of the work force. For sworn officers the resulting lay-offs occur in reverse order of seniority with no stigma of termination (see above).

30.04.02 Notice of Intent

An employee who intends to resign or retire shall notify the Department by submitting a letter through his/her chain-of-command to the Chief, stating the intent and effective date of termination. He/she is requested to give the Department four weeks notice. In the case of a termination, the Department shall notify the employee of proceedings as indicated in [12.00.00 Internal Investigations and Discipline](#). In the case of a reduction in force lay-off, the Department shall notify the employee in writing of the lay-off, the effective date, and the conditions of return to employment with the Department.

30.04.03 Out Processing

Personnel will contact the employee to schedule an appointment for out processing, allowing sufficient time for all processes to be completed. During out processing, Personnel shall schedule the employee for an exit interview, normally to be conducted by the Personnel Administrator.

Boise City Human Resources contacts the employee so the employee may make any constructive comments concerning any facet of his/her employment with the Department. The interview may cover the following general topics:

- Fair treatment
- Any questions regarding insurance, benefits, retirement, etc.
- Work performance issues
- Communications within the Department

The Personnel Administrator shall also require the employee to review his/her personnel file. The Personnel Administrator shall be responsible to provide access as directed and this process shall comprise the official Department response to any inquiry. All responses to past employment inquiries from other Department employees shall be considered to be the personal opinion of that employee.

30.04.04 Post-Employment Inquiry

Any employee receiving a post-employment inquiry shall refer the inquirer to Personnel.

31.00.00 Compensation and Benefits

31.01.00 Compensation

Compensation is addressed in the *Boise City Employee Policy Handbook, 3.00 Compensation*, and the *Collective Labor Agreement*. The information in this section supplements these two documents.

31.01.01 Underpayments

An employee who has been underpaid due to a payroll error will be compensated on the next regular paycheck, unless this creates an undo hardship on the employee. If requested by the employee, a separate check will be prepared by City Finance.

31.01.02 Overpayments

An employee who has been overpaid due to a payroll error shall pay the amount of overpayment back to the City. Repayment can be made as follows:

- Deduct the amount of overpayment on his/her current month's paycheck. If the overpayment is for more than one month, he/she can pay back the amount over the same number of months of overpayment.
- Reimburse the overpayment amount to the City less payroll deductions.
- By other arrangements as approved by the City and the employee.

31.01.03 POST and College Pay Increases

Each sworn employee is eligible for pay increases for achieving a higher POST Certification and/or the accumulation of sufficient accredited academic college credits as indicated in the *Collective Labor Agreement* compensation schedule. The officer is responsible for monitoring his/her own advancement and for applying for a pay status change 30 days prior to the eligibility date. The pay increase will be effective no earlier than the date of certification for POST and no earlier than the date of application for college credits. Personnel will provide information regarding POST Certification levels and criteria upon request. When accreditation of college credits is in question, Boise State University standards will apply.

31.01.04 On-Call and Called-in Pay

31.01.04A Civilian Employees

Refer to the *Boise City Employee Policy Handbook, 3.25(b) On-Call and Called-In regulation*.

31.01.04B Sworn Employees

As specified by the *Collective Labor Agreement*, an officer will be paid a minimum of two hours when called out for unplanned field operations. An officer who is called out to respond to an unplanned

field operation will be compensated for travel time to and from home. A CID detective or an SRO should refer to the appropriate SOP.

31.01.06 Court Appearances and Jury Duty

An employee is not considered absent from work if directed by proper authorities to:

- Appear as a witness for the United States, the State of Idaho, or one of its subdivisions
- Serve as a member of a jury
- Attend court or other hearings in connection with official duties as an employee

An employee who is required to attend court for reasons other than those listed above should notify his/her Division Commander and seek assistance from Finance regarding the type of leave and/or compensation necessary.

As soon as an employee receives notification to appear in court or serve jury duty, he/she shall ensure that his/her supervisor is aware so that any changes in his/her work schedule can be accommodated. An employee who is not impaneled or is released prior to the end of his/her regularly scheduled shift shall report to work for the remainder of that shift. Any employee who fails to report to work after early release shall be considered absent without authorization.

A civilian employee who works either swing or graveyard shift is eligible for compensatory time off at a rate equal to the time spent on jury duty. Before an employee is eligible for compensatory time off, he/she shall spend at least three hours during the day on jury duty. Compensatory time off will be taken during the shift immediately following the jury duty. A civilian employee, who voluntarily works a full shift, although entitled to compensatory time off, will be paid at the regular hourly rate. An employee who is required to work his/her shift will be compensated at 1½ times his/her regular hourly rate.

31.01.06A Court Time Cancellations

An officer who is on any type of compensated leave and attended court or who was canceled for court that is scheduled during his/her regularly scheduled shift is subject to compensation at the straight time rate for either the three hours minimum or the actual time testified, if in excess of three hours.

The court hours will reduce the number of leave hours taken. An employee who is working a flexed schedule and appears in court or is canceled late will not be compensated for those hours if those hours take place during his/her flexed work schedule.

31.01.06B Subpoenas Resulting from Previous Law Enforcement Employment

Any employee receiving a criminal or civil subpoena as a result of previous law enforcement employment that will affect his/her duty schedule with the Department shall immediately notify the Court Liaison and the Division Commander through his/her chain-of-command of the circumstances surrounding the subpoena. An employee who has been subpoenaed because of previous employment with other agencies may be granted administrative leave for those hours corresponding to normal duty hours in the amount determined by the Division Commander and approved by the Chief.

31.01.06C Received Compensation for a Court Appearance

An employee may keep any payments received from the court for having served on a jury or as a witness for the United States, State of Idaho, or one of its subdivisions when such service is not in connection with official job duties.

31.01.07 Shift-Differential Pay

31.01.07A Civilian Employees

A civilian employee shall be compensated for shift differential based on the actual hours worked, excluding annual, sick, holiday, and compensatory leave hours. Refer to the *Boise City Employee Policy Handbook, 3.25(c) Shift Differential regulation*.

31.01.07B Sworn Employees

A sworn employee shall refer to the *Collective Labor Agreement*. Regularly scheduled shift differential will be compensated to officers for the following:

- Time temporarily flexed
- Temporary assignment to a different shift exceeding 40 hours
- Overtime worked

31.01.08 Time Changes

An employee whose regularly scheduled shift extends through 0200 may be impacted in the Fall, when Daylight Savings Time ends and the clocks are turned back one hour. The employee will work one additional hour, which will be compensated at 1½ times his/her regular hourly rate. In the Spring, when Daylight Savings Time begins and the clocks are turned ahead one hour, the employee will work one less hour. The hour not worked will not be deducted from his/her pay.

31.01.09 Working Out of Classification (Acting Assignment)

An officer shall refer to the *Collective Labor Agreement*.

A civilian employee may be temporarily assigned to a higher grade classification when he/she meets the minimum qualifications for the higher position and when:

- The incumbent of the higher grade position is on an authorized absence of more than three weeks or a vacancy exists in the higher grade position.
- The temporary assignment is approved by the Chief and City Human Resources.

Acting assignments shall be limited to six months. An extension may be submitted in writing and may be granted by the Chief and City Human Resources. When the employee serves in an acting capacity, he/she will receive a salary increase as follows (whichever is greater):

- A 5% increase will be awarded for one pay grade difference between the employee's current pay grade and the acting pay grade.
- A 10% increase for a two or more pay grade difference or a minimum of the acting position's salary range.

When the incumbent of the higher grade position returns from leave of absence or the vacant position is filled, the acting appointment shall expire. The acting appointee shall be returned to the class, pay grade, and salary held immediately preceding the acting appointment. If the pay for performance increase is awarded to the acting employee during the temporary assignment, the same percentage of increase will be applied to his/her previous salary.

31.01.10 Serving as a Member of Oral Boards for Internal Transfers and Promotions

An employee may serve on an oral board relating to a competitive transfer or a promotional exam within the Department. If the testing occurs outside of the employee's regularly assigned shift, the hours will be compensated at 1½ times the regular hourly rate. If the testing occurs within the employee's regularly assigned shift, the hours will be reported as regular time worked.

31.01.11 Promotion Exams Participation

An employee who is eligible to take a promotional exam for career advancement will not be compensated for those hours required to participate in the testing procedures. If an employee is scheduled to work on the day of the exam, he/she will be required to take leave during the testing process.

31.01.12 Pay for Special Interests

Pay for special interests will be as follows:

- Contract Negotiation Time: Refer to the *Collective Labor Agreement*.
- Drug Free Idaho: An officer working overtime presenting a DRUG FREE IDAHO session will be compensated by the Department at 1½ times his/her regular hourly rate. If it takes place outside the City limits, DRUG FREE IDAHO will reimburse the Department at the employee's overtime rate plus fringe.
- School Activities: An employee who works overtime for school activities will be compensated at 1½ times his/her regular hourly rate. The employee will report his/her overtime on an FLSA time sheet, indicating school activity and school. The employee shall fill out a work verification form (279-D) and attach it to the FLSA time sheet. Also, see the agreements between the Department and the Boise City and Meridian School Districts.
- Canine Unit: Also see the agreement between the Department and the dog handlers. Each officer who is a dog handler shall be compensated for the care of police dogs as follows:
 - On a scheduled work day, the officer will be given ½ hour off for animal care at the beginning or end of his/her normal shift at his/her supervisor's discretion.
 - On normal days off, the officer will be compensated ½ hour per day for animal care at the rate of 1½ times his/her regular hourly rate in the form of paid or compensatory time.
- SOU Physical Fitness Training: SOU members will be allowed a maximum of 10 hours of SOU workout hours per calendar month for the purpose of physical fitness training (aerobic or strength training) necessary to meet physical fitness requirements. This time is not classified as FLSA hours worked.
 - A maximum of 40 hours SOU workout hours can be accumulated for physical fitness training. The time accumulated shall be taken off during the same month it is accumulated in, unless an officer is unable to do so because of manpower shortage. In such cases, the time shall be taken off during the following month. Time taken off is subject to the approval of the officer's supervisor.

- When SOU members resign from SOU, time accumulated shall be taken within 90 days from the resignation date.

(Note: As referred to above this time is not classified as FLSA hours worked.)

31.01.13 Compensation for Training

The *Collective Labor Agreement* contains specific information regarding compensation for voluntary and mandatory training.

31.01.13A Students

Only time spent in actual training constitutes compensable hours of work. Time spent studying is non-compensable, even if the employee is required to pass a written and/or verbal examination to obtain certification or re-certification. The *Collective Labor Agreement* defines mandatory and voluntary training and provides specific information regarding flexing of work schedules and paid compensation for training. Generally, an employee is required to flex his/her work schedule as necessary to attend voluntary training although an employee may also be required to attend mandatory block training. See the *Collective Labor Agreement*.

31.01.13B Instructors

An employee who is an instructor for Department-related training is compensated for off-duty hours spent at 1½ times his/her regular hourly rate. An employee who is paid by another agency to instruct at a school or seminar will not be compensated by the Department for the time spent as an instructor and is required to use leave to cover his/her shift.

31.01.14 Compensatory Time Leave (Comp Time)

31.01.14A Reasonable Notification

As defined by Collective Labor Agreement (contract employees) or City handbook (non-sworn).

31.01.14B Unduly Disruptive Situations

If the employee has given reasonable notification, a supervisor will not deny a request for comp time leave unless he/she anticipates, reasonably and in good faith, that the request would be unduly disruptive. Comp time leave is considered unduly disruptive if it causes an unreasonable burden on the Department's ability to provide services of acceptable quality and quantity for the public. Situations may arise in which overtime may be required of one employee to permit another employee to use comp time leave, which will not be sufficient for the Department to claim that it is unduly disruptive. Examples of situations that may be unduly disruptive include:

- Failure to provide reasonable notification
- Times of a major police situation, disasters, or restricted leave
- When mandatory training is scheduled for the employee requesting leave
- Unavailability of an acceptable employee to replace the employee requesting leave

31.01.14C Compensation

An employee will be compensated in accordance with the *Boise City Employee Policy Handbook*. If contract employee, he/she will also be compensated in accordance with the *Collective Labor Agreement*, which will be the governing document in the event of any discrepancies.

31.03.00 Benefits

Benefits are addressed in the *Boise City Employee Policy Handbook*, 5.00 *Benefits*, and the *Collective Labor Agreement*. The information below supplements these two documents.

31.03.01 Annual Leave

Employees shall refer to the *Boise City Employee Policy Handbook*. Each employee will earn a number of paid annual hours at the end of each month, depending on the employee's length of employment and the number of hours worked each month.

Each employee may not accrue more annual leave than the standard maximum specified amount (except as specified by the *Collective Labor Agreement* for contracted sworn employees). Annual leave hours may be carried over from one calendar year to the next, but cannot exceed the established maximum accrual limits. Each employee is responsible for monitoring his/her accrued annual leave and scheduling time off to avoid exceeding the maximum limit. An employee who is approaching his/her maximum accumulation of annual leave shall notify his/her supervisor at the beginning of the month, if the leave cannot be taken during the month due to scheduling difficulties or minimum manpower. In the event an officer cannot take time off, he/she may choose compensation for those excess hours in the form of monetary payment or comp time. The employee shall provide Finance with written approval from his/her Division Commander.

An employee who leaves the Department after six months of continuous and non-temporary service is entitled to his/her annual leave accrued up to the time of separation in the form of cash payment based on the employee's current rate of pay at the time of separation. An employee leaving the Department prior to the completion of six months continuous service forfeits any annual leave accrued.

While on annual leave or comp leave, an employee will not be compensated overtime for any time worked during his/her regularly scheduled hours.

Contracted sworn employees shall refer to the *Collective Labor Agreement*, which establishes criteria for vacation selection.

31.03.02 Sick Leave

Sick leave will accrue at the rate determined by the *Boise City Employee Policy Handbook*, and the *Collective Labor Agreement*. Sick leave hours earned for a particular month cannot be used by an employee in advance or during the month they are earned. Sick leave accrual is not transferable between employees. An employee who becomes sick while on-duty shall advise his/her supervisor before leaving his/her assignment. An employee who becomes sick prior to the duty shift shall personally call his/her supervisor (or the next supervisor in his/her chain-of-command). Also, the employee may make required court appearance if able and will not be compensated overtime for any time worked during his/her

regularly scheduled hours. The employee will notify his/her supervisor of his/her status on a daily basis, unless otherwise approved. The employee shall remain at home, except as necessary to attend to his/her illness, attend to family sick leave business, or as otherwise approved.

An employee on sick leave for an extended period may be assigned to any days and hours of work, based on Department needs.

When a business need arises regarding the use of leave, the City may request that the employee provide medical certification. Employees may be required to present a fitness for duty certificate from a physician to be restored to employment after using leave. When the supervisor is concerned about the welfare of an employee, the supervisor should confer with the employee to rectify the situation.

When the employee's sick leave runs out, the employee shall use accrued annual leave, comp leave, or take leave without pay, except under situations covered by the FMLA (see [31.03.03 Family and Medical Leave](#)). Leave without pay may be requested, but shall extend no more than one calendar week. If the employee will be unable to return to work at that point, he/she shall request a medical leave of absence.

31.03.03 Family and Medical Leave Act (FMLA)

The *Boise City Employee Policy Handbook, 3.15c Family and Medical Leave*, states that an eligible employee is entitled to 12 weeks of leave during a 12-month period for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care,
- To care for the employee's spouse, son or daughter, or parent, who has a serious health conditions; or
- For a serious health condition that makes the employee unable to perform the employee's job.

31.03.04 Administrative Leave

Administrative leave is not considered as hours worked for purposes of calculating overtime pay. The authority to grant administrative leave has been delegated by the Mayor to the Chief. While on administrative leave, all normal benefits and pay continue to accrue. Administrative leave does not come out of the employee's personal leave (accrued sick, annual, or comp time). Administrative leave may be ordered by the Chief in those cases where an employee needs or deserves time off as a result of a job-related situation (e.g., after a critical incident).

31.03.05 Bereavement Leave

A civilian employee will be permitted five days administrative leave for deaths occurring in the employee's family. For purposes of bereavement leave, family is defined as a spouse, child, parent, sibling, grandparent or grandchild of the employee and that of his/her spouse's family. See also the *Boise City Employee Policy Handbook, 3.15b Bereavement Leave*.

Sworn personnel shall refer to the Collective Labor Agreement for bereavement benefits (if it is determined to be appropriate the Chief may authorize more than three days administrative leave).

31.03.06 Leave of Absence (LOA)

Leave of Absence applies only to leave that is for the purpose other than, or ineligible under, the FMLA. Military leave is not considered a leave of absence. Normally, an employee must have been employed by the Department for more than 12 months before a LOA will be considered and the LOA will be for educational or medical reasons. The Chief may grant a LOA for other reasons, based on individual or Department circumstances. An employee's seniority will not accumulate while he/she is on a LOA.

A LOA will be for a fixed specified period of time, normally one year or less. If on a medical LOA for over four days, the employee will submit a medical release to duty from his/her physician. If the LOA is for three or more months, the employee will be required to undergo a polygraph exam and a POST physical fitness assessment before returning to work. If information is obtained indicating that the employee is unable to function as a law enforcement employee, he/she may be required to obtain medical clearance or may be considered unfit for duty, which would ultimately result in termination.

All requests for LOA will be forwarded to the Chief and (for a sworn employee) to the Civil Service Commission (CSC) via the normal chain-of-command. The CSC may approve either reinstatement in the job or placement of the employee on a register for filling of the next vacancy. The officer and the Chief should submit their requests to CSC before the LOA is approved.

All letters of LOA requests (except for medical reasons) and the corresponding written agreements shall be retained in the employee's Personnel File. Medical LOA documents shall be retained in the employee's medical/pre-employment file.

Also see the *Boise City Employee Policy Handbook, 3.15i Military Training Leave and Re-Employment*.

31.03.07 Military Leave

Immediately after an employee is informed by military authorities of a firm schedule, a period for training, or required attendance, he/she shall inform Police Personnel through his/her chain-of-command. Immediately on receipt of military orders verifying such assignments, a copy of the orders shall be submitted in the same manner. Refer to the *Boise City Employee Policy Handbook, 3.15i Military Training Leave and Re-Employment*.

31.03.08 When Called to Work from Leave

An employee on annual, sick, or compensatory leave who is called back to work during his/her regularly scheduled work hours will be compensated for those hours worked as regular time and the remaining hours for the day shall be reported as leave time.

31.03.09 Holidays

It is at the Department's discretion whether or not an employee works a holiday.

31.03.09A Civilian Employees

For information regarding holidays, including the "floating holiday," see the *Boise City Employee Policy Handbook, 3.15d Holiday*. Floating holiday hours do not count toward overtime compensation.

31.03.09B Sworn Employees

A sworn employee below the rank of Lieutenant is entitled to holidays as designated by the *Collective Labor Agreement*.

An officer who is scheduled to work the holiday shall be compensated at 1½ times his/her regular hourly rate in addition to his/her base hourly rate. An officer who is not scheduled to work the holiday shall be compensated at straight time for the number of hours regularly worked on a shift. Overtime worked on a holiday is not considered part of holiday compensation. Overtime hours worked on a holiday will be compensated at the regular overtime rate.

If an officer flexes his/her schedule that involves a holiday, he/she will be compensated for the actual hours worked on the holiday at 1½ times his/her regular hourly rate in addition to his/her base hourly rate. If the officer flexes his/her weekly work schedule and a holiday falls on a day off, he/she shall be compensated at straight time for the hours assigned while on a flexed shift.

If an officer trades regularly scheduled time off with another officer who is scheduled to work the holiday and it is his/her regularly scheduled day off, he/she will be compensated for the holiday at 1½ times his/her regular hourly rate in addition to his/her base hourly rate. The regularly-scheduled officer is compensated for the holiday at straight time.

If an officer is earning Workers' Compensation and a holiday falls on his/her regularly scheduled day to work, he/she is not entitled to additional pay. If an officer is earning Workers' Compensation and a holiday falls on the officer's regularly scheduled day off, the officer shall be compensated for the holiday at straight time.

31.04.00 Employee Assistance Program

The City offers an Employee Assistance Program (EAP) for voluntary use by employees and as a referral by Department supervisors. The program is offered as a service to employees and their families who experience problems in the following areas:

- Marriage or family
- Alcohol or drug abuse
- Emotional
- Financial (referral service only)
- Legal (referral service only)
- Job-related
- Psychological

All EAP services remain strictly confidential and are never released to any employee without the expressed written authorization of the involved employee based upon a recommendation by the counselor that the employee's supervisor needs to be brought into the situation to assist the employee. The EAP offers free problem assessment and initial counseling up to six visits. If further assistance is needed, the counselor will help the employee obtain financial assistance from the City medical insurance to the extent of its coverage. When referrals to professionals outside the EAP are made, the EAP counselor will assist in finding the best and most affordable service. When EAP professionals are not able to help the employee deal with problems due to lack of expertise in that area, they will refer the employee to

professionals who are able to help in that area. Personnel or City Human Resources will provide a 24-hour emergency phone number to an employee if needed.

32.00.00 Training and Travel

32.01.00 Training

The Department recognizes the direct relationship between high-quality training and high-quality job performance and supports a pro-active and professional training program. In addition, Peace Officer Standards and Training (POST) requires 40 hours of training every two years in order for officers to maintain their certification.

32.01.01 Requesting Training

Training requests are necessary for most training classes. Unless otherwise directed, an employee who requests training shall complete the BPD Training Request form. The form will be routed through the employee's chain-of-command, including the specialty unit chain-of-command if applicable.

32.01.02 Training Program Responsibilities

The Training Program responsibilities are as follows:

- New Officer Training Program: The new officer training program includes all training provided to new officers, including all orientations, POST Academy Training (for inexperienced officers), Advanced Academy training, and the Field Training Program. The Training Section and the Academy Training Officer(s) will manage all new officer training.
- In-Service Training: In-service training is training normally provided to an employee by a Department instructor, including Block Training, which may be required annually. The Training Section will manage Department-wide in-service training and will support in-service training scheduled by a division. A Division Commander may schedule in-service training specifically for his/her division, but shall coordinate it with the Training Section and provide a copy of lesson plans and rosters.
- Specialized or Vendor Training: Specialized or vendor training is training that is provided to employees by an outside instructor or vendor and may require the employee to travel outside the area to attend the course. Some specialized or vendor training is sponsored or coordinated locally by the Department. The Training Section will manage this training. Travel for approved training will be handled the same way as operational travel (see **32.02.00 Travel**).
- Firearms Training Program: Firearms training is training required of each sworn employee to qualify with any weapons carried on-duty and will be managed by the Firearms Program Manager.
- Unit Training: Unit training includes all in-service training conducted within a special unit (e.g., CSI, K9, SOU). The unit supervisors will manage the training, will inform the Planning and Training Section prior to scheduling the training, and will provide a copy of lesson plans and rosters.
- Civilian Employee Training: The civilian employee training includes a Department orientation and job training specific to on-duty tasks.
- Management and Supervisor Training: Management and supervisor training is training for Department managers and supervisor, which may be either specialized training, vendor training, or in-service training. The Training Section will manage this training.

32.01.03 Identifying Training Needs

Each employee will assist in identifying his/her own training needs, monitoring his/her own career path, initiating training requests, attending training (once approved), and ensuring that the Training Section receives verification of any completed training. Each supervisor will also collect input from subordinates, assess division/team training needs, and pursue appropriate training opportunities for himself/herself and his/her subordinates. Each Division Commander will also identify individual and organizational training needs within his/her division, provide input to the annual training plan, and manage the implementation of the approved plan for his/her division.

32.01.04 Employee's Responsibility

An employee will assist in the identification of his/her own training needs, initiating training requests, attending training (once approved), and ensuring that he/she receives verification of completed training. It is an employee's responsibility to check their training records and ensure that they remain in compliance with the minimum number of hours required by POST every two years.

An employee attending training shall be responsible for his/her attendance and conduct. He/she shall attend on time in the proper attire, conduct himself/herself professionally, and will have all necessary equipment for the training. An employee who misses scheduled training for any reason (include court requirements) shall contact the Training Section and arrange for make-up training. If an employee receives a subpoena after being approved for training, he/she will notify the Court Liaison to determine whether or not the case can be rescheduled. If not, the employee will attend court, even if it means missing scheduled training.

32.01.05 Supervisor's Responsibilities

A supervisor will collect input from assigned employees, assess their training needs, and pursue appropriate training opportunities.

Supervisors shall ensure that assigned employees sign up for and attend required training. If an excused absence, such as illness or court, interferes with scheduled training, supervisors shall ensure that the Training Section is notified and the employee is rescheduled (see 32.01.04).

32.01.06 Division Commander's Responsibilities

The Division Commander will identify and organize training needs within his/her division, provide input to the annual training plan, and pursue appropriate training opportunities, including the approval of training requests for his/her subordinates. The Division Commander will also participate on the Training Committee.

32.01.07 Training Committee Responsibilities

The Boise Police Department Training Committee is responsible for coordinating the development of an annual training plan and budget, reviewing proposals to develop new or revise existing department training courses or programs, providing for technical and policy review and approval of new or revised training courses and materials, and providing guidance and assistance, as needed to the Planning and Training Section Supervisor.

32.01.08 Instructor Responsibilities

Instructors shall conduct all assigned training in a professional manner and shall dress in the uniform of the day or appropriate attire.

32.01.09 Providing Training to Outside Agencies

Any training that is sponsored by the Department and that will be attended by personnel from other agencies shall be approved by the Training Committee prior to distribution of any schedule or announcement. As part of the approval process, the Training Committee will consider cost/benefit, liability, ethics, and Boise City and BPD policy. Charges to outside agencies will normally not exceed the actual cost of providing the training, including development and delivery time for BPD employees, materials, equipment, and facilities.

Boise Police Department employees may be requested to provide training to outside agencies. This is permissible in one of the following ways:

- a. As an official representative of the Boise Police Department

Participation will be approved by the employee's Division Commander. The time required for preparation and delivery of the instruction shall be compensated by the Department and any materials and equipment required for the instruction will be provided by the Department.

- b. As off-Duty Employment

The employee shall meet the requirements of Boise Police Department policy on off-duty employment (11.05.01 through 11.05.04). The Department will not compensate employees in any way for such employment. Employees are prohibited from using City equipment, facilities, or property to perform outside employment.

NOTE: An exception to this policy may be granted for situations in which the department is receiving a direct benefit from the instruction. An example is where an employee is teaching for the Peace Officer Standards and Training (POST) Academy or other government agency which provides law enforcement or related training to Boise Police employees. In such cases, the employee's Division Commander shall approve the use of any department time and materials.

32.01.10 Providing Training to Department Personnel

Any training that is sponsored by the Department and that will be attended by Department personnel shall be approved by the Training Committee prior to distribution of any schedule or announcement. Instructors shall notify the Training Section of the proposed training and the Training Section will arrange for the training to be reviewed by the Training Committee.

Upon approval from the Training Committee, and prior to scheduling the training, the instructor shall provide a copy of lesson plans to the Training Section Supervisor or Coordinators for review.

Exception: Briefing training, training within a unit or recertification training does not require prior approval by the Training Committee. Instructors shall notify the Training Section of all proposed recertification training prior to distribution of any schedule or announcement.

32.02.00 Travel

See *Boise City Employee Policy Handbook, 4.75 Travel Regulations*.

32.02.01 Meal Expenses

Meal expenses will be paid on a per-diem basis for an employee traveling on official Department business. City procurement cards shall not be used for meal expenses paid for by per diem. The current Domestic Per Diem Rate Table will be used to determine the per-diem rate, (<http://www.gsa.gov/portal/content/101518>). The per diem amounts are consistent with IRS regulations which also require that if an employee receives a meal at nominal or no cost, the per diem shall be adjusted by deducting the appropriate amount. A continental breakfast such as muffins, bagels, fruit, and coffee that is provided free of charge will not reduce the employee's meal allowance. For partial days away from home, the per diem amount shall be adjusted using the meal breakdown chart and the employee's travel schedule. The employee will be required to reimburse the department for any meals that were provided at training. The employee should verify per diem amounts before and/or after travel.

The employee shall submit a request for travel funds either on an expenditure form to Finance at least 15 days in advance or the training request with per diem noted to the Training Section at least 30 days in advance. The employee shall submit the travel form and all receipts for travel expenses, excluding meals, to Finance within 14 days upon return.

32.02.02 Cash Advances

Pre-travel cash advances are available; however, City policy limits the advances to the standard rate unless the travel destination is listed in the Domestic Per Diem Rate Table and specifies a different amount. Also, that amount shall be prorated when traveling for only part of a day or when meals are included in registration fees. For partial days away from home, the per diem amount shall be adjusted using the meal breakdown chart and the employee's travel schedule.

33.00.00 Grant Funding

33.01.00 Grant Administration

In order to effectively manage the grant-funding process, Divisions shall notify and work with the Planning Section and the Police/Fire Finance and Administration (PFFA) Division to facilitate the application process.

The Department encourages employees to identify needs and grant-funding sources that may address those needs. Employees should submit needs and potential funding sources, in writing, through the chain-of-command to the employee's Division Commander. The Division Commander will consider the merits of the needs and may direct the employee or a representative from the Division to discuss the needs and potential sources of grant funding with the Department's Planning Section.

Funding sources will be researched further if needed and identified, either by the Planning section or the division representative. The proposal will be written by the Planning and Training Section, with the assistance of the Division representative. The written proposal will be submitted through appropriate channels, after having been signed by the Chief (if required). Once the grant has been awarded, the management of the appropriations and utilization for the grant funding will be the responsibility of PFFA.

34.00.00 Public Affairs

34.01.00 Media Relations

The Boise Police Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest. The Department will impartially cooperate with authorized news media representatives in their efforts to gather factual public information pertaining to activities of the Department, as long as these activities do not unduly interfere with Departmental operations, infringe upon individual rights, or violate the law.

34.01.01 Communications Director's Responsibilities

The Communications Director is responsible for the coordination of all Department public information activities and serves as a liaison between the Department and the media. He/she will develop and maintain a satisfactory relationship between the Department and the news media and will ensure that authorized representatives of the news media are provided with timely and appropriate information.

He/she will:

- Assist news personnel in covering routine law enforcement-related news stories and at the scenes of incidents.
- Assist Department personnel with media relations issues on an on-call basis.
- Prepare and distribute news and public information releases
- Arrange for and/or assist at news conferences
- Coordinate and authorize the public release of information about crimes, law enforcement activities, investigations, or Department activities
- Assist in situations of concern within the agency
- Coordinate and provide training in media relations to Department employees
- Provide an orientation in Department organization and operations to new media representatives

34.01.02 Employee Contact with Media

Each employee will maintain a helpful and courteous attitude when contacted by representatives of the media. When an employee is unsure of the facts or the propriety of releasing information, he/she shall refer the inquiry to the Communications Director. He/she will contact supervisor and/or the Watch Commander/Lieutenant for assistance whenever needed and in all cases involving major crimes or incidents. The supervisor or Watch Commander/Lieutenant may contact the Communications Director and assist employees in responding to media requests for information.

34.01.03 Cooperation with the Media

An employee will extend every reasonable courtesy to news media representatives at crime scenes, providing there is no interference with police operations or the movement of traffic. Media representatives may be denied access to certain areas if such access would endanger their own lives or the lives of others.

Authorized news media representatives will have reasonable access to the Communications Director, the Chief or his/her designee, and operations of the Department. When information must be denied to a media representative, the basis for that denial will be explained. This Department recognizes authorized identification from all local, national, and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.

During searches of private property, the media shall not be allowed entrance unless the property owner gives his/her permission and it does not interfere with an ongoing investigation or the police mission.

34.01.04 Release of Investigative Information

Information release regarding an ongoing criminal investigation shall be coordinated between the lead detective, CID Sergeant or Lieutenant and the Communications Director.

34.01.04A Permitted Information Release

The following information may be released:

- The type or nature of an event or crime.
- The location, date/time, damages, and a general description of how the incident occurred.
- Requests for aid in locating evidence, a complainant, or a suspect. The identity of a suspect may be released prior to arrest, if such information will aid in apprehending the suspect or serve to warn the public of potential danger.
- The number of employees or people involved in an event or investigation and the length of the investigation.
- The names of officers involved in a critical incident (released as soon as possible).
- The names of juveniles 14 and older charged with a crime (not a status offense), unless sealed by a court order following approval by the Chief or his/her designee.
- Other information, such as the name, gender, age, and address of subject(s) arrested, may be released subject to the restrictions listed in [34.01.04B Prohibited Information Release](#).

34.01.04B Prohibited Information Release

The following information may not be released:

- The identity of a crime victim or witness or any information that would constitute an unwarranted invasion of personal privacy for crime victims or witnesses.
- The identity of a juvenile under the age of 13 who is a suspect in a case subject to the juvenile court's jurisdiction.
- The identity of a deceased person prior to notification of the next of kin by the coroner.
- The results of any investigative procedure (lineups, polygraphs, fingerprint comparison, ballistics tests, or other procedures). The fact that these tests have been performed may be revealed without further comment.
- Information which, if prematurely released, may interfere with the investigation or apprehension (i.e., the nature of leads, specifics of an "MO," details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension).

- Evidentiary information that may adversely affect criminal or civil proceedings, including the existence or non-existence of a confession.
- Specific cause of death, unless officially announced by the coroner.
- The home address or telephone number of any Department employee.
- The amount of money or monetary value of items taken during a robbery. “An undisclosed amount of money” or “items of undisclosed value” is the recommended statement.
- Information about the medical condition of an injured individual.

34.01.05 Release of Arrest Information

34.01.05A Permitted Information Release

The following information may be released:

- The suspect’s name and age. The suspect’s residence, occupation and family status may only be released if it does not identify the location of victims, witnesses or interfere with an ongoing investigation.
- The time and place of the arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect, and the description of contraband seized.
- The amount of bond and place of the suspect’s detention.

34.01.05B Prohibited Information Release

The following information may not be released:

- Prior criminal conviction record, character, or reputation of a suspect.
- Existence or contents of any confession, admission, or statement of a suspect, or his/her failure or unwillingness to make a statement.
- Performance or results of any tests or the suspect’s refusal or failure to submit to tests (such as a polygraph).
- Identity, statement, or expected testimony of any witness or victim.
- Any opinion about the guilt or innocence of a defendant or the merits of the case.
- Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

34.02.00 Requests for Access to Records

Per Idaho Code 9-335 through 9-348, the Department shall allow full public access to Department records while restricting disclosure of information that may compromise an on-going investigation or that is exempt from disclosure under state law, case law, or other laws of the United States. To ensure that the release of records is handled in a fair and consistent manner, all requests under the Idaho Public Records Law shall be made in writing. Exceptions to this provision shall be made only in cases of releases to other criminal justice agencies or in accordance with published guidelines for documents which do not need prior review. The BPD Legal Advisor shall be the final authority regarding the disposition of any BPD record, whether in the physical custody of the employee or Department agents.

An employee wishing to obtain copies of official reports for personal reasons shall submit a public records request using the procedures for any requesting party. No employee shall use his/her position as a Department employee to obtain copies of any official document for parties outside the law enforcement and prosecutorial realm.

34.03.00 Response to Inquires from the Mayor's Office

Requests for service or information from the Mayor's Office will be tracked by the Chief's Office.

34.04.00 Ride-Alongs

To further promote positive citizen contacts, the Department provides a ride-along program. The Department reserves the right to coordinate and schedule ride-alongs as conditions allow. There are inherent risks involved with participation in the ride-along program, and the applicants will be mentally and physically able to respond to immediate dangers and critical situations. In addition, the mission and safety of the officer shall not be compromised during this activity.

An officer will not be assigned more than two Department-initiated or citizen-initiated ride-alongs per month. A Department-initiated ride-along is defined as a ride-along requested by a citizen outside of those associated with BPD law enforcement or those initiated by a BPD officer. Probationary officers shall not take any ride-alongs. Normally, Field Training Officers will not be required to take ride-alongs, but may take them on a voluntary basis or at the request of a supervisor in an unusual circumstance. Supervisors will ensure equitable rotation among members of their shift. In general, ride-alongs shall be four hours in length, unless modified by the hosting officer or a supervisor. Participants in Department-sponsored programs may ride the entire shift.

The Patrol Secretary will maintain all documents related to Department ride-alongs.

34.04.01 Ride-Along Participant Requirements

A ride-along participant will meet the following requirements:

- All ride-alongs shall be free of any recent major or habitual violations of the law, including drug usage or other activities or associations that would be considered contrary to law enforcement ethics or compromise law enforcement operations. Such information will be established either through the personal knowledge of the individual by an employee or through a criminal history check. The Watch Commander/Lieutenant has the authority to approve or disapprove a ride-along based on personal knowledge by an employee or criminal history of the proposed ride-along.
- All ride-alongs shall be 18 years of age or older, unless a written petition for exception is approved by the Division Commander or his/her designee. All juvenile ride-alongs will be conducted between 0700 and 2400 hours.
- Civilian and Department initiated ride-along participants shall only ride once per year. Individuals personally known by the officer shall not ride more than once per shift change, excluding civilian employees or those associated with BPD law enforcement. The Watch Commander/Lieutenant may grant exceptions for unusual circumstances.
- All ride-alongs must be able to effectively communicate with officers, dispatch, and other law enforcement personnel to understand dispatch or officer instructions and to use the radio to summon assistance in an emergency situation.
- Individuals with medical conditions that may manifest themselves or possibly be affected by a ride-along will be required to submit written consent from a medical doctor. This requirement is intended to ensure that all participants are able to adequately assist in emergency situations by performing needed functions, such as quickly exiting the vehicle, running, laying flat on the ground, and using the patrol vehicle radio without compromising the safety or law enforcement mission of the officer.

- Any individual known to be under the influence of alcohol or medications that may impair judgment or safety shall not be accepted for a ride-along.

34.04.01A Attire for Ride-Along Participants

The ride-along participant shall wear a nametag, identifying him/her as a BPD ride-along participant. All ride-alongs shall wear appropriate attire, which may include:

- Clean jeans, shorts, or denim outfits without visible rips, tears, holes, or patches
- Polo shirts (including logo-embroidered shirts), banded collar shirts, and other buttoned collar shirts
- Blouses or sweaters
- T-shirt or sweatshirts (clean, neat, without offensive or inappropriate logos, verbiage, or pictures)
- Casual shoes with a closed toe

Inappropriate clothing may include:

- Faded, worn, white/acid washed, torn, patched, or mended items
- Off-the-shoulder tops, bare midriff tops, low-cut blouses/dresses, or tight fitting items
- Mini-skirts/mini-shorts
- Tank tops
- Flip flops and heels over 2 inches

34.04.02 Ride-Along Procedure

All ride-alongs shall have the prior approval of a supervisor and/or the Watch Commander/Lieutenant. All applicants, including individuals personally known to the officer, shall fill out a Request for Police Ride-Along Form and sign a waiver before a ride-along is initiated. If the rider is a juvenile, a parent or guardian shall also sign the waiver. Once a ride-along is assigned, review ride-along documents for any information or history that may cause concern. Either the officer or the supervisor needs to contact the ride-along applicant to set up a date and time of the ride-along.

No ride-alongs may carry a weapon (including knives, OC spray, etc.) unless he/she is a sworn law enforcement officer with jurisdiction within the State of Idaho. Such officers will not act as an agent of the Department and will have no law enforcement responsibilities during the ride-along, will dress in civilian clothes, and will carry the weapon concealed.

Ride-alongs may accompany officers only into areas open for public access, unless a person with standing grants consent.

Either the hosting officer or a supervisor may terminate the ride-along at any time if it detracts from or jeopardizes the safety of the officer or the law enforcement mission.

34.04.02A Officer's Responsibilities

- Do not initiate the ride-along if your supervising Sergeant and/or Watch Commander/Lieutenant have not approved it.
- Provide a safety briefing before the ride-along begins, including the following:
 - Shall wear a seatbelt at all times while the vehicle is in motion.
 - Shall remain in the vehicle at all times, unless instructed by the hosting officer to do otherwise.

- Shall follow all instructions given by the officer.
- Procedures in case of an emergency, to include use of radio to summon assistance.
- Notify dispatch of the presence of the ride-along, including the name of the individual. If the ride-along is an Idaho law enforcement officer and is carrying a weapon, this should also be noted.
- Return the application form and waiver forms to his/her supervisor with any appropriate comments.

34.04.02B Supervisor's Responsibilities

A supervisor shall personally meet with all ride-along participants within the first two hours of the ride-along to ensure that the individual is in conformance with Department policy. The supervisor will disapprove or terminate any ride-along that he/she believes may jeopardize the safety of an officer or the law enforcement mission or may not be in the best interests of the Department.

The supervisor will initial the Ride-Along Waiver and will be responsible for routing all ride-along forms/waivers to the Patrol Secretary.

35.00.00 Correspondence and Records

35.01.00 Format for Department Correspondence and Reports

Correspondence of a routine nature, issued in the normal course of police business, shall be as follows:

- Boise City Letterhead – Should be used for external correspondence requiring a signature of a Department employee or the Executive Staff. This includes correspondence which may require the Chief's signature.
- BPD Memorandum – Should be used for formal internal correspondence
- E-Mail – Should be used when appropriate for less formal correspondence or for e-mail requests from other agencies.

The chain-of-command shall be followed in all written communications regarding Department policies or relevant changes in procedures, unless otherwise directed. Any correspondence that may require the Chief's signature shall be forwarded through the chain-of-command to the Chief's Office.

35.02.00 Forms Control

Department forms or suggested changes to forms shall be submitted through the Forms Committee. All forms shall be approved by the Chief or his/her designee (Forms Committee) and filed with the Planning Section.

35.04.00 Records Retention

Records shall be forwarded to the BPD Records Retention Clerk for submission to the Boise City Archivist.

35.05.00 Surveys

Any employee may request a Department survey (internally or externally) for data collection or as an opinion poll as a part of his/her duties or a work-related project. The survey shall be reviewed and administered by the Chief's Office or Planning Section. Upon approval of the Planning Section, the survey shall be sent through the employee's chain-of-command for final approval by the Chief. A final copy of the survey and the tabulated results shall be kept on file with the Planning Section.