

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

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**SUBJECT:** ORGANIZATIONAL STRUCTURE & GENERAL DUTIES    **NUMBER** 101

**EFFECTIVE:** February 12, 2007

**POLICY:**

The Boulder County Sheriff's Office provides all employees with guidelines describing the hierarchy of rank and to define the organizational structure of the Office.

**DEFINITIONS:**

Employee: A commissioned or non-commissioned individual appointed by the Sheriff to work for the Sheriff's Office.

Position: The duties and responsibilities, or work assignable to one employee.

Rank: A specific level of command within the official levels of hierarchy designating degrees of administration, supervision and authority.

**PROCEDURE:**

- I.     General Organization
  - A.     The Sheriff organizes the Office as needed by establishing Divisions headed by Division Chiefs or Directors (civilian equivalent to Division Chief).
  
- II.    Sheriff's Office Positions - Span of Control
  - A.     The Sheriff: Chief Executive Officer of the Sheriff's Office and who has final responsibility for determining Sheriff's Office policies, procedures, rules, operational guidelines, and the execution thereof. The Sheriff directs activity through the Division Chiefs or Directors.
  
  - B.     Undersheriff: Appointed by the Sheriff to serve as needed. Typically, is second in command of the Office and acts in place of the Sheriff when the Sheriff is unavailable.
  
  - B.     Division Chief/Civilian Director: Subordinate to the Sheriff, the Division Chief commands all activities within the scope of their assigned responsibility. It is permissible for the Division Chief to enact operational rules and regulations within their Divisions that do not conflict with the Sheriff's Office Policy and Procedures Manual.
  
  - C.     Commanders: Command the functions of the Sheriff's Office at the direction of or absence of Division Chiefs. A Commander reports to the appropriate Division Chief.

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- D. Other Positions: There are numerous other positions within the Sheriff's Office that may be filled by employees of specific ranks or skills. Each position has jobs or tasks assigned to it.

III. Organizational Chart

- A. The Personnel Section maintains a Sheriff's Office Organizational Chart for the Office as a whole and for each Division. It is the responsibility of each Division Chief to annually update their division's chart and provide a copy to the Personnel Section.
- B. Responsibilities of each component of the Sheriff's Office are outlined in the Sheriff's Office policy manual and are available within each division, online, and in the administrative offices of the Sheriff.

IV. Authority and Responsibility

- A. The Sheriff delegates authority to each employee of the Sheriff's Office to make the decisions necessary to effectively execute their duties and responsibilities. Employees are held accountable for the use of this authority.

V. General Duties and Functions

- A. Employees enforce Colorado laws and statutes, directed to the Sheriff by the Constitution and laws of the United States and the Constitution and laws of the State of Colorado, and other proper judicial mandates, in a reasonable and prudent manner.
- B. Duties of the Sheriff include those mandated by Statute:
  - 1. Deputies - Liability of the Sheriff: "Each sheriff may appoint as many deputies as the sheriff may think proper and may revoke such appointments at will; except that a sheriff shall adopt personnel policies, including policies for the review of revocation of appointments. Before revoking an appointment of a deputy, the sheriff shall notify the deputy of the reason for the proposed revocation and shall give the deputy an opportunity to be heard by the sheriff. Persons may also be deputized by the sheriff or undersheriff in writing to do particular acts." (CRS 30-10-506)
  - 2. Jail: "Except as provided in section 16-11-308.5, C.R.S., the sheriff shall have charge and custody of the jails of the county, and of the prisoners in the jails, and shall supervise them himself or herself or through a deputy or jailer." (CRS 30-10-511)

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3. Fire Warden: "The sheriff of every county, in addition to other duties, shall act as fire warden of his respective county in case of prairie or forest fires." (CRS 30-10-512, CRS 30-10-513, CRS 30-10-513.5)
  4. Duty to transport prisoners: "It is the duty of any sheriff transporting prisoners to a correctional facility, as defined in section 17-1-102, C.R.S., or other place of confinement to convey to such facility or other place of confinement at one time all prisoners who may have been convicted and sentenced and who are ready for such transportation." (CRS 30-10-514)
  5. Duty to serve writs, etc.: "The Sheriff, in person or by the Undersheriff or deputy, shall serve and execute, according to law, all processes, writs, precepts, and other orders issued or made by lawful authority and to the Sheriff directed, and shall serve the several courts of record held in the Sheriff's county." (CRS 30-10-515)
  6. Preserve the peace: "The Sheriff, Undersheriff, and deputies are responsible to keep and preserve the peace in their respective counties, and to quiet and suppress all affrays, riots, and unlawful assemblies and insurrections. For that purpose, and for the service of process in civil or criminal cases, and in apprehending or securing any person for felony or breach of the peace, they and every coroner, may call to their aid such person of their county as they may deem necessary." (CRS 30-10-516)
  7. Concealed handgun permits: "The sheriff of each county and the official who has the duties of a sheriff in each city and county shall issue written permits to carry concealed handguns as provided in part 2 of article 12 of title 18, C.R.S." (CRS 30-10-523)
- C. All employees shall cooperate with and assist other units of city, county, state and federal governments.
- D. All employees shall perform their duties as required or directed by law, Sheriff's Office written directives, policy, order, or by lawful order of a superior officer, including when said order is relayed from a superior to a subordinate by an employee of the same or lesser rank.
- F. All employees are subject to emergency recall.
- G. The Sheriff, or Sheriff's designee, has the authority to assign any employee to any division within the Office.

**BOULDER COUNTY SHERIFF'S OFFICE  
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By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date



**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** WRITTEN DIRECTIVE SYSTEM

**NUMBER:** 201

**EFFECTIVE:** 03/24/2006

**POLICY:**

The Boulder County Sheriff's Office written directives system uses a standardized format as is described in this policy.

Directives establish the lines of communication, authority and responsibility within the Sheriff's Office. They also establish the course of action the Office undertakes in order to achieve stated goals and objectives. Directives explain the Sheriff's Office policy and define or provide guidance on an individual's limits of discretion in certain circumstances.

**DEFINITIONS:**

Policy: Broad statements of agency principles. Policy statements provide a framework for development of procedures, rules and regulations.

Written Directive/Procedures: Any written document used to guide or affect the performance or conduct of Sheriff's Office Personnel. The term indicates policy, procedure, rules and regulations, special orders, and memorandums. Procedure, by definition, establishes what is to be done and the way it should be done

**PROCEDURE:**

- I. Policy statements are approved and issued by the Sheriff. The Sheriff may amend or cancel directives at any time. In the Sheriff's absence, the Undersheriff may issue policies and procedures, which may be amended upon the return of the Sheriff.
  - A. The Administrative Services Division maintains all Sheriff's Office policy statements; procedures, amendments and cancellations.
  - B. The Administrative Services Division maintains the index for the manuals, to include assigning section and policy numbers.
  - C. Sheriff's Office policies and procedures are in effect when signed and dated by the Sheriff, or the Sheriff's designee.
  - D. Sheriff's Office policies and procedures are available to all members of the Office. Employees are responsible for reading and understanding each policy and procedure.
- II. Appropriate subjects of written Sheriff's Office policies and procedures include, but are not limited to:

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- A. Organizational structure and any changes in the structure.
- B. Procedures that affect more than one division.
- C. Personnel rules, regulations and procedures to include: hiring, training, promoting, and transferring between divisions.
- D. High risk operational aspects, i.e., use of force, vehicular pursuits, authorized weapons, etc.
- D. Organizational goals and objectives.

III. Format

- A. Sheriff's Office policy construction uses the following format:
  - 1. SUBJECT  
NUMBER  
EFFECTIVE (date)  
POLICY  
DEFINITIONS  
PROCEDURES
    - I. Topic
      - A. Section
        - 1. Sub-section
          - a. Paragraph
            - 1) Sub-paragraph
- 2. Divisional written directives in the form of memorandums, special orders, etc. do not have specified formats.

IV. Maintenance of Policies

- A. The Administrative Services Division coordinates, reviews, revises, and updates and purges the Sheriff's Office Policy Manual as needed.
  - 1. When policies need to be reviewed or require updating they are brought to Executive Staff for distribution and input.

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- a. A proposed policy or policy revision is forwarded to Executive Staff for distribution and review.
  - b. Division Chiefs or their designee are responsible for disseminating proposed policies throughout their respective divisions and solicit appropriate input.
- B. Policies and/or procedures approved by the Sheriff are distributed to the various division policy manuals of the Sheriff's Office.
- 1. Each manual is to have a revision list at it's beginning. Each divisional representative is responsible for writing the policy number and date of the revision, plus their initials, on the revision list.
- V. Special Orders
- A. Any special order signed by the Sheriff and posted on bulletin boards or through the email system or any other form of electronic or written communication shall command the same attention and compliance as any policy of the Sheriff's Office.
  - B. A special order issued by a division, section, or unit supervisor pertaining to assigned members, shall command the same attention and compliance as Sheriff's Office Policy.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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POLICY AND PROCEDURES MANUAL**

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**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** AUTHORITY AND JURISDICTION

**NUMBER:** 202

**EFFECTIVE:** 03/24/2006

**POLICY:**

The Boulder County Sheriff's Office clearly establishes the authority and jurisdiction of the law enforcement powers and duties for all Boulder County Sheriff deputies. All deputies comply with Colorado State Statutes and any other applicable laws in carrying out official law enforcement duties. It is not the intent of this policy to restrict deputies from exercising reasonable and appropriate discretion when necessary.

**DEFINITIONS:**

C.R.S.: Colorado Revised Statutes.

Discretion: Power of free decision or latitude of choice within certain specific bounds.

Off-Duty: An employee is off-duty when he/she is not working a regularly scheduled shift, overtime, emergency call-out, contract service, special event or is released from duty and leaves the assigned duty post. An employee immediately transitions from off-duty to on-duty when the employee performs an act or job task that is directly related to their employment with the Sheriff's Office.

On-Duty: An employee is on-duty when he/she is working a regularly scheduled shift, overtime, emergency call out, contract service, special event, or under those circumstances cited in section D, sub-section 1, of this policy. All POST certified deputies who are subject to exercising law enforcement authority during their regularly scheduled shift are considered on-duty from the beginning of their workday until they are released from duty. This workday includes breaks and meal periods, except during the portion of the meal period when the deputy is released from duty and leaves the assigned duty post

Employees shall be considered on-duty when driving Sheriff's Office vehicles.

**PROCEDURE:**

- I. This policy and procedure applies to commissioned personnel on-duty and off-duty.
- II. Limits of Authority:
  - A. The authority of the Office of the Sheriff is statutory. Duties of the Sheriff include:
    1. Custodian of the Jail, CRS 30-10-511.
    2. Fire Warden in case of prairie or forest fires, CRS 30-10-512.

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3. Transporter of prisoners, CRS 30-10-514.
  4. Executor of Writs - attend courts, CRS 30-10-515.
  5. Preserve peace and command aid, CRS 30-10-516.
  6. Issue permits for concealed weapons, CRS 30-10-523, and CRS 18-12-105.
- B. Deputies are administered the Oath of Office by the Sheriff, or his designee, prior to being placed on-duty as a commissioned deputy of the Sheriff's Office. CRS 30-10-506.
1. The Sheriff is designated as a Peace Officer by virtue of CRS 16-2.5-103, and has the authority to enforce all laws of the State of Colorado while acting within the scope of his authority and in the performance of his duties.
  2. A Colorado POST certified Sheriff's deputy is designated as a Peace Officer by virtue of CRS 16-2.5-103, and has the authority to enforce all laws of the State of Colorado, while acting within the scope and authority of officially assigned duties.
  3. A non-certified Sheriff's deputy (certain jail deputy positions and all security deputies) is designated as a Peace Officer by virtue of CRS 16-2.5-103 (2). A non-certified deputy's authority while performing official duties for the Sheriff's Office may be restricted as specified by the Sheriff or the Sheriff's designee.
- C. Authority of Peace Officers.
1. Powers of arrest - CRS 16-3-101 through 16-3-108.
  2. To command assistance - CRS 16-3-202.
  3. To conduct searches and seizures - CRS 16-3-301 to 16-3-305.
  4. To enforce all laws of the State of Colorado - CRS 18-1-901 (3) (I through IV), and County resolutions pursuant to statute.
  5. Emergency commitments:
    - a. Mentally ill - CRS 27-10-105.
    - b. Intoxicated or incapacitated by alcohol - CRS 25-1-310.

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D. Discretion:

1. Deputies may exercise discretion in the manner in which they carry out their assigned duties. The Sheriff's Office Mission Statement, Value Statements and applicable policies, procedures and state statutes, governs this discretion. In addition, deputies are to apply the "Boulder County Incarceration Standards" (**see attachment "A"**) to arrest situations before incarcerating any individual at the Boulder County Jail.

III. Jurisdiction

A. Jurisdiction within the boundaries of Boulder County:

On-duty certified Deputies have full power and authority as peace officers within the boundaries of Boulder County, to include incorporated municipalities. The Sheriff may limit the exercise of these powers.

B. On-duty jurisdiction outside the boundaries of Boulder County.

1. An on-duty commissioned deputy may take official law enforcement action outside Boulder County when:
  - a. The deputy is in fresh pursuit of an individual who has committed a crime within Boulder County or;
  - b. The deputy is in the presence of a peace officer from that jurisdiction or;
  - c. The deputy is assigned to a multi-jurisdictional law enforcement group with broadly specified jurisdiction or;
  - d. The deputy is assigned to another jurisdiction pursuant to a valid mutual aid agreement or request or;
  - e. The deputy reasonably believes that immediate law enforcement action is necessary to protect human life or prevent serious bodily injury to any person or;
  - f. The deputy reasonably believes that, in their presence, an individual has, is, or is about to commit a felony involving the use or threatened use of a deadly weapon or;
  - g. The deputy has a valid arrest warrant and has a peace officer from that jurisdiction present when executing the warrant or;





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- b. An off-duty deputy who is under restriction may act with the arrest power afforded private citizens by Colorado law. Upon exercising this power the deputy is required to report the incident to the appropriate on-duty Operations Division supervisor as soon as possible.
  - 4. Deputies are not to make traffic stops in personal vehicles. Criminal activity, fleeing suspects, reckless driving, DUI or other serious offenses should be reported to the appropriate jurisdiction by the deputy.
  - 5. An off-duty deputy avoids taking official law enforcement action in disputes in which they are personally involved, or in disputes involving family, neighbors or close friends, unless such intervention must be made to prevent impending physical injury to any person or damage to property.
  - 6. On and off-duty deputies are prohibited from taking any law enforcement action when impaired by alcohol or drugs.
  - 7. Whenever an off-duty deputy acts with the authority of a peace officer, the deputy notifies the on-duty Operations Division supervisor as soon as practical and completes an official report of the incident as required by policy or procedure.
- E. Off-duty jurisdiction outside Boulder County:
- 1. An off-duty deputy may exercise law enforcement powers outside the jurisdiction when the deputy reasonably believes that intervention is necessary to protect human life or prevent serious bodily injury to any person.
  - 2. An off-duty deputy may take action as a private citizen while outside of Boulder County when the laws of that jurisdiction authorize such action
  - 3. An off-duty deputy may take law enforcement action at the request of a peace officer with jurisdiction and authority to make such a request.
  - 4. Whenever an off-duty deputy acts with the authority of a peace officer, the deputy notifies the on-duty Operations Division supervisor as soon as practical and complete an official report of the incident as required.

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By Order of the Sheriff,

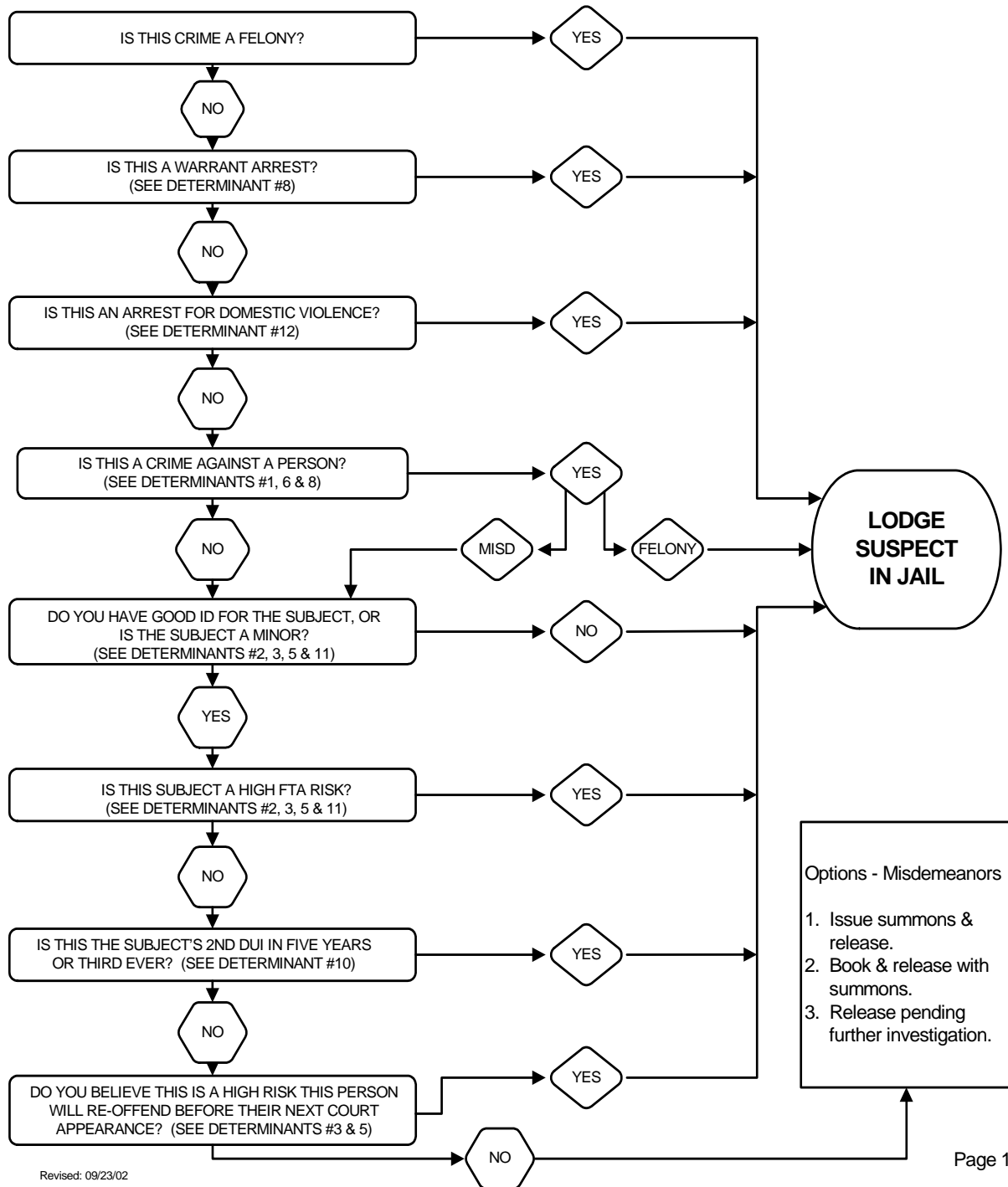
\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL – APPENDIX “A”  
BOULDER COUNTY SHERIFF’S OFFICE  
INCARCERATION STANDARDS**

These incarceration standards have been created to provide a concise, uniform process to aid officers in Boulder County with making daily decisions about making arrests and whether an arrestee should be incarcerated. A goal of the standards is to relieve pressure on the Boulder County Jail by incarcerating only those individuals who need to be jailed. These standards, and the decision tree, are a revision of the 1986 Arrest and Prosecution Standards manual.

These standards are guidelines. No procedure or set of guidelines can cover all situations. An attempt has been made to present the standards in a concise, usable format. When questions arise out of a set of unique or difficult circumstances not addressed by the standards, officers are encouraged to confer with their direct supervisor before making a decision to arrest and incarcerate. It is presumed that the evidentiary threshold of probable cause has been reached supporting the arrest and/or summons.



Revised: 09/23/02

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# BOULDER COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL – APPENDIX “A”

## INCARCERATION DETERMINANTS

The arrest determinants are intended to be used with the arrest decision tree, on the other side of this page, as aids in helping the arresting officer(s) make a decision about whether to lodge an individual for the crime(s) under investigation.

1. **VIOLENCE – Reluctant Victim / Crimes of violence or threat of violence.**

Boulder County law enforcement officers are encouraged to charge a suspect when there is probable cause to believe that the suspect has committed a crime of violence or a crime involving the threat of violence, even when the victim does not want the suspect charged, when any of the following criteria is met:

- There are reasonable grounds to believe the act of violence or threat of violence is made against a victim, or witness, or relative of a victim or witness, as an act of retribution for the victim's or witness' participation in a criminal case against the suspect or confederates of the suspect; or
- There are reasonable grounds to believe the act of violence or threat of violence is made against a victim or witness as a means of intimidating the victim or witness from reporting a crime or participating in a criminal court proceeding; or
- There are reasonable grounds to believe the victim does not want to pursue the filing of the charges against a suspect because the victim intends on committing an act of retribution against that suspect or relatives of that suspect.

In all situations involving an act of violence, or a threat of violence, Boulder County Law enforcement officers should apply the remaining applicable arrest standards to help with the decision on whether a suspect should be lodged, issued a felony summons after a book and release, or issued a misdemeanor summons.

2. **FTA RISK –** If the individual has a history of FTA, or the officer has evidence or information that the suspect is a high risk to flee the jurisdiction or not appear in court when ordered, they should go to jail. Officers should weigh the individual's ties to the community, i.e. place of employment, home ownership, etc., in evaluating their potential for fleeing or not appearing in court.
3. **PREVIOUS OFFENDERS –** Individuals known to be on probation or parole are generally lodged in jail for any felony offense. Individuals who have long histories of criminal behavior, involving serious offenses, are generally at higher risk to flee, re-offend, or fail to appear, and should be lodged.
4. **IDENTIFICATION –** If a reasonable person would conclude that the person is who they say they are, the person should not be jailed. The officer who jails an individual for lack of identification must articulate a reasonable basis for the belief that the person is not who they say they are.
5. **RISK OF CONTINUANCE OR ESCALATION OF OFFENSES –** If an individual is jailed based on the justification of this determinant, the officer must articulate a reasonable basis for the belief that the criminal activity will continue or escalate. The belief that an offender will re-offend should be considered in the context of the danger to the community, or an individual, posed by the type of re-offense.
6. **RESISTING ARREST –** Individuals who resist arrest should be lodged in jail. Individuals suspected of committing a non-felony offense that flee, should not be lodged in jail for fleeing, unless additional requirements are met.
7. **UNDER THE INFLUENCE OR DRUGS/ALCOHOL OR MENTAL HEALTH ISSUES –** Combative

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individuals are lodged in jail, if arrested for an offense. Officers should seek alternatives such as release or the ARC for others. Mental Health becomes an issue in determining to whom the individual may be released.

8. **WARRANT ARRESTS** – Generally, individuals arrested for warrants are lodged in jail. Exceptions are possible for minor warrants when the officer believes the individual will take care of the warrant or there are concerns about the validity of the warrant.
9. **JUVENILE CASES** – Juveniles are released to a responsible adult unless they are a danger to others (see determinant #5). Runaways taken into custody for the non-felonies should be placed with DSS or a responsible adult unless other determinants show the youth should be jailed. Use determinants to decide to jail or release to a responsible adult. The Juvenile Detention Center then determines what should happen with the youth.
10. **DUI CASES** – Individuals arrested for DUI should be released to a responsible adult or lodged in ARC. The Boulder County Jail will hold others until sober and then release. If this is the second offense in five years or third offense ever, the individual is lodged in jail.
11. **USE OF FELONY SUMMONSES** – Officer should use a felony summons for all Class 4, 5, and 6 felonies involving property crimes unless other action is justified by the determinants. Officers **MAY NOT** use a felony summons in Class 1, 2, or 3 felony offenses.
12. **DOMESTIC ABUSE DEFINITION** – 18-6-800.3 – An act or threatened act of violence upon a person, with whom the actor is or has been involved in an intimate relationship, including crimes against property when used as a method of intimidation, control, or revenge. “Intimate relationship” means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

**DUTY TO ARREST** – 18-6-803.6 – When a peace officer determines that there is probable cause to believe that a crime or offense involving domestic violence, as defined in section 18-6-800.3 (1) has been committed, the officer shall, without undue delay, arrest the person suspected of its commission and charge the person with appropriate crime or offense.

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**SUBJECT:** POLICY PRECEDENCE

**NUMBER:** 203

**EFFECTIVE:** 03/24/2006

**POLICY:**

It is the policy of the Boulder County Sheriff's Office that policies and procedures adopted by the Sheriff, which do not deal with pay or benefits, take precedence over policies of the Board of County Commissioners that address the same issue.

When there is a County policy for an issue not addressed by Sheriff's Office policy the County policy shall be followed.

By order of the Sheriff

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** INTERAGENCY LIAISON AND COOPERATION

**NUMBER:** 204

**EFFECTIVE:** 03/24/2006

**POLICY:**

It is the policy of the Boulder County Sheriff's Office for employees to foster and maintain effective channels of communication with other governmental agencies.

**PROCEDURE:**

- I. The Sheriff or his designee strives to meet periodically with representatives of the 20th Judicial District, including Judges, the District Attorney, Public Defenders, Probation Officers, Community Corrections and Colorado Department of Corrections Staff. These meetings are held to discuss pertinent current matters and to obtain feedback that ensures that information flows freely between the involved agencies.
- II. Deputies of the Operations Division strive to meet with representatives of the agencies in adjoining jurisdictions. These meetings are to be designed as information sharing opportunities between federal, state, and local agencies for the purpose of apprehending fugitives and enhancing criminal investigations.
  - A. The meetings may be attended by any Deputy for the purpose of obtaining and disseminating information regarding specific areas of crime with representatives of other agencies.
  - B. Detectives have the responsibility of attending meetings concerning their respective areas of assignment.
    1. There are numerous associations of investigators for specific purposes. It is left to the discretion of the Operations Division Chief as to the associations that would be appropriate for the purposes of this policy.
    2. An emphasis is put on those meetings that effect relations between agencies within Boulder County.
- III. Liaison Between Local Fire Officials and Emergency Medical Service Officials and Volunteer Rescue Groups.
  - A. Members of the Emergency Services Group are responsible for liaison between the Sheriff's Office and local fire and emergency service providers.

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- B. Members of the Emergency Services Group also bear the responsibility of planning for the suppression of prairie and wild land fires. This may necessitate close coordination with the U.S. Forest Service, the Bureau of Land Management, the State Forest Service, regional fire protection districts and fire departments. In addition these Deputies maintain close contacts with representatives of the various fire protection districts within Boulder County and the Boulder County Fire Fighter's Association.
  
- IV. The Sheriff or his designee may meet periodically with representatives of the Colorado State Patrol to discuss traffic problem areas and any agreements between the Sheriff's Office and the State Patrol for traffic enforcement and initial coverage of accident scenes.
  
- V. It is the practice of the Sheriff's Office and it's employees to make referrals of persons in need to services not provided by the Sheriff's Office.
  - A. Two specific lists of referral agencies are available to Deputies in the Boulder County Sheriff's Office "Victim Rights and Assistance" resource guide booklet and the "Boulder Community Network" on the Internet at <http://bcn.boulder.co.us/>.
  
  - B. These guides are available in each division and are available in the Boulder Communications Center.
  
- VI. The Communications Center maintains contact information for all agencies and victim assistance groups with whom the Sheriff's Office normally interacts.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** MUTUAL AID

**NUMBER:** 205

**EFFECTIVE:** November 26, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to respond to mutual aid requests from other law enforcement agencies and to request mutual aid when appropriate. Mutual aid is provided in compliance with state law and conforms with applicable Boulder County Sheriff's Office policies and procedures.

**PROCEDURE:**

I. Statutory Authority

CRS 29-5-103, 29-5-104, 29-5-106, 29-5-108 and 29-5-109 provide for both requesting and giving aid to other law enforcement agencies.

II. Providing and Requesting Mutual Aid

A. Officer-to-Officer

1. Deputies may provide or request mutual aid from law enforcement agencies within Boulder County.

B. Mutual Aid Requiring Supervisor Approval

1. Requests for Boulder County mutual aid requires the approval of a Sheriff's Office supervisor when:
  - a. The request is for a special unit or resource, i.e. MCP, K9, SWAT, etc., or
  - b. The request involves more than two on-duty deputies and/or the commitment is projected to exceed one hour, or
  - c. The request is for an event outside of Boulder County.
2. The supervisor approving the request ensures that appropriate notifications are made regarding the commitment of Sheriff's Office resources, i.e. Comm Center, on-duty street supervisor, command staff, etc.

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- C. Mutual Aid Requiring Sheriff's Approval
1. A request for mutual aid from this Office requires the approval of the Sheriff or his/her designee when:
    - a. The request is for a significant number of personnel and/or a large amount equipment, or
    - b. The request requires a commitment of Sheriff's Office resources outside of Boulder County for a period of time projected to exceed twelve hours, or
    - c. The request involves the use of personnel and/or equipment to aid any jurisdiction in quelling a riot.
- D. Assistance from Federal Law Enforcement Agencies
1. A deputy may request assistance from a federal law enforcement agency, i.e. FBI, ATF, etc., when such assistance furthers the investigation of a criminal matter and/or it is determined that the federal agency has investigative responsibility.
  2. Federal law enforcement aid in emergency situations is to be requested through the proper chain-of-command within the Sheriff's Office.
- E. Requests for the Colorado National Guard
1. The Sheriff or his/her designee makes a request for Colorado National Guard resources through the State of Colorado, Office of Emergency Management.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** CONTRACT LAW ENFORCEMENT

**NUMBER:** 206

**EFFECTIVE:** November 2, 2006

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to contract for, or provide contract services, where there is an articulated advantage in doing so, either in terms of service provided, cost of service, or both. All contracts for law enforcement services will include provisions for the types of services to be provided, the cost of the services, how payments are to be made, how and to whom reports are to be issued, and procedures for amendment, renewal or cancellation.

**DEFINITIONS:**

Contract Law Enforcement: On-going law enforcement services provided to another entity of government where a contractual agreement between the Sheriff's Office and that government entity is in place and in force.

**PROCEDURE:**

- I. Need Assessment
  - A. All contracts for law enforcement services shall be based on an assessment of the recipients needs.
    - 1. The services to be provided shall be clearly identified. This will include the nature and the extent of the services to be provided.
    - 2. The financial terms of the contract shall be included. The contract shall also include the time and manner of payment for services.
- II. Maintenance and Filing
  - A. Copies of any and all contracts shall be kept on file with the Sheriff's Office specifically the Sheriff's Administrative Assistant.
    - 1. Crime reporting for contract law enforcement shall be maintained in the Sheriff's official records system for retrieval.

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III. Contract Parameters and Specifications

- A. All contracts shall specify the parameters of the agreement to include, but not limited to, its duration, method of modification and procedures for renewal.

IV. Legal Contingencies

- A. All contracts shall contain provision for legal contingencies. These shall include which party shall defend the provider in the event of litigation, identification of individuals who represent parties to the contract, and who provides payment of compensation if the provider agency is found liable in litigation.

V. Oversight of Personnel, Equipment and Facilities

- A. The Boulder County Sheriff's Office maintains supervisory control over all personnel involved in fulfilling the contract.
- B. All contracts for law enforcement services provide specific arrangements for the use of equipment and facilities.

VI. Employee's Rights and Benefits

- A. Any employee of the Boulder County Sheriff's Office assigned to fulfill a contractual service shall not be excluded from the same rights and benefits assigned to other members of the Sheriff's Office.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** RECORDS INSPECTION – VIDEO  
AND AUDIO RECORDINGS

**NUMBER:** 207

**EFFECTIVE:** November 11, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to allow the inspection of materials classified as "records" in compliance with §§ 24-72-301 through 309, C.R.S. (Criminal Justice Records). This written policy establishes guidelines for releasing videotapes and audio recordings from the Jail and Communications Divisions to the public in a manner that complies with applicable laws and regulations while also protecting the records and preventing unnecessary interference with Sheriff's Office duties.

The aforementioned records (video and audio tapes) are held in the care, custody and control of the Boulder County Sheriff's Office and are governed by the Criminal Justice Records statute.

Videotapes and audio recordings do not fall within the definition of an "official action" as defined by CCJRA § 24-72-302(7), C.R.S., therefore the inspection of these records is subject to the exercise of the Sheriff's sound discretion under § 24-72-304 & 305 of CJRA, *Harris v. Denver Post*, 122 P.3d 1166 at 1175 (Colo.2005).

Boulder County Sheriff's Office may request the Boulder County District Attorney's opinion on questions of law related to the keeping, inspection and dissemination of records and records information. Nothing in this policy precludes the seeking of advice and counsel from other sources when deemed necessary.

**DEFINITIONS:**

Criminal Justice Records: All books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, that are made, maintained, or kept by any criminal justice agency in the state for use in the exercise of functions required or authorized by law or administrative rule, including but not limited to the results of chemical biological substance testing to determine genetic markers conducted pursuant to sections 16-11-102.4, 16-11-104, 16-11-204.3, and 16-11-308 (4.5), C.R.S. [See C.R.S. 24-72-302(4)]

Custodian: The official custodian or any authorized person having personal custody and control of the criminal justice records in question. § 24-72-302(5), C.R.S.

Official Custodian: Any officer or employee of the state or any agency, institution or political subdivision thereof who is responsible for the maintenance, care and keeping of criminal justice records, regardless of whether such records are in his/her actual custody or control. 24-72-302(7), C.R.S.

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Note: The official custodian for the Boulder County Sheriff's Office is the Support Services Records Manager/Supervisor assigned to Records or an employee designated by the Sheriff. However, the Sheriff's Office recognizes that all employees hold custodial responsibility as directed by applicable statutes.

Official Action: An arrest; indictment; charging by information; disposition; pretrial or post trial release from custody; judicial determination of physical or mental condition; decision to grant, order, or terminate probation, parole, or participation in correctional or rehabilitative programs; and any decision to formally discipline, reclassify, or relocate any person under criminal sentence. (§ 24-72-302(7), C.R.S.)

Video: Includes, but is not limited to, video recordings taken from the Boulder County Jail video system, as well as, videos taken by video cameras mounted in patrol vehicles and other locations under the Sheriff's control.

Audio Recordings: Includes, but is not limited to, audio recordings obtained as a result of any interview conducted in any investigation, as well as audio recordings of phone calls made by inmates at the Boulder County Jail, and phone calls made by deputies related to any investigation. Also included are any recordings made of calls and radio transmission received by the Boulder Communications Center.

### **PROCEDURE:**

#### **I. Inspection Schedule**

- A. Records maintained within the Records Section are available for the general public to inspect during posted business hours or, on an emergency basis, by making arrangements with an employee assigned to the Records Section.
  - 1. Criminal justice agency representatives may request and inspect these records on a 24-hour basis within the guidelines set forth in this policy.
  - 2. Representatives of any news media agency may request and inspect these records within the guidelines set forth in this policy.
    - a. All records approved for inspection are routinely made available upon request. However, when records are not available at the time an applicant makes the request, a date and time will be set for inspection no later than three working days from the initial request. § 24-72-303(3), C.R.S.



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3. Records not immediately accessible (i.e. in storage, micro media processing, or in the control of other Divisions or agencies, etc.) are made available for inspection as soon as physically possible. The applicant requesting the records is advised of the circumstances and notified when the requested records are available for inspection. § 24-72-303(2), C.R.S.
- B. Division Chiefs are responsible for ensuring that any records eligible for inspection that are maintained in their division are made available for inspection in compliance with this policy.
- C. Jail Video and Audio Limitations
1. All cameras located in the Jail have a maximum storage capability of 30 days. After 30 days, the system is overwritten and the information is no longer available.
  2. There is no audio associated with the video system recordings.
  3. Copies or inspection of other audio recordings are provided as directed by a court order or to a law enforcement agency upon request.

II. Requests for Inspection or Preservation of Video or Audio Recordings

- A. All requests to inspect, copy or view audio or video recordings are to be made in writing using the "Records Request Form" (for jail video and videos associated with a specific case) or the Boulder County Sheriff's Office, Communications Division, "Audio CD – CAD Incident Request Form" (for Dispatch phone calls and radio calls/traffic)."
- B. Requests to preserve video recordings are to be made to the Boulder County Sheriff's Office, Records Section by completing the appropriate form.

III. Fees

- A. The person submitting the inspection request is responsible for all associated costs for producing copies of such video or audiotape, and also for the time associated with searching for, locating and copying such materials.
- B. The charge for these services is \$30.00 per hour.
- C. The Records Section prepares an estimate of the costs and the person submitting the request pays the total cost before the search is undertaken.

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IV. Rights of Inspection

- A. A person denied the right of inspection may request a written statement of the basis for the denial pursuant to § 24-72-305 (6).
- B. Denial is based on one of the following:
  - 1. Inspection is contrary to any state statute.
  - 2. Inspection is prohibited by rules of the Supreme Court or order of any court.
  - 3. Disclosure is contrary to the public interest.
  - 4. Disclosure would interfere or endanger an ongoing investigation.
  - 5. Disclosure of intelligence information.
  - 6. Reveals security procedures of the Sheriff, any Police Department, District Attorney and/or any criminal justice investigatory files for any other law enforcement purpose. 24-72-204(I), C.R.S.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** COMMAND PROTOCOL

**NUMBER:** 208

**EFFECTIVE:** 02/06/2003

**POLICY:**

Employees are accountable to the Sheriff's Office chain of command. It is the policy of the Sheriff's Office to use the Incident Command System (ICS) for the management of events and incidents in all divisions.

**PROCEDURE:**

- I. Employees are to receive initial and in-service training in ICS.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** FISCAL MANAGEMENT AND RESOURCE CONTROL

**NUMBER:** 209

**EFFECTIVE:** 11/03/2006

**POLICY:**

The Sheriff of Boulder County exercises the authority and responsibilities for full fiscal management of the Sheriff's Office's fiscal and property resources as allocated by the Boulder County Board of Commissioners. In turn, the Sheriff has delegated such authority to the Accounting section and the Division Chiefs to establish and maintain sound methods and procedures of fiscal management and resource control.

The Sheriff's Office complies with purchasing regulations as established by the Boulder County Purchasing Department. No employee shall incur chargeable liability against the Sheriff's Office or the County, except as outlined in the County Purchasing Policy or with the express permission of the Sheriff or his designee. In the case of urgent need, the Accounting Section, or a supervisor may accomplish immediate purchase or rental of equipment.

**DEFINITIONS:**

Accounting Section: Employees assigned to the Administration Division reporting to the Undersheriff, responsible for budget development, supervision of internal expenditures, coordination of purchasing and liaison with Boulder County Finance.

Special Revenue Funds: Revenue previously held in Sheriff's Office bank accounts which now fall under the control of the county budget and accounting system such as the jail phone and vending machine funds, jail commissary funds, jail meal ticket funds, work release and home detention funds.

Sheriff's Office Non-Revenue Funds: Monies, which are not considered county revenue such as inmate welfare/cash funds, jail bond funds, and any other monies that are under the sole control of the Sheriff's Office.

Employee Benefit Fund: Monies from the defunct Boulder County Sheriff's Office Employee Board which were deposited into an escrow account managed by the Boulder County Treasurer.

Asset Forfeiture Funds: Monies or property derived from asset forfeitures or from the sale of confiscated property under the auspices of Senate Bill 92-204 and managed by the Boulder County Treasurer.

Committee on Disposition of Forfeited Property: Personnel selected based upon the guidelines of Senate Bill 92-204 who approve the expenditure and disposition by the Sheriff of forfeited property and proceeds.

## BOULDER COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL

### PROCEDURE:

#### I. Budget

- A. The annual budget is the primary document used to allocate resources in support of the Sheriff's Office responsibilities.
- B. Annually, the County Finance Office prepares and distributes a budget preparation package for department heads and elected officials. The Sheriff coordinates the preparation of division budgets received from each Division Chief, for presentation to the County Commissioners. Each Division Chief is encouraged to involve as many subordinates as possible in the budget process to provide support for the programming and resource allocation for the division.
- C. The Sheriff may establish a deadline for submission of preliminary budget materials, to comply with the annual budget calendar, set by the Board of County Commissioners.
- D. Each division receives an annual budget as soon as practical in the first quarter of every year. The Accounting Section will provide the Division Chiefs with a monthly status report, to include: initial appropriation, beginning monthly balance, expenses or encumbrances, and the ending or unencumbered balance.
- E. The Accounting Section or Division Chiefs inform the Sheriff, in writing, of any projected or actual over expenditure in any line item requiring supplemental or emergency appropriations, or fund transfer from one account to another.
  1. The Sheriff may coordinate the most efficient resolution with the Board of County Commissioners and the Division Chiefs.
  2. The Sheriff approves all supplemental or emergency funding requests before they are submitted to the Board of County Commissioners.

#### II. Sheriff's Office Non-Revenue Funds

- A. The Sheriff places Sheriff's Office non-revenue funds under the control of the appropriate Division Chief.
- B. The Division Chief or designees balance these accounts monthly by reconciling ledger entries or account statements.
  1. The collection, safekeeping and disbursement of funds under the

## **BOULDER COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL**

Sheriff's Office control, requires stringent monitoring and solid procedures that comply with generally accepted accounting practices.

2. Each Division Chief, with control of such funds, establishes policies that:
  - a. Identify employees authorized to accept or disburse such funds.
  - b. Define procedures for the allotment and transmittal of funds.
  - c. Define record keeping procedures for transactions, the conduct of account reconciliation and internal auditing, and preparation of regular financial statements and reports.
- C. The division chief submits finance related policies to the Undersheriff for review and approval prior to implementation.

### **III. Employee Benefit Fund Account**

- A. Use of Employee Benefit Funds is for the benefit and morale enhancement of the employees of the Sheriff's Office.
  1. The monies are to be used for the purchase of such things as:
    - a. Flowers for employees and their families during times of sickness, hospitalization, births and deaths, etc.
    - b. Employee recognition plaques, medals, ribbons, certificates, and awards.
    - c. Expenses resulting from the annual employee awards presentation and banquet.
- B. Request/Approval/Reimbursements of Expenditures
  1. Division Chiefs may establish divisional procedures which allow for the automatic approval of expenditures of \$100 or less for the purchase of flowers for employees during times of sickness, hospitalization, births and deaths, etc.
  2. With the exception of above, the expenditure of funds requests must be submitted in writing through the chain of command to the Sheriff's Staff. The Division Chief from the division in which the request has been made will present the request at a regularly scheduled staff meeting.

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3. If approved, the request is to be given to the accounting section with accompanying invoices. Accounting will prepare and submit a written memorandum (request for check issue) with two approving signatures to the Boulder County Treasure who will prepare the check.
  - a. Two approving authorized signatures are required prior to forwarding the request to the Treasure for check issue.
  - b. The Sheriff, Undersheriff, and Division Chiefs are authorized signatories.
4. When an expenditure request is denied the Division Chief is responsible for ensuring the person who made the request is notified.
5. If circumstances do not allow for the purchase to wait until after a regularly scheduled staff meeting, a Division Chief may approve the purchase and seek reimbursement or payment at the next scheduled staff meeting.

IV. Asset Forfeiture

A. General guidelines

1. All seizures of real property shall be made pursuant to a temporary restraining order or injunction based upon a judicial finding of probable cause.
2. An action seeking forfeiture of property as a result of a public nuisance must be filed within sixty days following the seizure of the property.
3. Retained forfeited property is subject to the same controls, i.e., use, inventory and accountability, etc., as they would apply to property or capital items that are obtained through the normal appropriations process.
4. Employees are prohibited from purchasing forfeited or confiscated property and are prohibited from having someone else act as their agent for these purchases.

B. Request/Approval of Expenditures of Forfeited Assets

1. Forfeited property shall be disposed of in compliance with C.R.S. 16-13-311 Disposition of Seized Personal Property, C.R.S. 16-13-314 Disposition of Forfeited Real Property, and/or guidelines for Equitable Sharing of Federally Forfeited Property.

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2. An Expenditure of forfeited funds or disposition of forfeited property request may be made by any Sheriff's Office employee or citizen.
  - a. Internal requests must be submitted in writing through the chain of command to the Sheriff's Staff. The Division Chief from the division in which the request has been made will present the request at a regularly scheduled staff meeting. In situations where the expenditure cannot wait until the next staff meeting, the request can be given directly to the Sheriff. If the situation dictates, the Sheriff may seek majority approval from the respective committee who authorized under 16-13-311 and 314 prior to their next regularly scheduled meeting.
  - b. If approved by the Sheriff's Staff, the Sheriff or his designee will present the request to the Committee on the Disposition of Forfeited Property.
    - 1) When a forfeiture request is denied the Division Chief is responsible for ensuring the person who made the request is notified.
  - c. Citizens may make their request directly to the respective committee who is authorized under 16-13-311 and 314.
  - d. If approved by the Committee, the Sheriff's Accounting Section will prepare and submit a written memorandum (request for check issue) with approving signatures to County Finance who will prepare the check.
    - 1) In the case of forfeited property, the Committee will detail in writing the specifics of the property disposition approval.
    - 2) When a request is denied the Division Chief is responsible for ensuring the person who made the request is notified.

**C. Reporting Requirements**

1. At the end of each fiscal year, the Accounting Section of the Sheriff's Office will prepare and submit a written report of Federal forfeited monies or property received during the fiscal year to the Board of County Commissioners, US Department of Justice, US Department of the Treasury, US Attorney's Office – District of Colorado. Information regarding State Asset Forfeitures will be provided, upon request, to



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the Boulder District Attorney's Office for inclusion with their annual report to the Department of Local Affairs.

- a. The report will include an accounting of how forfeited monies or property were expended.

V. Inventory Control

- A. Inventory control of Sheriff's Office assets and associated record keeping is conducted in accordance with policies currently in effect by the Boulder County Board of County Commissioners.

VI. Audits

- A. Boulder County Finance coordinates the annual auditing of the Sheriff's Office resources by an independent certified public accounting firm.
- B. At any time, a Division Chief may request, in writing, that the Sheriff arrange an internal or external audit of discretionary funds or cash accounts in that division. The scope of such audits is determined by the Sheriff and affected Division Chief.

By Order of the Sheriff,

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Joe Pelle

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** PERSONAL USE OF SHERIFF'S OFFICE TELEPHONES **NUMBER:** 210

**EFFECTIVE:** March 9, 2005

**POLICY:**

It is the policy of the Sheriff's Office that personnel reimburse the Sheriff's Office for personal use of telephone long distance service, telephone calling card service and non-business related cellular phone use as described by this policy. In keeping with our mission focus on efficiency and effectiveness, phone bills will be reviewed by Accounting and action will be taken when exceptional costs are indicated.

It is the responsibility of each individual employee to examine monthly billing records as they are received to determine the use for which they are accountable and required to reimburse.

**DEFINITIONS:**

Personal use: The use of the various telephone services for other than employment related purposes or for personal needs.

**PROCEDURE:**

- I. Review and Reimbursement
  - A. The Accounting Section reviews all cellular and land line phone billing records and then provides the bills, or copies of those bills to each Division for distribution to users when:
    1. The bill is for a cell phone that has been issued to the employee for use as part of a Sheriff's group or individual plan, and the bill exceeds the base amount of the group plan or the bill is for a cell phone that is on an individual plan, or
    2. The bill is for a Sheriff's Office or Boulder County landline and there are long distance charges for personal calls that should be reimbursed.
      - a. Bills for phone numbers that are assigned for group use rather than individual use, will be distributed to the responsible supervisor when, in the judgment of accounting personnel, the bills are higher than normal and require a supervisor's review.
  - B. Cell phone charges, which are determined to have been for personal use, and cause the user's bill to exceed the base amount authorized for his/her monthly plan, are required to be reimbursed by that user. The user

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reimburses the Sheriff's Office for the difference between the normal base rate under that group plan and the actual rate incurred for the affected month.

- C, Employees who have a cell phone on an individual plan are to reimburse the Sheriff's Office for all costs incurred on that phone as a result of personal calls.
- D. Employees are to reimburse Boulder County via the Sheriff's accounting section for any landline personal long distance phone calls that total more than \$5.00 in any given billing period.

II. Reimbursement

- A. Users are to reimburse the Sheriff's Office as soon as practical after reviewing the phone charges for which they are accountable.
- B. Disciplinary action may be taken if an employee fails to comply with this policy.

By Order of the Sheriff

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Joseph K. Pelle, Sheriff

\_\_\_\_\_

Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** TRAVEL EXPENSES

**NUMBER:** 212

**EFFECTIVE:** November 6, 2006

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to provide for the payment of necessary and reasonable expenses for required or authorized travel, and/or local attendance of conferences, training, or seminars by Sheriff's Office employees and volunteers.

**DEFINITIONS:**

Sheriff's Office Employees: For the purpose of this policy, Sheriff's Office employees are full-time, part-time, hourly and Sheriff's volunteers.

**PROCEDURE:**

- I. Overnight out of county expense.
  - A. Per Diem
    1. Employees are provided funds equivalent to the Federal per diem rate, in accordance with current county policy, for meals and incidental expenses per day of activity, for authorized travel where overnight lodging is required.
      - a. Incidental expenses are defined as laundry, dry cleaning, fees and tips for services.
      - b. The Federal rate is established by the Internal Revenue Service on an annual basis and is disseminated by County Finance and available through the Sheriff's Office Accounting Section.
    2. Per Diem is obtained in advance of travel by submitting to the Sheriff's Office finance section a conference form at least ten days prior to the date needed approved by the employee's Division Chief.
      - a. Per Diem for investigations and extradition travel does not require the conference form.

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3. Expenses incurred that are in excess of issued per diem, which are reasonable and necessary, may be reimbursed if approved by the employee's Division Chief. Such expenses are to be documented with receipts.
4. Employees are not authorized to spend per diem for cancelled or shortened travel time and are to return funds for that time to the Accounting section as soon as is practical and no longer than five working days after returning.
5. Conversely, employees will be reimbursed, up to the applicable per diem rate, for supervisor approved travel time that extends beyond what was initially funded.
5. Expenses for meals and incidentals for non-Sheriff's Office employees are not allowed with the exception of prisoners being extradited or transported by Sheriff's Office employees.
  - a. Receipts must be submitted for all expenses for extradited or transported prisoners.

II. Expenses for Travel Out of the County - Not Overnight

- A. The employee's Division Chief may approve meal expenses for out of county travel, which does not include an overnight stay.
  1. Receipts are required for all meal expenses where overnight travel does not take place. All expenditures must be reconciled and all unused monies are returned to the Section the following business day.
  2. Generally, only one meal is reimbursed per eight (8) hour period of time.
  3. Expenses for meals for non-Sheriff's Office employees are not allowed with the exception of prisoners being extradited or transported by Sheriff's Office employees and receipts are required.

III. IV. Personal car use

- A. Personal car use is reimbursed at the approved rate. However, if the employee chooses to drive when travel by air is possible and less expensive, only the lesser amount is paid by the Sheriff's Office.
  1. Use of a personal car requires that the employee provide, upon request, valid proof of insurance for the vehicle being used and a valid driver's license.

V. Air travel

**BOULDER COUNTY SHERIFF'S OFFICE  
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- A. Employees traveling by air will use the most feasible and/or economical fare available.
- VI. Lodging
  - A. Overnight lodging is reimbursed at the single room rate unless two or more employees share a room.
- VII. Rental cars
  - A. Rental cars are paid for when authorized in advance by the Division Chief. Other ground transportation is reimbursed when the transportation need occurs because a rental vehicle was not authorized.
- VIII. Training and conference registration fees
  - A. Employees attending training, submit a conference form in accordance with their division policy. The division's designated responsible person enrolls the employee and arranges for payment of appropriate fees.
- IX. Other and miscellaneous expenses
  - A. Receipts for all expenses other than those covered by per diem are submitted to the Sheriff's Office Accounting section through the employee's Division Chief within five working days of return.
- X. Expenses not reimbursable
  - A. Expenses for entertainment, liquor, gifts, and expenses for a non-county employee traveling with an employee are not reimbursable.
- XI. County and/or Sheriff's Office credit cards
  - A. Credit cards issued to the employee by Boulder County or the Sheriff's Office shall not be utilized for purchases of a personal nature.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** FUND RAISING ACTIVITIES

**NUMBER:** 213

**EFFECTIVE:** 02/06/2003

**POLICY:**

I. Limitations

- A. Employees of the department may not be involved in fund raising activities on county time without the express consent of the Sheriff.
  - 1. Nothing in this section precludes county employees from participating in fund raising activities as an individual on personal time.

II. Compliance with Laws and Regulations

- A. Any fund raising activity must comply with all existing State, Federal and local laws.
- B. Any fund raising activity must comply with all existing State, Federal and local regulations concerning, but not limited to, income tax, disbursement and reporting.

III. Department Logos, Symbols and Name

- A. Any use of Boulder County Sheriff's Department logos, symbols, or name must be approved, in advance, by the Sheriff.

By order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURE MANUAL**

**SUBJECT:** CCIC/NCIC GUIDELINES AND USAGE

**NUMBER:** 214

**EFFECTIVE DATE:** August 18, 2008

**POLICY:** It is the Policy of the Boulder County Sheriff's Office that Sheriff's employees having authorized access to CCIC/NCIC know, and comply, with the proper protocol for using the system.

**DEFINITIONS:**

Colorado Bureau of Investigation (CBI): CBI manages the CCIC system and is accountable for all records entered by its users. CBI is required to comply with FBI/NCIC guidelines and to monitor Colorado's use of the NCIC system.

Colorado Crime Information Center (CCIC): The Colorado computerized information system established as a service to all criminal justice agencies.

CCIC Coordinator: The coordinator is a Sheriff's employee appointed by the Sheriff to act as point of contact for CBI and a liaison between the Sheriff's Office and CBI. The coordinator is also responsible for monitoring Sheriff's employee system use, enforcing system discipline, and ensuring that CCIC operating procedures are followed by the all Sheriff's users. The coordinator complies with the requirements set forth by the CBI as outlined in the CCIC Coordinator Responsibilities.

National Crime Information Center (NCIC): The nationwide computerized information system established as a service to all criminal justice agencies. NCIC follows FBI protocols.

Operator Security Number (OSN): A five digit numeric identifier that allows an operator access to the system.

User: Includes any Boulder County Sheriff's Office employee with an OSN and authorized access to CCIC/NCIC.

**PROCEDURE:**

- I. CCIC Coordinator Responsibilities
  - A. Unifies agency responsibility for system user discipline and serves as a CBI point of contact for handling record validation, quality control matters, dissemination of manuals and other publications, security matters, user training, audits and other matters involving CCIC/NCIC which may arise.
  - B. Responsible for applying for OSNs and determining access levels for users of the CCIC/NCIC system.



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II. User Responsibilities

- A. All CCIC/NCIC users are required to:
  - 1. Contact the CCIC Coordinator for issuance of an OSN.
  - 2. Read and sign the CCIC/NCIC Internet Usage Agreement.
  - 3. Maintain CCIC/NCIC certification by testing at their assigned level every two years.
  - 4. Use the CCIC/NCIC system in accordance with the rules set forth in the CCIC/NCIC Internet Usage Agreement, and only access the system for legitimate law enforcement purposes.
  - 5. Report any misuse of the system immediately to the CCIC Coordinator.

III. Enforcement

- A. Upon notification of an allegation of system misuse, the CCIC Coordinator for the Boulder County Sheriff's Office contacts the supervisor of the user suspected of the misuse, and also notifies CBI.
- B. The CCIC Coordinator is required to report and cooperatively investigate any unauthorized access ("misuse") of the CCIC/NCIC computer systems with the CBI immediately. The coordinator, or designee, gathers the necessary documentation of the incident and provides the documentation to CBI and Sheriff's Staff.
- C. The CBI may conduct an independent investigation (if the incident reported involves another agency) to determine whether or not the allegation is justified and report it's findings back to the involved agency.
- D. Any violation of this policy may result in disciplinary action in accordance with Sheriff's Office policy including termination of employment. Criminal charges may also be filed against the user when warranted.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** CIVIL BILLING ACCOUNTS

**NUMBER:** 215

**EFFECTIVE:** 08/11/2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to establish billing accounts for licensed attorneys and licensed collection agencies that have a principal office located in the State of Colorado, pursuant to C.R.S. 30-1-106 and House Bill 10-1057. The purpose of this policy is to establish written guidelines for these billing accounts.

**PROCEDURE:**

- I. Billing Invoice
  - A. The Boulder County Sheriff's Office Civil Section creates and maintains a paper file for each outstanding billing account and invoice.
  - B. A separate billing invoice is generated for each service requested.
  - C. The civil section assigns a case number to each paper received and tracks all billing invoices and payments through the assigned case number.
  - D. When making a single payment for multiple invoices the payee is required to include the civil case number or numbers to which the payment is to be credited.
  - E. All payments are due immediately upon receipt.
- II. Account Suspension
  - A. The Boulder County Sheriff's Office Civil Section may suspend the billing privileges for nonpayment of a fee or for other good cause.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** CLASSIFICATION AND ASSIGNMENT

**NUMBER:** 301

**EFFECTIVE:** November 9, 2006

**POLICY:**

It is the policy of the Sheriff's Office to maintain up-to-date job descriptions for each classification in the Sheriff's Office.

**DEFINITIONS:**

Classification: A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices.

Job: One or more positions with duties and responsibilities that are identical in all significant respects, so that a single descriptive title can be used to identify the job.

Job Description: A written guideline describing a particular job to be done, including a list of general duties, responsibilities and requirements involved.

Job Task: A systematic examination of the functions and objectives analysis of each job to be performed as it relates to the knowledge, skills, and abilities required to perform the tasks or duties of the job.

Position: The duties and responsibilities that may be assigned to a person of a particular job classification.

**PROCEDURE:**

- I. The Sheriff's Office maintains a written classification plan, which may be reviewed annually, and revised when necessary by the Sheriff's Office Personnel Section. A classification plan is comprised of positions with similar duties, responsibilities, required knowledge, skills, and training. The Boulder County Human Resources Department groups positions into classifications for salary and benefit purposes. The Human Resources Department and the Board of County Commissioners review this plan annually.
- II. Classification and position descriptions are available for review to all employees of the Sheriff's Office.

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III. Job Descriptions

- A. All job assignments have written descriptions of the duties and responsibilities associated with the position. These job descriptions are available to all employees of the Sheriff's Office through the Personnel Section.

IV. Job Task Analysis

- A. A written job task analysis shall be maintained for every position. The job task analysis includes at a minimum the following:
  - 1. Duties, responsibilities and tasks.
  - 2. The frequency with which each task is performed.
  - 3. Minimum qualifications or level of proficiency necessary in the job related skills, knowledge, abilities, and behaviors.
- B. The objective of the job analysis is to:
  - 1. Serve as a basis for the position classification plan.
  - 2. Provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions.
  - 3. Assist in the establishment of training curricula.
  - 4. Provide a basis for minimum requirements in recruitment, examination, selection, appointment, promotion, and performance evaluation.
- C. Development and maintenance of job specifications are the responsibility of the Sheriff's Office Personnel Section.

V. Classification Criteria

- A. Selection of personnel for assignments within a given position classification are based on specific criteria:
  - 1. Knowledge skills and abilities required for specialized assignments.
  - 2. Formal educational requirements.
  - 3. Length of experience required.

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4. Past performance
  - B. All assignments, to include specialized assignments, may be reviewed annually by the Division Chiefs and Personnel section employees. This review may include an evaluation of the initial need for the position, the cost benefit of any specialized position and whether the position should be classified as sworn, or civilian.
  - C. Depending on the classification nature of an assignment, the availability of special assignments are either posted on a Sheriff's Office bulletin board, the Sheriff's web page, or announced through email, as soon as practical prior to the target date for the assignment.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** SALARY AND COMPENSATION PLAN

**NUMBER:** 302

**EFFECTIVE:** November 7, 2012

**POLICY:**

The Sheriff's Office effectively and efficiently administers the annual allocated salary and benefit budget in compliance with applicable county policy and current state and federal labor law or regulations. Where there is a conflict between the Sheriff's policy and county policy, Sheriff's policy takes precedence. Supervisors schedule time off for employees based on Sheriff's Office needs and in a way that ensures that no fewer than the minimum number of needed employees are on duty.

While every effort will be made to accommodate an employee's request to receive pay in lieu of time off as compensation for extra hours worked there will be occasions when paying an employee for overtime will not be possible. Therefore, it is the policy of the Sheriff's Office to compensate employees with compensatory time off in lieu of paid overtime when necessary to avoid overspending the allocated salary and overtime budget.

Any comp time accumulated by a non-exempt or 7(k) exempt employee, up to the current cap set by the Sheriff, will be purchased when the employee leaves County employment.

**DEFINITIONS:**

Adjusted Time: One-for-one trading of hours off for extra hours worked that occurs within a designated work period. Adjusted time off is not counted as hours worked.

Administrative Leave: Administrative leave is time off with pay. This leave is not deducted from vacation time, compensatory time or sick leave. Administrative leave must be approved by the Sheriff, Undersheriff or Division Chief and may be granted to:

1. Employees who are the subject of an administrative or other investigation.
2. FLSA executive exempt employees.
3. When it is determined to be in the best interest of the employee, the Sheriff's Office or the public.

Call Out: Is the same as "Recall, Call In, Call Back, or Emergency Response Time," and is defined as a return to work during off-duty hours.



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Compensable Time: Hours worked for which compensation is received. Except for Holidays and compensatory time off, paid and unpaid leave times are not considered hours worked.

Compensation: Money, time-off and fringe benefits given to an employee for work performed.

Compensatory Time: Time-off, in lieu of money, given to an employee for work performed.

Employer: For FLSA provisions Boulder County is the employer.

Exempt from FLSA: A person working in one of the following position categories that is not covered by FLSA overtime requirements: Elected official, personal staff of an elected official, executive, administrator, and professional, as defined by current FLSA regulations.

Flexible Scheduling: Moving the work hours within a workday or workweek, e.g. working 10:00 a.m. to 6:30 p.m. rather than working 8:00 a.m. to 4:30 p.m.; working Saturday rather than Friday.

Holiday Bank or Pool of hours: The practice of allowing employees the flexibility of “banking” holiday hours given to each employee annually and allow those employees required to work County holidays an alternate day off.

Holidays: Legal County holidays as adopted by resolution each year by the Boulder County Board of Commissioners.

Holiday Pay: Extra compensation given to an employee who works on a “premium” holiday (Thanksgiving, Christmas and New Year’s Day) when the holiday falls on the employee’s regularly scheduled workday.

Hourly Rate of Pay: Salary structure based on job description determined by the County as based upon payroll classification and the monthly salary. FLSA refers to this as the regular rate.

Law Enforcement 7(k) Exempt: Duty assignments and job descriptions determine whether the 7(k) exemption is applicable, and the Sheriff’s Office determines the 7(k) exemption for each employee. This category includes all deputies. .

Non-exempt: Those not classified as exempt or 7(k) exempt. Employees in this classification include, but are not limited to, accounting clerks, animal control specialists, law enforcement techs, communications dispatchers, cooks, data entry, evidence technicians, librarian, maintenance workers, mechanics, and other non-deputy series positions.

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Not Covered by FLSA: Elected officials, personal staff of elected officials, staff appointed by elected officials to serve on a policy making level or immediate legal advisors to elected officials. This category includes but is not limited to the Sheriff.

Overtime Pay: The hourly rate of an employee's salary multiplied 1.5 times.

Pay Period: The Boulder County pay period is set by County Finance as one calendar month from the 26<sup>th</sup> of one month to the 25<sup>th</sup> of the following month. Payday is the final working day of each month.

Work Period: For nonexempt personnel the work period is one week. For 7(k) exempt personnel the work period is two weeks unless modified by the Division Chief with the approval of the Sheriff.

Volunteers: Persons not employed by the Sheriff's Office who do volunteer work for the Sheriff's Office.

### **PROCEDURE:**

- I. Sheriff's Office Salary Plan
  - A. The Sheriff's Office salary plan is guided by Boulder County Policy.
- II. Salary Plan Augmentation
  - A. The Sheriff's Office Salary plan is augmented in the following ways for employees who are not classified as "exempt" employees:
    1. Compensable and non-compensable activities:
      - a. Stand-by time is compensable when the employee is not free to leave the "stand-by" location or area and the Sheriff's Office determines the wait duration.
      - b. On-call time is compensable when the employee is called out so often, or the employee's freedom so restricted, that the employee is unable to use the on-call time for their own benefit. The requirement to leave a telephone number, carry a pager, monitor a radio or respond to work within a specific time frame are not sufficiently restrictive enough to establish that the time spent in on-call status is compensable time.
      - c. Unscheduled work time is compensable for any job related activity required or approved by a supervisor. This work related activity may include, but is not limited to, the following:

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- 1) Court time related to work.
  - 2) Handling emergencies during off duty time.
  - 3) Completing required work before and after regular shifts.
- d. Unscheduled work time that occurs when an employee is off-duty, and is not an extension of a regularly scheduled work shift, is compensated portal-to-portal. Therefore, the employee is compensated from the time the employee begins to travel to the designated work site until the job assignment ends and the employee's round trip travel is complete. A two-hour minimum is compensated for any unscheduled work time.
- 1) Employees compute unscheduled work time in quarter hour increments. Rounding is done to the nearest five minutes, e.g., one hour and five minutes is rounded to one hour; and one hour and ten minutes is rounded to one hour and fifteen minutes, etc.

***Example: Employee "A" is at home on a regularly scheduled day off and is required to attend court in Boulder. The employee's round trip travel time from home to court is forty minutes and the employee is in court for twenty minutes. The employee will be compensated for two hours (two hour minimum)***

***Employee "B" is in Denver while off-duty and is called back to duty. The employee's travel time to the duty site is forty-five minutes from Denver. The employee is on duty for three hours and returns home which takes fifteen minutes from the duty site. The employee is compensated for four hours – three hours of work time and sixty minutes of round trip travel time.***

- e. Breaks from work of up to 15 minutes are compensable. Employees are authorized to take a 15-minute break for each four hours worked during a work period of 8-hours or longer. These breaks may be combined with an unpaid 30-minute meal break to increase that meal break to one hour in lieu of taking any 15-minute breaks.

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- 1) A Division Chief may approve a schedule whereby employees who work in non-essential positions may end their workday after 8 or 10 hours, as applicable, when they work through their meal break and take no more than two, 15-minute breaks during the workday.
  - a) When a Division Chief approves this type of work schedule the affected employee is not authorized to combine the two, 15-minute breaks but must take them as separate and distinct breaks during the workday, except as described for dispatchers in paragraph 2), below.
- 2) Due to the unique work requirements for dispatchers working in the Sheriff's Communications Center, the Support Services Division Chief may approve a schedule whereby employees, upon supervisory approval, may combine all or a portion of the 15-minute breaks in lieu of taking them individually. Combining the breaks cannot be used to shorten the workday.

***Example: When there is sufficient staffing, and a supervisor gives approval, an employee may combine two 15-minute breaks in an 8-hour workday into a 30-minute break; or three 15-minute breaks in a 12-hour workday into a single 45-minute break. This extended break cannot be taken at the beginning or end of the workday, the effect of which would be to shorten that workday.***

- 3) Non-exempt employees, excluding dispatchers, who take more than 30 minutes of cumulative break time during a workday, are required to be at work 8.5 or 10.5 hours, as applicable.
- f. A meal break is not compensable time when the time taken for the break is 30 minutes or longer in duration, the employee is relieved of all job duties, and the employee has the option to leave the assigned post or area.
- 1) Non-exempt employees and 7(k) exempt employees are off-duty when they leave their duty post for a meal break that is 30 minutes or longer, including travel time.

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2. Training: Off-duty time spent training is compensable with comp time, extra pay or adjustment in accordance with applicable sections of this policy.
- B. Travel to training or alternate work site.
1. Commuting to work from home is not compensable.
    - a. Travel time between home and the airport or home and an alternate work site (i.e., training, court or meetings) is not compensable for the amount of time normally spent traveling between home and the employee's normal duty site.
    - b. Travel time in excess of regular commute time that occurs because of a temporary change in job site location (i.e., out of town training, meetings, court) and extends the employee's workday is compensable.
- C. Out of town travel:
1. When an employee is offered air transportation, but elects to drive, the compensable travel time is the amount of time required for the air transportation.
  2. Travel on a workday or day off that occurs between the hours of 0800 and 1630 is compensable. Travel on a workday or day off that occurs before 0800 or after 1630 is not compensable.
    - a. Supervisors are to adjust the employee's days off and workweek to accommodate the travel whenever possible.

***Example: An employee is approved to travel to the East coast for a Mon-Thursday training program. The employee leaves for the airport on a Sunday at 0700 hours to catch a 0930 flight. The employee arrives at the east coast destination at 1600. The travel time from 0700–1600 is compensable.***

***The employee leaves the east coast on Thursday at 1730 (includes travel time to the airport) and arrives home at 2200 hours. The travel time on Thursday is not compensable.***
  3. The time traveling with a prisoner is computed as hours worked and not as travel time.

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- D. Trading time between employees has no effect on compensable time or the calculation of overtime based on hours worked within a work period when it is optional, voluntary and suggested by the involved employees, and it is done with the affected shift supervisor's approval.
1. The employees trading time are responsible for ensuring all obligations are met and scheduled tasks are completed.
  2. The scheduled employee and substituting employee each record the particulars of the trade in the comment section of their respective timesheet on the day(s) the trade occurred. (E.g. John Doe worked for me; Worked for Bob today.
  3. The scheduled employee records hours worked on his or her timesheet, not to exceed the normal shift total (8, 10, or 12), as if no trade occurred. The hours worked – up to the full shift total - are credited to the scheduled employee as if that employee worked the shift and count as hours worked for the scheduled employee in that work period.
  4. The substituting employee records on his or her timesheet only the hours that exceed the normal shift (> 8, 10 or 12) and will be compensated with comp or pay – at their supervisor's discretion - for any hours worked beyond the regular full shift in accordance with normal work period policies.
- E. Adjusted Time
1. All extra hours worked within a work period as a result of a **job related, pre-planned event**, will be adjusted 1-to-1 against any **comp or holiday** hours taken off within that same work period, unless the holiday hours taken off are on the actual holiday. A job related, pre-planned event, includes, but is not limited to the following:
    - a. Meetings, panel discussions, community events, etc.
    - b. Training
    - c. Extraditions
    - d. Any hours worked beyond an employee's normal shift or on an employee's regularly scheduled day off that are pre-planned by the employee and approved by the employee's supervisor.

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- F. Leave time, except when taken as holiday or comp time, does not count towards hours worked when computing compensable time. This includes, but is not limited to vacation time, sick leave, administrative leave, suspensions, disability leave, jury duty, injury leave, unexcused leave of absence and adjusted time off.
1. Holidays and compensatory time off are considered as hours worked and are included in the total hours worked in a work period when computing overtime, except as described in paragraph E, above.
  2. Compensating extra hours worked by non-exempt employees.
    - a. Daily work in excess of 8 hours for non-exempt employees is compensable with:
      - 1) Adjusted scheduling of one hour off for each extra one hour worked when this adjustment occurs with the employee's one-week work period.
      - 2) Straight time pay of one hour off for each extra one-hour worked if less than 40 compensable hours are worked within the employee's one-week work period.
    - b. Non-exempt employees working in excess of 40 hours in a one-week work period are compensated with:
      - 1) Overtime pay, compensatory time at the overtime rate, or a combination of both.
  3. Compensating extra hours worked by 7(k) exempt employees.
    - a. When the daily hours worked by a 7(k) exempt employee exceed the employee's normal daily work hours – 8.5, 10.5 or 12 hours – the employee is compensated with either:
      - 1) Adjusted scheduling of one hour off for each extra one hour worked when this adjustment occurs within the employee's two week work period, or
      - 2) Straight time pay of one hour for each extra one hour worked when the employee has less than a total of 84 compensable hours within the employee's two-week work period, or
      - 3) A combination of time and pay.

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- b. Compensable hours by a 7(k) exempt employee that exceed 84 total hours within the employee's two-week work period is compensated with either:
  - 1) Overtime pay, compensatory time at the overtime rate, or a combination of time and pay.
- 4. Compensating extra hours worked by administrative and professional exempt employees.
  - a. An employee classified as administrative or professionally exempt may receive paid compensation for extra hours worked under the following conditions:
    - 1) The extra hours worked are related to a major event, EOC activation, or natural disaster.
    - 2) The paid compensation is approved by the Sheriff or the Undersheriff in the Sheriff's absence.
  - b. The extra hours worked by an employee in this category are paid at the employee's straight time rate for hours that exceed the employee's normal daily shift up to a maximum of forty hours in a seven-day work period. Any hours worked beyond the forty hour threshold are paid at the employee's overtime rate.
- 5. Compensatory Time
  - a. All employees, excluding those with an executive exempt classification, are allowed to accumulate a maximum of 80 hours of compensatory time in a calendar year. Supervisors are responsible for maintaining accurate compensatory time records.
    - 1) An administrative or professionally exempt employee is not authorized to carry over any comp time to the new calendar year that has not been earned in the last two months of the year, and the hours are not eligible to be purchased when the employee terminates employment with Boulder County.
  - b. In extraordinary circumstances a Division Chief may authorize an employee's accumulated compensatory time balance to exceed 80 hours — up to 120 hours — for up to six months. The Division Chief notifies the Sheriff and



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Undersheriff of the decision to exceed the eighty hour cap...

- 1) The Sheriff may authorize the accumulation of compensatory up to the FLSA limit for 7(k) exempt employees of 480 hours upon receiving approval from the Board of County Commissioners (BOCC)
- c. Supervisors are responsible for keeping employee's accrued compensatory time under 80 hours. Supervisors are encouraged to utilize the following methods in order to accomplish this objective:
- 1) Adjustment of overtime worked within the work period when the circumstances meet the criteria described in this policy.
  - 2) Requesting that the employee voluntarily take accumulated compensatory time.
  - 3) Paying the employee for accumulated compensatory time in excess of 80 hours when authorized to do so by their Division Chief.
    - a) Any hours paid for using this option are purchased on an hour for hour basis using the employee's straight time (1.0) hourly rate.
  - 4) Supervisors may elect to pay for overtime worked, when authorized to do so by their Division Chief, rather than allow compensatory time to be accumulated.
6. Deducting time for absences.
- a. Authorized absences from work are deducted from the employee's balance of compensatory, vacation, sick or other authorized leave time, as applicable, on an hour-for-hour basis.
  - b. For employees who are classified as nonexempt, the total deductions from the applicable leave balances are not to exceed the hours worked by the employee in a regular full workday, or forty hours in a one-week work period.
  - c. For employees who are classified as 7(k) exempt authorized leave hours are deducted from the applicable leave balances

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on an hour for hour basis not to exceed the hours worked by the employee in a regular workday and not to exceed eighty (80) hours in a two week work period.

- d. To ensure equity between the various work schedules and ensure that no employee has more than eighty (80) hours of leave time deducted in any two week work period, hours are deducted in the following manner for the following work schedules:
- 1) Five, 8.5-hour shifts: 7(k) employees on this schedule work a forty-two hour workweek and a two-week work period that is eighty-four hours long.
    - a) All leave time is deducted on an hour-for-hour basis not to exceed eight (8) total hours per workday, 40 hours per workweek or eighty (80) hours per work period.
  - 2) Four, 10.5-hour shifts: 7(k) employees on this schedule work a forty-two hour workweek and a two-week work period that is eighty-four hours long.
    - a) All leave time is deducted on an hour-for-hour basis per workweek or 80-hours per work period.
  - 3) Seven, 12-hour shifts: 7(k) employees on this schedule work a two week work period that consists of four days on, three days off and three days on, four days off, for a total of seven workdays and 84 total hours worked.
    - a) All leave time is deducted on an hour-for-hour basis not to exceed 11 hours per day when the time taken occurs in the employee's four-day workweek. All leave time is deducted on an hour-for-hour basis not to exceed 12 hours per day when the time taken occurs in the employee's three-day workweek. Total hours deducted over the employee's two-week work period shall not exceed a total of 80 hours.

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7. Leave without pay (LWOP)
  - a. A Division Chief is authorized to approve a “leave without pay” request for up to two full workdays in a pay period, at his or her discretion, when such request is submitted by an employee of the chief’s division and when approval is in compliance with the limitations and conditions of this section.
  - b. A Division Chief is authorized to approve LWOP when:
    - 1) The employee or the employee’s direct supervisor communicates the request to the affected Division Chief prior to the employee’s absence from work, or in the case of sudden illness or injury, as soon as is practical.
    - 2) The request to be absent from work does not exceed two full workdays in the pay period.
    - 3) The employee has exhausted all available qualifying and applicable including, but not limited to vacation, comp time, holiday, funeral leave, personal days, medical leave, etc.
  - c. When an employee’s request for LWOP exceeds two workdays in a pay period or is projected to occur over a number of pay periods, the request is forwarded to the Undersheriff. The Undersheriff is authorized to approve the request after consulting with the Division Chief, county HR and the Sheriff to ensure short term and long-term ramifications are understood and taken into account before approval is given.
  - d. Absence from work may be viewed as a performance issue and subject to corrective or disciplinary action when an employee is absent from work without authorization or frequently requests LWOP because the employee’s other leave types have been exhausted.
8. County holidays
  - a. Each year the Board of County Commissioners set specific dates for county holidays and the number of holiday hours for the year, i.e. 96 hours.

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- b. Sheriff's employees are authorized to "bank" holiday hours and take time off on days other than the designated holiday and designate it as holiday time — up to the total number of holiday hours approved by BOCC — when performed in accordance with the provisions of this policy. Each hour taken off is subtracted from the employee's remaining balance of holiday time.
  - 1) Employees must be employed on the actual day of the holiday in order to take hours off for that holiday. However, the employee's supervisor may project that the employee will be employed on the actual holiday for up to sixty-days before the holiday occurs, and allow the employee to take time off at rate of eight (8) hours for each projected full-day holiday and four (4) hours for each projected half-day holiday.
  - 2) When an employee takes time off and designates it as holiday time, but is not employed on the actual day of the holiday as projected, the time off is recovered by subtracting the used time from the employee's remaining comp or vacation time balance, as of their final day of employment with the Sheriff's Office.
- c. It is the responsibility of the employee to schedule the use of the holiday time in a manner that is consistent with this policy.
- d. Holiday time not used during the year is lost unless the employee's Division Chief specifically approves the limited carryover of holiday hours to the next year.
- e. When an employee takes time off on a normally scheduled workday, which is also a holiday, that time off is deducted from the employee's pool of accrued holiday hours.
  - 1) The holiday time off is deducted one hour for each hour off. However, the employee may elect to cap the holiday time deducted at eight hours and use comp or vacation time to make up the difference between the eight hours of holiday time and the total hours taken off.

**Example: An employee normally works a 12-hour shift on a Monday that is also a county holiday. The employee receives approval to take the day off. At least**

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**eight of the twelve hours, or the balance of remaining holiday hours, if less than eight, must be taken off as holiday time, but the employee may choose to use vacation and/or comp time to make up the balance of hours taken off.**

G. Earned Time

1. Extra hours worked within a work period are not to be calculated as either straight time or overtime until the last day of the employee's work period is complete.
2. In situations where a portion of a work period is carried over to the next pay period, all extra time worked within that specific work period are not to be calculated as either straight time or overtime because that work period is not complete until the beginning of the next pay period.
3. Extra hours worked are to be adjusted as required by policy when this circumstance occurs.

III. Premium Holiday Compensation

- A. Thanksgiving, Christmas, and New Year's Day are designated as "premium holidays." Nonexempt and 7(k) exempt employees working these holidays receive extra compensation for hours worked.
- B. The type of compensation received differs depending on the circumstances that caused the employee to work that premium holiday. *(The details of the various methods of compensation are described in Addendum "B" attached to this policy)*
- C. There is no additional compensation for holiday time off on a scheduled workday other than compensation described in this policy. Holiday time earned by an employee is accounted for separately from compensatory time.
- D. An employee will not be compensated for unused holiday time upon termination or resignation.

IV. Overtime Compensation for Executive Exempt Employees

- A. The job positions held by executive exempt employees (employees with the rank of Commander, or its civilian equivalent, and above) may require the employee to work a number of hours that exceeds a normal workday or that does not conform to a normal shift. Therefore, these employees

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have the flexibility to adjust their schedules or flex their time to meet their job position requirements (*see Addendum "A" for additional explanation*)

- B. In recognition of the fact that executive exempt employees typically work extra hours that exceed 96 hours in a calendar year, executive exempt employees are awarded one administrative day per pay period.
  - 1. The administrative day off must be taken before the end of the pay period; are not to be carried over to the next pay period or "banked"; and, the hours are not eligible to be purchased by the county when the employee terminates employment.
- C. An executive exempt employee may receive paid compensation for extra hours worked under the following conditions:
  - 1. The extra hours worked are a result of a local, state or federally declared disaster.
  - 2. The funds to pay for the compensation are eligible for state or federal reimbursement.
  - 3. The paid compensation is approved by the Sheriff or the Undersheriff in the Sheriff's absence.
    - a. The extra hours worked by an executive exempt employee are paid at the employee's straight time rate.
- V. Off Duty, Extra Duty, and Voluntary Employment
  - A. Voluntary and optional off-duty employment by personnel for a second employer doing work which is unrelated to their Sheriff's Office duties does not affect their FLSA status, but is controlled under the provisions of Policy and Procedure #314. Overtime for each job is computed separately.
  - B. Voluntary and optional off-duty employment by personnel for a second employer doing work which is related to their Sheriff's Office duties is not considered joint employment by a single employer, and is controlled by Policy and Procedure #314. Overtime for each job is computed separately.
  - C. Voluntary and optional work for the Sheriff's Office on a part-time basis performing the same type of services for which the employee is regularly employed is not permissible.
  - D. Hours worked for the Sheriff's Office in a second capacity that does not involve the same type of services as the primary capacity, and the secondary job is on an occasional or sporadic basis, are compensated at

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the rate set for the second job and the hours do not accrue toward overtime requirements of the employee's primary job.

- E. Nonexempt and 7(K) exempt employees may not volunteer to perform any work for the County that involves doing the same tasks as those required by their regular job.

VI. Limitation on Consecutive Hours Worked

- A. Except in extraordinary circumstances, and upon approval by the employee's Division Chief or his/her designee, a Sheriff's employee is prohibited from working any Sheriff's Office assignment, including extra duty assignments, when the employee has worked any combination of Sheriff's Office employment, extra duty assignments and/or private employment that exceeds sixteen (16) hours in a 24-hour period unless there has been an intervening eight (8) hour break.
  - 1. When a Sheriff's Office supervisor has reason to believe that an employee has exceeded the 16-hour threshold, or that the employee's well-being or performance may be compromised unless he or she gets some immediate rest, the supervisor is authorized to remove the employee from his or her assignment and prohibit the employee from performing any further Sheriff's Office tasks until the employee has been off-duty for at least eight hours.
    - a. When a supervisor requires an employee to leave his or her assignment under the circumstances described in this section, the employee's time off is recorded on the employee's time sheet in compliance with applicable Sheriff's office policy.

VII. Pay Plan Review and Evaluation

- A. The pay plan is evaluated annually by the Sheriff who then gives input to the Boulder County Board of Commissioners with recommended changes in the county pay and/or benefits plans.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

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ADDENDUM "A"

Revised November 7, 2012 (TLS)

The FLSA regulations created various pay classifications that affect how employees are compensated for working more than a certain number of hours in a work period. Non-exempt employees must be compensated at a rate of 1.5 times their hourly wage in time or money for every hour worked over 40 hours in a seven-day workweek (168 hours) 7(k) exempt employees – police and fire – must be compensated at 1.5 times their hourly rate in time or money for hours worked over a certain number of hours that is based on a work period of from 7 to 28 days as set by their agency.

Exempt employees are not subject to FLSA regulations. In order to keep this exemption an employer must pay these employees a salary and the salary amount must not be affected by the quantity or quality of work performed by the employee. Further, the salary of exempt employees must not be reduced for partial days worked. (However, deductions from vacation, holiday, sick time, etc., can occur for partial days worked)

Since these employees are exempt from FLSA, there is no requirement by law or regulation that exempt employees receive any additional compensation beyond their salary for hours worked above any threshold. FLSA also states that an agency may compensate exempt employees in any way it desires—with time and/or money—and at any rate it desires. A FLSA letter ruling dated May 20, 1999 states that compensation for exempt employees for extra hours worked does not defeat the salary test or jeopardize the employee's exempt status:

*"It has been our long-standing position that extra compensation paid by the hour for additional hours worked does not defeat the exempt status of an otherwise exempt employee. Thus, extra compensation may be paid for overtime to an exempt employee on any basis. The overtime payment need not be at time and one-half, but may be straight time, one-half time, flat sum, or on any other basis."*  
Source: 29 CFR 541.118(b) (Fair Labor Standards Handbook, Thompson Publishing Group, Appendices and Index, Administrative Rulings, pg. 283.)

The Boulder County personnel manual states: "Elected Officials /Department Heads have the authority to grant administrative leave to compensate exempt employees for extra hours worked." (Personnel Manual, Chapter IV Pay Plan, Number: 407, Overtime, F.)

The Sheriff's general philosophy on compensation for exempt employees is:

*It is recognized that all employees generally work a 40-hour weekly schedule. It is also recognized that Exempt employees often work more than 40 hours per week, sometimes are called in to work during their off-duty hours, and frequently handle pages and phone calls concerning work related matters during their off-duty hours.*



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*The sheriff's office allows Exempt employees flexibility in scheduling their work hours to compensate for additional hours and off-duty work. Exempt employees may flex their schedule as needed to maintain a roughly 40 hour weekly schedule, and may take days or hours off to maintain a balance within their schedule, with the approval of the next person in their chain of command, and within the monthly work period. These administrative hours do not accumulate or carry over and do not become a benefit.*

Sheriff's command staff has discussed this philosophy and has made a number of decisions related to this issue.

1. The Sheriff and Command Staff see a distinction between the three classifications of exempt employees as they currently exist in the County structure. Executive exempt employees are employees with the rank of Commander or above, have primarily command level supervision responsibilities and are highly paid relative to the rest of the Office. Administrative and professional exempt employees have less supervisory responsibility, are paid at levels nearer the Deputy I classification and typically must work a more traditional schedule. Staff believes these employees should be treated differently in relation to compensation for extra hours worked.

**Decision:** The administrative and professional exempt employees will be allowed to accumulate extra hours worked as comp time in a manner that complies with the guidelines that follow.

2. There is a different expectation as it relates to the use of time to accomplish the mission by those who are executive exempt employees. The inherent nature of their command level responsibilities and duties requires a degree of flexibility that does not exist for other classifications. In addition, this group of employees is the highest paid in the sheriff's office.

**Decision:** Commanders and above will continue to have the highest degree of flexibility – relative to other employees - in their work schedules. In addition to being given a great deal of latitude in setting their schedule, they will get one admin day off each month.

3. The Undersheriff and Division Chiefs are responsible for ensuring the philosophy and guidelines are fairly and uniformly applied across division lines.

**Decision:** Guidelines will be developed, codified and incorporated in the newly revised Pay and Compensation policy or become a new, stand alone, policy.

The following guidelines are intended to ensure consistency in how this philosophy is applied in everyday work situations:

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- Executive exempt employees have the greatest latitude in setting their schedule. They are each responsible for being at work when needed, for the length of time necessary, and for using flex and admin time in a way that is consistent with the Sheriff's stated philosophy and these guidelines.
  - Example: The employee's typical workweek is four, 10-hour days, Monday – Thursday. An extradition occurs which requires travel and transport on Saturday and Sunday. The employee's workweek may be adjusted to Saturday – Tuesday.
  - Example: The employee's typical workday is 8 hours. With supervisor approval the employee works 12 hours on Monday. The employee may work less than a full day sometime during the remainder of the pay period.

**Note: A schedule “adjustment” or flexing is the process of moving the roughly forty work hours around in a week to meet work needs. Extra time is not to be “banked” or used in a 1-for-1 exchange for time off. Working more than 40 hours in a week is part of the expectation for Commanders and above. In return for the extra hours worked, these employees have greater schedule flexibility and the latitude to work some partial days during the pay period without using leave time.**

- “Executive” exempt employees - in addition to the latitude given them in setting their schedule - are authorized to take one admin day off per month in recognition that over the course of a year the employee will typically work in excess of 96 extra hours. This category of employee must use their admin day within the 28-day pay period and are not to be carried over from month to month. The admin day is not eligible to be purchased when they terminate their employment.
- All “administrative” and “professional” exempt employees are authorized to accumulate extra hours worked up to the 80-hour cap. This category of employee (except jail nurses) accumulates comp hours on a one-to-one basis for each extra hour worked. The employee must seek and receive approval from their supervisor to work extra hours and to take time off. The time off must be used in the calendar year and is not to be carried over from year-to-year. This time is not eligible to be purchased when they terminate their employment.

Note: “Extra” hours are hours worked above forty in a seven-day period.

- In special circumstances, where an extraordinary amount of extra time has been worked, the Undersheriff and Division Chiefs have the authority to award additional admin days off to an executive exempt employee after consulting with the Sheriff.

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We have attempted to construct policy guidelines for this issue that take into account FLSA regulations, County policy, while at the same time meeting the test of public accountability and giving recognition to the fact that extra time spent working for Boulder County by exempt employees is valuable and worthy of additional compensation.

As is true with most policies and guidelines there will be day-to-day occurrences that are not specifically addressed by this policy. In those situations, please work with your direct supervisor to find a solution that meets the spirit, if not the letter, of these guidelines. Thank you for your patience and understanding as we've worked our way through this issue to reach this conclusion.

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**ADDENDUM "B"**

**Premium Holiday Compensation  
(Thanksgiving, Christmas and New Year's)**

Work Situation	Comp or Paid ST (1x1)	Comp or Paid OT (1x1.5)	Holiday Time	Comments
Falls on scheduled workday and employee works.	YES – For hours worked in the 24-hour period.	NO	No additional time added to annual holiday allotment	
Falls on scheduled workday and employee is held over.	YES – For regular hours worked in the 24-hour period.	YES – For extra hours worked regardless of number of hours worked in work period.	No additional time added to annual holiday allotment	
Falls on scheduled workday and employee takes the day off.	NO	NO	Hours used deducted from holiday allotment.	Employee <b>must</b> use holiday hours on a 1-to-1 basis, if available.
Falls on scheduled workday and employee takes the day off and employee is called back.	YES – For regular hours worked in the 24-hour period.	NO	Hours worked are added back to applicable account, i.e. holiday, vacation, etc.	
Falls on employee's day off and employee does not work.	NO	NO	Already included in annual allotment.	
Falls on employee's day off and employee called in to work.	NO	YES – For hours worked regardless of number of hours worked in work period.	50% of time worked is added to current holiday time allotment.	

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**SUBJECT:** BENEFITS

**NUMBER:** 303

**EFFECTIVE:** November 9, 2006

**POLICY:**

The Sheriff's Office follows the guidelines of Section VII of County Policy, Chapter V of Personnel Policies when those policies do not conflict with Sheriff's Office policies and do not compromise the capability of the Office to perform its public safety mission.

**DEFINITIONS:**

Boulder County Personnel Manual: The manual maintained by Boulder County Human Resources and can be accessed at: <http://iweb.co.boulder.co.us>.

**PROCEDURE:**

I. Benefit Information

- A. It is the responsibility of the Administrative Services Division of the Boulder County Sheriff's Office to provide information and counsel to employees concerning their pay, benefits, and other county programs.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**ADDENDUM "B"**

**Premium Holiday Compensation**

(Thanksgiving, Christmas and New Year's)

Work Situation	Comp or Paid ST (1x1)	Comp or Paid OT (1x1.5)	Holiday Time	Comments
Falls on scheduled workday and employee works.	YES – For hours worked in the 24-hour period.	NO	No additional time added to annual holiday allotment	
Falls on scheduled workday and employee is held over.	YES – For regular hours worked in the 24-hour period.	YES – For extra hours worked regardless of number of hours worked in work period.	No additional time added to annual holiday allotment	
Falls on scheduled workday and employee takes the day off.	NO	NO	Hours used deducted from holiday allotment.	Employee <b>must</b> use holiday hours on a 1-to-1 basis, if available.
Falls on scheduled workday and employee takes the day off and employee is called back.	YES – For regular hours worked in the 24-hour period.	NO	Hours worked are added back to applicable account, i.e. holiday, vacation, etc.	
Falls on employee's day off and employee does not work.	NO	NO	Already included in annual allotment.	
Falls on employee's day off and employee called in to work.	NO	YES – For hours worked regardless of number of hours worked in work period.	50% of time worked is added to current holiday time allotment.	



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**SUBJECT:** CONDITIONS OF EMPLOYMENT

**NUMBER:** 304

**EFFECTIVE:** November 9, 2006

**POLICY:**

It is the policy of the Sheriff's Office to clearly describe expectations of employees in regards to hours' worked and other related conditions.

**DEFINITIONS:**

Longevity: The length of time a person has been employed by Boulder County with no more than a thirty-day break in service.

Seniority: The length of time an FTE employee has in a job classification (time in grade) with no more than a thirty-day break in service.

**PROCEDURE:**

I. Business Hours

- A. The Sheriff or designee establishes the hours of operation for the Boulder County Sheriff's Office.
  - 1. The business offices of the Sheriff's Office are closed on County holidays.
- B. The division chiefs' are responsible for establishing the hours of operations for public services provided by their respective divisions
- C. The division chiefs' are responsible for establishing the work hours that conform to all applicable laws, regulations and policies, for all employees under their command.

II. Job Assignments

- A. Each employee may be assigned job tasks in a division, section, or unit as provided by state statute, policy, procedure, or directive.
- B. Due to the nature of public safety operations, employees may be required, as a condition of employment, to work shifts, weekends, and holidays. Time off may be interrupted or canceled due to calls for service and emergencies. Employees may be required to work overtime.

III. Reporting for Duty

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- A. Employees are to report for duty at the time and place designated by their respective duty schedule, assignment, or orders.
- B. Supervisors are to advise affected employees of revised schedules or assignments in a timely manner.

IV. Vacations

- A. Vacations requests are handled on a first come first serve basis, keeping in mind staffing requirements.
- B. In the event two employees of equal rank, from the same shift, submit their request for a vacation at the same time, and for the same time period, the senior employee is given first consideration.
- C. Vacation requests are submitted to the employee's supervisor in compliance with divisional procedures.

V. Absences

- A. Absences are reported to the appropriate on-duty supervisor as soon as possible prior to the beginning of a shift (emergency situations excepted).
- B. Any employee who fails to report for duty without notification is "absent without leave." Such an absence is reported to the employee's Division chief. Supervisors are responsible for attempting to contact the absent employee in order to determine the reason for the absence. An absence without leave is cause for disciplinary action. Absences without leave in excess of three days may be considered a resignation.
- C. In the event that more than three consecutive medical leave days are taken, the Division chief may require certification of the illness or injury from the employee's doctor.
  - 1. County Human Resources is notified in order that employees are notified of their rights under the Family Medical Leave Act.

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VI. Inclement Weather

- A. In extreme weather situations, the Board of County Commissioners may declare County Offices closed. Announcement of closures may be made on local radio stations, the cable station serving Boulder County, the county website and the "snow line" (441-3800). In the event that the Sheriff declares that certain functions of the Boulder County Sheriff's Office are to be closed, division chiefs are to ensure that affected personnel are notified.
- B. Division chiefs determine which employees are required to remain at, or report to work.
- C. If the closure is authorized during a regular business day, employees at work will be excused at that time and paid for their regular work hours.
- D. Employees not at work when the closure is authorized because they had taken time off will be charged that time as though the offices had remained open.
- E. Employees, who for personal reasons wish to leave work early during severe weather conditions, may do so with permission from their supervisor and will be charged vacation time or comp time for the time they are absent from work.
- F. Employees, who do not come to work due to weather conditions when a closure has not been authorized, will be charged vacation or comp time for an amount equal to the hours of their regular workday.

VII. Seniority

- A. Seniority is based upon total FTE time in job classification or grade as long as there has not been a break in service longer than 30 days.
- B. When employees change to a higher job classification or grade, their seniority changes. They always retain their county employment longevity.
- C. When employees are downgraded or reduced to a lower job classification or grade, the division chief determines whether or not the employee retains seniority based upon the particulars of the downgrade or reduction.
- D. At the discretion of the division chief, seniority may be taken into consideration for shift assignments, days off, leave requests, and on-call.

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VIII. Longevity

- A. Longevity is taken into consideration for compensatory benefits, such as vacation and sick leave accrual levels.
- B. Longevity may also be used as a consideration when it is necessary to make reductions in the work force.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** FITNESS & ESSENTIAL JOB DEMAND TESTING

**NUMBER:** 305

**EFFECTIVE:** April 27, 2012

**POLICY:**

It is the policy of the Sheriff's Office to require deputies to maintain a satisfactory level of physical fitness in order to perform their work effectively. Criteria for physical fitness shall be established in relationship to the work performed in accordance to applicable laws and regulations, as well as the potential work, which could be demanded of specific positions regardless of the frequency of the specific job task.

The Sheriff's Office recognizes that deputies are responsible for maintaining a level of physical fitness that is necessary to capably perform their jobs. The Sheriff's Office encourages employees to take advantage of wellness and fitness programs available through the county or the Sheriff's Office.

All Deputies and Security Deputies are required to take an annual test to establish their capability to meet the essential physical demands of their position

**DEFINITIONS:**

Essential Job Demand: The minimum physical demands required for each position to effectively perform the job; also referred to as EJD.

Fitness for Duty: The establishment of an individual's ability to effectively perform the essential job demands of the position they are assigned.

**PROCEDURE:**

- I. The Essential Job Demand Test
  - A. All Sheriff's Deputies are required to take an Essential Job Demand test annually.
    1. The Sheriff may exempt an employee from this requirement for special considerations, including short term disabilities, accommodation for medical issues, and specialty of assignment.
    2. A deputy may be required to successfully pass the EJD test prior to returning to full duty, see policy #316.
  - B. The Division Chief is responsible for arranging for the EJD test for deputies under his/her command.

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1. Personnel administering the EJD test must be familiar with the Sheriff's Office EJD evaluation process.
- C. Prior to taking the EJD test, deputies are to be given a form with a written description of each phase of the test and the minimum standards. See attachments "A" and "C."
1. Deputies are to review the form and then acknowledge by signing the form that they understand the expectations, demands and risks involved with taking the test.
    - a. Deputies are to indicate whether or not they are capable of taking the EJD test.
    - b. If the deputy feels he/she is not capable of taking the test, the test will not be administered.
      - 1) In such cases, a copy of the form is to be forwarded to the deputy's Division Chief and an oversight action will be initiated.
- II. Establishing Essential Job Demand Test Standards
- A. The EJD test standards are based on job functions and job relatedness. See Attachment "B."
  - B. It is the responsibility of the Operations Division and Jail Division Training sergeants to ensure EJD test standards are reviewed on an annual basis. After review, any recommendations for change of any portion of the test and/or standards are presented to executive staff prior to implementation of any change.
- III. The Essential Job Demand Test Standards
- A. Deputies must meet or exceed the standards outlined in attachment "C."
  - B. Deputies who cannot meet and/or achieve the prescribed minimum standards are directed to improve their physical fitness to comply with this policy.
  - C. Re-testing
    1. Deputies are required to re-take the entire EJD test within ninety days of not passing the annual EJD test.

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- a. When a deputy does not pass the subsequent test, the deputy's Division Chief is notified as soon as practical.
2. A deputy who cannot meet the EJD Evaluation Standards within ninety days may be subject to an oversight action. The objective of such action is to assist and direct the employee in meeting the EJD test standards.
  - a. The Sheriff, Undersheriff, and Division Chiefs make up the committee that conducts an EJD oversight action.
    - 1) The deputy who is subject to an oversight action may be restricted from participating in law enforcement activities or related extra duty assignments until he or she is able to pass the EJD test.
  - b. A deputy who cannot meet the EJD test standards despite an oversight action may be deemed unable to meet the position's essential job demands and may be subject to re-assignment, demotion, or termination.

IV. EJD Test Report and Record Keeping

- A. The original EJD test report is given to the participating deputy. See attachment "D."
- B. A copy of the EJD test report is forwarded to the deputy's Division Chief.
- C. A copy of the EJD Test report is placed in the deputy's Sheriff's Office personnel file.
  1. The documentation will include the actual test scores along with an indication of whether the deputy passed or failed the test.
    - a. If the participating deputy did not pass, then an additional category is completed indicating the date (ninety days later) by which the test must be passed.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**ATTACHMENT "A" - POLICY NUMBER 305**

**ACKNOWLEDGMENT AND CERTIFICATION**

The essential job demand evaluation in which you are about to participate will require you to sprint a distance of 100 yards from a sitting position in a vehicle or chair simulating a driver's seat, within which you will ascend and descend two flights of stairs, ascend and descend a step ladder, crawl through either a twelve foot long tube or underneath a twelve foot long obstacle and return to the rear of the vehicle within 101 seconds. You will be required to lift and carry or drag up to 155 pounds on a level surface twenty-five feet, and push a patrol car a distance of ten feet on a level surface. You will be required to climb over a five foot high wall, fence or other barrier from a standing position and immediately run 1/4 mile in distance. The running portion of this test must be completed within 162 seconds. This process tests your ability to perform minimum essential job demands in accordance with policy.

The essential job demand test is physically demanding and will cause you to exert a high anaerobic demand on your cardiovascular system, utilize up to the maximum strength of your muscles, joints, and back. Therefore, this test may pose certain risks for those who have medical or physical conditions, which may be effected by the amount of exertion needed to perform the test. If you have any doubt about your ability to perform this test safely you are have your personal physician review the demands and requirements prior to taking the taking the test.

It is your responsibility to maintain a physical fitness level that allows you to perform the job related essential functions of the position that you are assigned. If you feel you cannot participate in the essential job demand test, it is your responsibility to notify the administrator of the test prior to engaging in any activity associated with it.

If you cannot participate in the testing or you do not complete the test, you will be given a notice of having failed the test and your Division Chief is notified of such. You may be subject to an oversight action as a result of not passing the Essential Job Demand test.

**CAPABLE OF TAKING TEST**

**NOT CAPABLE OF TAKING TEST**  
(PLEASE STATE REASONS ON THE BACK OF THIS FORM)

By signing you acknowledge you have read and understand the above.

---

Signature – Person Taking the Test

Date

---

Signature – Person Administering the Test

Date

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**ATTACHMENT "B" - POLICY NUMBER 305**

**ESTABLISHING THE ESSENTIAL JOB DEMAND TEST**

The current EJD development was conducted in August 1997 by a third party entity (Pro Physical Therapy, P.C.) that was contracted to establish the Essential Job Demands of both Patrol and Jail Deputies. An evaluation of essential job demands was subsequently designed with and in consideration of current issues concerning ADA, the public safety responsibilities to the public we serve, to safety and security of other Sheriff's Office employees and the mission and associated values of the Sheriff's Office.

This process involved having twenty five percent of incumbent commissioned randomly selected deputies complete a survey of present job requirements. The samples were based on age, gender, and assignment location.

The completed surveys were compared with the existing job description and resulted in the third party entity designing the Essential Job Demand Evaluation component.

The same twenty-five percent were tested to validate the components and establish local performance norms. The test results were analyzed and modifications to the job descriptions and the evaluation were made to establish the present standard.

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**ATTACHMENT "C" - POLICY NUMBER 305**

**THE ESSENTIAL JOB DEMAND TEST**

**Part I – Obstacle Course**

The participant will run an obstacle course that begins:

1. From a sitting position in the driver's seat of a vehicle or on a chair simulating the driver's seat, and running 150 feet to stairs, running up and back down a flight of stairs 9-10 feet high two times or flight 4 to 5 feet in height, four times, and then:
2. Run 25 feet to an 8 foot ladder and ascend / descend five steps or rungs, and then:
3. Run 50 feet to a 12-foot long tube or obstacle, crawl through the tube (or under the obstacle) and return, to the rear of the vehicle or back to the chair within 101 seconds.

**Part II – Strength**

The participant must have the ability to:

1. Lift 35-pounds to a height of sixty inches.
2. Carry 60-pounds a distance of twenty-five feet.
3. Pull/drag a 155-pound bag or dummy, twenty-five feet on a level surface.
4. Push a stopped patrol car ten feet on a level surface.

**Part III – 5-foot Wall & ¼ Mile Run**

Within two minutes of completing the obstacle course, the participant will:

1. Climb over a 5-foot wall, fence, or barrier from a standing position.
2. Upon scaling the barrier the participant will run 1/4 mile within 162 seconds or, at the discretion of the administrator, run on a treadmill at 6 mph at a 4% grade for two minutes and 30 seconds.

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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** RECRUITMENT AND SELECTION

**NUMBER:** 306

**EFFECTIVE:** April 27, 2012

**POLICY:**

The Boulder County Sheriff's Office maintains a function responsible for the administration of personnel recruitment and selection. The Boulder County Human Resources office may have a role in the selection of candidates for non-enforcement positions when agreed upon by the Sheriff and the HR director.

All components of the selection process are administered in a manner compliant with all applicable federal and state laws and regulations.

The Sheriff's Office is an Equal Opportunity Employer.

**DEFINITIONS:**

County Human Resources: The entity, which is a part of the County Administrative Services Division and administers recruiting and selection for other County Departments.

Closed Recruitment: Recruitment is announced within the Sheriff's Office only. In addition, Sheriff's Office hourly employees, and reserve officers, etc., may be processed for a closed recruitment position opening.

Probationary Period: –The first twelve months of a new hire's employment where the employee must adequately demonstrate the skills, knowledge, and abilities associated with the job function. The probationary period is the last part of the selection process.

Open Recruitment: A recruitment to hire new employees where outside applications are processed for the position opening.

Recruitment: For the purposes of this policy, recruitment means the same as a hiring process through advertising, screening, pre-offer testing, interviewing, and selection.

**PROCEDURE:**

I. Recruitment Procedures

- A. When there is a vacancy in the Sheriff's Office, the Personnel Section, with direction from the Sheriff, determines which type of recruitment methods to be used to fill the position. The process for filling positions of Commander, Division Chief, and equivalent civilian positions is determined by the Sheriff.

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1. The Sheriff's Personnel Section coordinates with the respective Division to develop a Position Opening Announcement. Advertising needs and requirements are established at that time. The Sheriff's Office bears financial responsibility for advertising when it exceeds beyond posting online via NEOGOV.
2. The period for accepting applications for open positions is a minimum of five working days. All applications are to be submitted to either the County Human Resources office or the Sheriff's Office, as designated in the open position announcement, and must be received by the advertised deadline.
3. Applicants for all Sheriff's Office positions are required to complete a Sheriff's Office application, paper or online.
4. The Sheriff's Office accepts unsolicited applications at any time. The Sheriff's Office Personnel Section maintains unsolicited applications for one year and notifies the applicants when there is a Sheriff's Office opening. Additionally, the Personnel Section forwards required information to County Human Resources when an on-file application is being utilized.
5. The Sheriff's Office Personnel Section screens all applications according to minimum qualifications and Sheriff's Office guidelines.
6. Applications remain active until the initiation of the next processing unless extended by the Undersheriff. After that time they are kept in an inactive file and applicants must notify Boulder County Human Resources or reapply by completing and submitting a new application. During an active application period applications may be considered for other openings for which they qualify.
8. Applicants who fail any testing or background checks are to be notified by Sheriff's Office personnel that they are not eligible for the current opening.

II. Administration of the Selection Process

- A. Administration of all selection processes, other than promotion processes are conducted by, or under the auspices of, the Personnel Section.
- B. All procedures used in the selection process are administered in a uniform fashion to all applicants eligible for that phase of the process.

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- C. Sheriff's Office employees may be temporarily assigned to participate in the selection process. Such personnel are to receive specific training in the needs of the Sheriff's Office and recruiting techniques prior to participating in the recruitment process.

III. Applicant Review and Interview

- A. The Sheriff's Office Personnel Section reviews all applications received.
  - 1. The Personnel Section is responsible for arranging for testing and interviews for the opening.
- B. Interviews may be conducted one-on-one and/or in an oral board fashion.
  - 1. Personnel section employees initially interview applicants selected for consideration for hiring. .
  - 2. Depending on the job requirements of an open position, various tests may be administered in accordance with previously approved operating procedures
  - 3. An oral board interview may be a component of the selection process.
    - a. All candidates appearing before an interviewer or oral board are to be asked the same basic questions and graded on the same scale.
      - 1) Follow-up questions are permissible in order to clarify an applicant's answers to individual questions.
    - b. The Personnel Section maintains all documentation of the recruiting and selection process. .

IV. Background Investigation

- A. An in-depth background investigation is conducted on each applicant selected in this phase of the process
- B. Elements of the in depth background investigation include, but are not limited to:
  - 1. Verification of the candidate's qualifying credentials, educational achievements, employment, age, residence, citizenship and drivers license.

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2. Review of the candidate's criminal and traffic history.
  3. A credit check.
  4. Interviews with prior and current employers, co-workers, landlords, neighbors, or personal references.
- C. The Personnel Section reviews the background investigation and determines suitability of the candidate for further consideration.
- D. Completed background investigations become a part of the test file of the employee.
- E. The Personnel Section may create an applicant pool comprised of eligible applicants to be utilized until the next hiring process. A hiring process can be initiated regardless of the number of applicants in the existing applicant pool.
- F. The Personnel Section presents eligible applicants along with recommendations to the Undersheriff and the affected Division Chief for further consideration and selection.
1. After approval by the Undersheriff and Division Chief the selected candidate is given a “conditional offer of probationary employment” (COPE) contingent upon successfully passing the balance of the required testing.
- V. Applicant Testing and Evaluation
- A. Polygraph examinations are conducted for all positions unless specifically exempted by the Undersheriff.
1. The Sheriff’s Office Personnel Section reviews the results of polygraph examinations.
    - a. Admissions concerning illegal activities made during polygraph testing may be grounds for disqualification from further consideration.
  2. Polygraph reports are confidential and are kept in the applicant’s test file in the Personnel Section for at least one year. If the applicant is hired the employee’s test file is maintained indefinitely.
- B. A psychological written test and interview are required for certain positions as designated by the Sheriff and are administered after the applicant is given a Conditional Offer of Probationary Employment (COPE).

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1. Qualified professional psychologists selected by the Sheriff's Office conduct psychological fitness and/or emotional fitness examinations and written tests.
  - a. Results are reviewed in conjunction with other information available on the applicant.
2. Emotional stability and psychological fitness examinations and written tests required by the Sheriff's Office are conducted at the expense of the Sheriff's Office. Results of these examinations are the property of the Sheriff's Office and are confidential. The tests and/or reports are kept in the applicant's test file in the Personnel Section for at least one year. If the applicant is hired the test file is maintained indefinitely.

**E. Essential Job Demand Evaluation**

1. All eligible applicants for deputy sheriff, security deputy and certain civilian positions are required to complete and pass the Sheriff's Office Essential Job Demand Evaluation.
  - a. The Personnel Section coordinates the Essential Job Demands evaluation and determines whether or not the applicant meets the prescribed criteria.

**VI. Notification of Ineligibility**

- A. The hiring decision is based on a number of different factors. The nature of the selection process provides a comprehensive procedure, i.e. written tests, interviews/oral boards, background investigation, polygraph exam, psychological testing and interviewing scores, essential job demand evaluation, etc., any of which, if not within acceptable parameters, may result in the elimination of an applicant from further consideration.
  1. Applicants not hired are to be notified in a timely fashion.
  2. Information regarding the specific reason(s) for an applicant not being selected for the position may be provided to the applicant when the information does not breach confidentiality requirements.

**VII. Applicant Records**

- A. Application materials and associated records become a permanent record of an employee's personnel file and are securely maintained in the Personnel Section.

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- B. An applicant's testing results are confidential and are securely stored in a file system that is apart from personnel files.
  - 1. Direct access by employees to materials generated by a hiring or promotion process is available only through the Personnel Section.
  - 2. Certain information received from an employee is confidential and property of the Sheriff's Office. This information is not available to employees except as authorized by the Sheriff or Sheriff's designee.
    - a. This information may include, but is not limited to the following: Polygraph exam results, psychological testing and interview results, personal reference information and any other information obtained as a result of utilizing the employee's authorization to Release of Information form.
- C. The Sheriff's Office Personnel Section is responsible for the destruction of unneeded hiring and promotion process materials in accordance with established records retention schedules and/or policies.

**VIII. Probationary Status**

- A. All employees of the Boulder County Sheriff's Office are considered to be on probationary status for one year from the date of hire. The probationary period is considered a part of the selection process. The employee is considered a term employee for this period of time.
- B. Extensions of the probationary period may be granted for the purpose of additional training or specialized instruction.
- C. Executive command staff level employees are appointed by the Sheriff and do not have a probationary period.
- D. Upon successful completion of the probationary period, employees are appropriately classified in accordance with County policy. This serves as the final offer of permanent employment.
- E. A Division Chief has the authority to terminate the employment of a person still in their probationary period.
  - 1. The Division Chief must first consult with the Undersheriff and Sheriff prior to terminating the probationary employee.

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IX. Hiring Above Entry Level and Transfer Movement

- A. Subject to the availability of funds, and the approval of the Undersheriff and County HR, applicants with prior experience may be hired at a salary above entry level.
  - 1. Applicants with prior experience are responsible for submitting documentation, as requested, to support their desire to be hired above entry level based on their prior experience. The prior experience must be reasonably recent and directly related to the position for which they are being hired.
  - 2. The salary level for the employee is set by the Undersheriff and is based on a comparison with current employees in the same position, with a similar level of experience, up to mid-point of the position's salary range. Exceptions to this general rule may be made on a case-by-case basis when authorized by the Sheriff.
  
- B. A Sheriff's Office employee may apply for a transfer to an open position when the employee meets the hiring criteria.
  - 1. Employees may be required to test and compete for an open position concurrently with outside applicants.
  - 2. The timing of a transfer is agreed upon by the affected Division Chiefs.
  
- C. The process for employees approved for transfer is as follows:
  - 1. The Division Chief or designee of the division receiving the transfer conducts a background investigation that may include, but is not limited to, the following:
    - a. Special Evaluation.
    - b. Interview with the receiving Division chief or his designee.
    - c. Review of the requesting employee's personnel file.
  - 2. The receiving Division Chief consults with the employee's current Division Chief and brings a recommendation to Staff.
  
- D. The Sheriff assigns or reassigns supervisory employees at his/her discretion.

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By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date



**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** PERFORMANCE EVALUATION

**NUMBER:** 307

**EFFECTIVE:** May 9, 2011

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to utilize a performance evaluation process that consists of four major components:

- 1) Significant event documentation;
- 2) Periodic personal management interviews;
- 3) A process of setting specific goals and objectives and accountability for meeting those goals and objectives; and,
- 4) An annual written evaluation.

The process focuses on an employee's job performance related to areas encompassing character, competence, and communication and utilizes a "working file" system to maintain job performance related documentation. The process is centered on providing written and verbal feedback using "character qualities" adjectives to describe job performance strengths, accomplishments and behavior rather than solely rewarding achievements.

**DEFINITIONS:**

Character Qualities: Word descriptors to aid supervisors in using a common vocabulary that praises an employee's character rather than an employee's achievement.

PMI: Personal Management Interview. A formal meeting between a supervisor and subordinate designed to provide a structured format to facilitate communication around an agenda that may include, but is not limited to: job performance, goals and objectives, issues or concerns and the working relationship between the two.

Significant Event: A job related event, deemed worthy of documentation by an employee's supervisor, in which an employee stands out by exhibiting exceptional character qualities or by exhibiting behavior that is the opposite of these qualities.

Working File: The file is maintained and stored by an employee's direct supervisors and is a temporary storage location for documentation of significant events, performance agreements, goals and objectives and any other material pertaining to the employee's job performance.

**PROCEDURE:**

I. Significant Event Documentation

- A. Supervisors provide immediate feedback to an employee when the employee's performance is worthy of note or when their performance does not meet standards or expectations and correction is needed.

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- B. A supervisor documents all significant events in writing. A copy of the document is given to the employee, the employee's commander, and the division chief or equivalent civilian supervisor. A copy of the document is placed in the employee's working file or in the employee's personnel file when approved by the division chief.

II. Personal Management Interview

- A. An employee's direct supervisor is responsible for scheduling and conducting a formal PMI. The purpose of the PMI is to provide a scheduled meeting time and structured framework designed to foster the development and maintenance of a supervisor-subordinate relationship built on trust, mutual respect, and communication. The PMI generally includes, but is not limited to, the following components:
  - 1. Provide feedback to the employee about the strengths and weaknesses of their job performance.
  - 2. Set goals and objectives as needed and/or measure progress towards meeting previously set goals and objectives,
  - 3. Discuss issues, concerns, needs, etc., related to the employee's job assignment, the employee's division, or the Sheriff's Office as a whole,
  - 4. Deal with any interpersonal issues that may exist between the employee and the supervisor conducting the PMI.
- B. Supervisors are encouraged to conduct a PMI with each of their subordinates each month but may elect to increase or decrease the frequency as needed based on the performance level of the employee and status of current goals and objectives of the employee and/or work group.
  - 1. However, all supervisors are to conduct a PMI with each of their subordinates at least twice annually.
- C. A copy of any documentation that is generated from the PMI process is provided to the employee. A copy is also maintained in the employee's working file.

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III. Annual Job Performance Evaluation

- A. An employee's direct supervisor is responsible for completing a written job performance evaluation each year using the currently approved Sheriff's Office evaluation format. The performance evaluation is signed by the employee and the supervisor and forwarded to the employee's personnel file via the employee's chain of command. All evaluations are reviewed and signed by the Sheriff before being placed in the employee's personnel file.
  - 1. A dispute related to the evaluation process is to be discussed by the supervisor who wrote the evaluation and the affected employee. The direct supervisor or division chief of the supervisor who wrote the evaluation may intercede to facilitate this interaction at his or her discretion. In cases where an agreement is reached on wording changes or changes to the category evaluation box that was checked, a corrected version is signed and submitted in the normal fashion.
  - 2. There is no further appeal from this process. The affected employee may write an addendum to his or her evaluation regardless of whether the employee agrees with the final rating or content. The addendum is to be attached to the evaluation and is to be read and initialed by the employee's direct supervisor and chain-of-command.
  - 3. An employee who is rated below "Consistent" in one or more categories may have some or all of his or her annual merit increase withheld as directed by the Sheriff. (See the Addendum to this policy for current modifications to this section.)

IV. Working File

- A. A working file is created and maintained for each employee by the supervisor responsible for evaluating that employee.
  - 1. The working file is comprised of documentation and notes related to the employee's job performance, PMI meetings, and significant events.
  - 2. Supervisors are responsible for periodically purging the file of all documentation that is older than 12 months when it is no longer needed to track or detail an ongoing situation. The supervisor purging the file ensures that documentation of good job performance or disciplinary actions is placed in the employee's personnel file in compliance with applicable Sheriff's Office policies and procedures.

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- a. Any documentation selected for inclusion in an employee's personnel file is to be seen and initialed by the employee before it is placed in the file.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

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**ADDENDUM**

**SUBJECT:** Merit Pay

**EFFECTIVE:** May 9, 2011

**POLICY:**

The Sheriff authorizes pay increases in a manner that is consistent with the annual pay policies enacted by the Board of County Commissioners. In years where the increase is tied to job performance the pay increase given to each employee may vary based on whether their job performance is rated below standard, standard or above standard as further described in this addendum.

I. Standard Merit

- A. Standard merit pay is the amount set by the board as the base increase – typically in percentage terms – for the coming calendar year.
- B. An employee who receives a rating of “Consistent” or above in all three categories of his or her annual evaluation qualifies to receive the base amount effective January 1 of that year, or on the anniversary of their hiring date, as applicable.
  - 1. An employee receives the increase on his or her anniversary date when they have been employed with the Sheriff’s Office for less than one year as of January 1<sup>st</sup> of the new budget year.

II. Less Than Standard Merit

- A. An employee who receives a rating of “Inconsistent” or below in one category of his or her annual evaluation, receives a percentage increase in pay that is below the base amount but not lower than one-half of the base amount, i.e. if the base amount approved is 4%, the employee would receive less than 4%, but not less than 2%.
  - 1. The Sheriff sets the base percentage increase each calendar year.
- B. An employee who receives a rating of “Inconsistent” or below in two or more categories of his or her annual evaluation does not qualify for a merit increase of any amount in the current budget year, except as described in B. 1., below.

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1. The Division Chief has the discretion to authorize an increase later in the calendar year – not to exceed that year's base amount – when satisfied that certain performance objectives have been met as part of a performance agreement.

III. Greater Than Standard Merit

- A. "Greater than standard merit", is a percentage increase that is above the merit base as set annually by the BOCC. The maximum merit increase that an employee can receive in a calendar year is set by the board and additional merit about that amount can be awarded without prior approval of the board. Typically, the amount is 2% above the base merit amount, i.e. the annual merit increase base amount is 4% and the merit maximum amount is 6%.
- B. The number of employees eligible to receive an above standard merit increase is limited and may vary from year-to-year based on the projected availability of funds within the merit budget. Each year the Sheriff's sets the maximum number of employees that are eligible for this increase.
- C. It is the responsibility of the Division Chiefs to establish a procedure within their divisions to identify specific employees eligible for the salary increase that generally meets the following guidelines:
  1. The employee has received a "With Distinction" in one or more categories in the evaluation applicable to the current budget year.
  2. In addition to the annual evaluation, the employee's supervisory team provides documentation that describes the employee's performance during the applicable time period, including numerous specific examples, that distinguishes the employee from his or her peers.
  3. The Division Chief brings the names of the employees he or she is recommending for an above standard merit increase, along with justifying documentation, to executive staff for final review and selection.
- D. The Sheriff identifies the pay period in which the additional percentage increase becomes effective and determines what amount each of the affected employees receives.

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** PROMOTIONS

**NUMBER:** 308

**EFFECTIVE:** January 18, 2008

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to use a consistent testing process for promotion to the rank of sergeant or commander, or civilian equivalent positions. The Sheriff appoints to the rank of division chief or the civilian equivalent.

**DEFINITIONS:**

Appointment: The Sheriff appoints all persons hired into the deputy series.

Promotion: Vertical movement in the organizational hierarchy from a line position to a supervisor's position.

**PROCEDURE:**

I. Promotion

- A. In order for a position upgrade to be considered a promotion the new position must be classified as a supervisor's position within the Sheriff's Office structure and must be classified as a higher position than the person currently holds.
  - 1. Reassignment to a position within a different classification, even when the new position results in a higher pay range, is not a promotion unless it is a supervisor's position.

*Example: An employee currently employed in the Sheriff's Office as a Dispatcher II is reassigned to Operations as a Deputy I. The reassignment is not considered a promotion.*

- B. A promoted employee's new salary is the entry-level salary for the new position, or a 10% increase from his or her current salary, whichever is greater.
- C. When an employee is reassigned to new position in a classification with a higher pay range - that is not a promotion - the employee's new salary is the entry-level salary for the new position or his or her current salary, whichever is greater.

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- D. When an employee is reclassified to a higher pay range as a result of a desk audit or other county human resources initiated personnel action the employee is eligible for up to a 10% increase at the discretion of the Sheriff.
- E. Any increase to salary is contingent on the availability of funds within the current fiscal year's Sheriff's budget and approval by county HR.

II. Position Posting and Application

- A. The affected Division Chief and Sheriff decide if an internal lateral transfer or a promotion process will fill a vacant position. The Sheriff retains the authority to appoint an applicant from outside the Office.
- B. The Division Chief notifies the personnel section of the specific vacancy to be filled. The Undersheriff coordinates the process from the point of notification forward.
- C. The Undersheriff or designee posts an announcement to all employees prior to the commencement of the promotion process. The announcement may include, but is not limited to the following:
  - 1. A description of the vacant position.
  - 2. A schedule of dates, times and locations for all elements of the process.
  - 3. Eligibility requirements.
  - 4. A description of the process to be used in selecting the person to fill the vacancy.
  - 5. A bibliography of study material for any written exam that is part of the promotional process.
- D. Eligible Sheriff's employees applying for the vacancy submit a written letter of intent to the Personnel Section through their chain of command.
  - 1. Candidates must have the approval of their Division Chief to participate in the promotional process.
  - 2. Only the Sheriff or designee has the authority to waive any portion of the posted eligibility requirements.



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III. Promotion Process

- A. The objective of the promotion process is to identify a pool of candidates who are eligible to be promoted to a supervisor's position. In most cases, this position will be sergeant or commander.
- B. In some cases, the position may have the same pay range as a sergeant or commander but may not require a law enforcement commission. This type of position is the "civilian equivalent" of a sergeant or commander.
- C. In other cases, the position may be a supervisor within the structure of the division, i.e. communications or records, but have a lower pay range when compared to a sergeant or commander pay scale.
- D. The process used to establish a pool of applicants eligible for promotion consists of multiple components.
  - 1. All divisions use the process described in this policy for any sergeant or commander's opening.
  - 2. The process is intended to be a template that can be specifically tailored for the open position and affected division. It is recommended, but not required, that all divisions use the process to fill an open supervisor slot that is other than a sergeant or commander level position.
  - 3. The template for the promotion process stays the same from process to process and is not changed or modified unless approved by the Sheriff or Undersheriff.
- E. The promotion process and the components of the process are described in attachment "A" of this policy.

IV. Evaluation and Scoring

- A. The components are the same for each candidate and each candidate participates in each component of the process. A candidate cannot be eliminated after any single phase of the process based solely on the score received for that phase.
- B. The content of each component or exercise is the same for each candidate and cannot be modified after any individual candidate has completed it.

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- C. The evaluation method for exercises or other components is the same for each candidate and is based on performance dimensions and job task analysis, when applicable, established prior to the commencement of the process.
  - D. The score sheet and dimensions are attachment "B" of this policy.
- V. Selection
- A. The Undersheriff or designee presents the results of the process to executive staff.
  - B. Executive staff discusses the results and identifies 3-5 candidates deemed qualified for promotion from the list of candidates with the highest overall scores.
  - C. Executive staff presents this list to the Sheriff along with a recommendation of who should be promoted. The Sheriff makes the final selection of the candidate to be promoted and may establish an eligibility list from the remaining candidates on the list.
  - D. The eligibility list is in effect for a period of time set by the Sheriff.
- VI. Review and Appeal of the Promotional Process
- A. A candidate is permitted access to all his or her evaluation forms after executive staff has reviewed the final results.
  - B. A candidate may contest the promotional process or results of the process by submitting a letter to the Sheriff within seven calendar days of the announcement of the results.
    - 1. The letter must describe the reasons the candidate believes the process was not conducted fairly or without bias.
  - C. Any reapplication, retesting, or reevaluation in response to an appeal of the promotional process is done at the discretion of the Sheriff.
  - D. There is no appeal from the Sheriff's decision.

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VII. Process Materials Retention

- A. All materials related to the promotion process are maintained in the Sheriff's personnel section for three years or for the period of time mandated by Colorado State records retention laws.
- B. The Undersheriff or designee controls access to these files.
  - 1. Colorado State open records laws govern access to the files by members of the public and media.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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Attachment "A"

**PROMOTIONAL PROCESS COMPONENT OVERVIEW**

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**I. COMPONENT OVERVIEW**

**COMMANDER PROCESS – 300 Points Possible**

<b>Component</b>	<b>Percentage</b>	<b>Point Value</b>
Evaluations	25%	75
Assessment Center	35%	105
“Resume”	25%	75
Oral Interview	15%	45

**SERGEANTS PROCESS – 300 Points Possible**

<b>Component</b>	<b>Percentage</b>	<b>Point Value</b>
Evaluations	25%	75
Written Test	10%	30
Assessment Center	35%	105
“Resume”	20%	60
Oral Interview	10%	30

**II. RESUME COMPONENT**

<b>SERGEANT’S PROCESS – RESUME (60 POINTS TOTAL)</b>
--

**FORMAL EDUCATION (10 Point Maximum)**

*Degrees awarded by accredited higher-education institutions.*

High School:	0 points (required to be hired)
AA / AD Degree (or 60 semester hours):	3 points
BA / BS Degree:	5 points
Masters, JD (or higher) Degree:	10 points

**PROFESSIONAL TRAINING (15 Point Maximum)**

*Limited to training and education designed to develop or improve supervisory skills.*

Supervisory Development Classes: >= 4 hrs:	2 points each
Supervisory Certificates or Classes >= 40 hrs:	5 points each

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**COLLATERAL DUTIES (5 Point Maximum – 1 Point / Duty)**

*Must have at least 1-year experience or more in the collateral duty. Not limited to current collateral duties.*

*Examples (not all inclusive): SWAT, K-9, FTO, DRE, Bombs, Driving Instructor, Intox Instructor, Defensive Tactics Instructor, Range / Firearms, AFIS, Cadet Advisor, Reserve Advisor, Riot Team, etc.*

**EXPERIENCE / TENURE (5 Point Maximum)**

*Limited to time in-grade at BCSO. No pro-rated credit for years between benchmarks.*

5 years:	1 point
10 years:	2 points
15 years:	3 points
20 years:	4 points
25+ years:	5 points

**DEPARTMENTAL AWARDS (10 Point Maximum)**

*Limited to awards received in-grade. Divisional awards do not qualify.*

Certificate of Commendation:	1 point each
Employee of the Month:	1 point each
Class 1 Awards:	3 points each
Officer / Employee of the Year:	5 points each

**DISCIPLINE (10 Point Deduction Maximum)**

Formal discipline<sup>1</sup> in past 12 months: Not eligible to test.  
Major discipline<sup>2</sup> within past 5 years: Deduct 10 points

**DETECTIVE EXPERIENCE (15 Point Maximum)  
(Operations Division Sergeant Only)**

(3-year division mark was selected as the difference between a “rotating” and “core” detective. “Core” detective positions are awarded on merit).

Less than 1 year:	0 points
1 – 3 years:	10 points
Greater than 3 years:	15 points

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<sup>1</sup> Formal Discipline is documented discipline documented in the employee’s personnel file.

<sup>2</sup> Major discipline is suspension without pay for any period of time.

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**JAIL SPECIAL ASSIGNMENT EXPERIENCE (15 Point Maximum)  
(Jail Division Sergeant Only)**

Assignments considered specialties: Building C, Classifications, Transports, and Alternative Sentencing.

Less than 1 year:	0 points
1 – 3 years:	10 points
Greater than 3 years:	15 points

<p><b>COMMANDER'S PROCESS – RESUME (75 POINTS TOTAL)</b></p>
--

**FORMAL EDUCATION (20 Point Maximum)**

*Awarded by accredited higher-education institutions and for highest degree awarded.*

High School:	0 points (required to be hired)
AA / AD Degree (or 60 semester hours):	10 points
BA / BS Degree:	15 points
Masters, JD (or higher) Degree:	20 points

**PROFESSIONAL TRAINING (20 Point Maximum)**

*Limited to experience useful to supervision and being a supervisor*

Supervisory Development Classes:	2 points each
Supervisory Certificates or Classes >40 hrs:	5 points each
Northwestern School of Command (or similar):	15 points
“Certified Jail Manager” Designation:	15 points

**SPECIALTY ASSIGNMENTS (20 Point Maximum)**

*Must have at least 3 years experience or more in specialty assignment in-grade. Ten points per assignment*

*Examples (not all inclusive): Detective Sergeant, Lyons / Superior Sergeant, Training Sergeant, Transport Sergeant, Programs Sergeant, Administrative / Personnel Sergeant, DTF Sergeant, Sergeant in another division, etc.*

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**EXPERIENCE / TENURE (5 Point Maximum)**

*Limited to time in-grade at BCSO. No pro-rated credit for years between benchmarks.*

5 years:	1 point
10 years:	2 points
15 years:	3 points
20 years:	4 points
25+ years:	5 points

**DEPARTMENTAL AWARDS (10 Point Maximum)**

*Limited to awards received in-grade. Divisional awards not accepted.*

Certificate of Commendation:	1 point each
Employee of the Month:	1 point each
Class 1 Awards:	3 points each
Officer / Employee of the Year:	5 points each

**DISCIPLINE (10 Point Deduction Maximum)**

Formal discipline in past 12 months: Not eligible to test  
Major discipline within past 5 years: Deduct 10 points  
(See footnotes under sergeant's process description)

**III. EVALUATION DIMENSIONS**

*Dimensions are evaluation criteria in each phase of the promotional process, excluding the resume review. Each sub-component or dimension may not be evaluated in every exercise. The Undersheriff may authorize the adjustment of dimensions or sub-components as needed to facilitate an assessment center contractor's established methods.*

<b>DECISIVENESS</b>
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1. The ability to recognize key factors and finalize difficult decisions.
2. Ability to render judgment.
3. Ability to take action
4. Ability to commit oneself.
5. Ability to express opinions in spite of disagreement.
6. Ability to perceive the impact and implications of decisions.
7. Ability to take in all that is going on around you.
8. Ability to give your undivided attention to the issue.
9. Ability to take the time and energy to make great decisions.
10. Ability to work through the decision for the best possible outcome.
11. Ability to be as efficient as possible during your decision-making.



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12. Ability to use the wisdom of your education, training and life experience to make good decisions.

<b>FLEXIBILITY</b>
--------------------

1. Willingness to change plans or ideas according to the direction of my authorities.
2. Ability to adapt strategies and tactics in a fluid and dynamic event and/or situation.
3. Ability to accept and apply information from others.
4. Ability to change direction in the middle of a situation, if the situation requires.
5. Ability to admit error and make appropriate corrections.
6. Ability to know how important right timing is in accomplishing right actions.
7. Ability to understand the deeper reasons why things happen and their application to the intended outcome.
8. Ability to know what factors and/or information will diminish the effectiveness of the outcome if neglected.

<b>ORAL COMMUNICATION</b>
---------------------------

1. Expressing ideas effectively in individual, group or public situations, both in verbal and non-verbal communication, by adjusting language or terminology to the needs or level of the target audience.
2. Ability to communicate in a clear, concise, articulate and persuasive manner, both under stressful and non-stressful situations.
3. Confidence that what the candidate has to say or do is true, right and just (boldness).
4. Ability to speak at the appropriate tone, speed, volume and pitch.
5. Ability to use the correct terminology and vocabulary, both in word and phrase.
6. Ability to adjust "technical" explanations as appropriate for the targeted listener / audience.
7. Ability to actively listen and decipher, detect, and accurately interpret non-verbal communication.
8. Ability to address individuals, small groups, large groups or the media effectively.
9. Ability to identify barriers in effective oral communication and overcome them.
10. Ability to anticipate unlikely questions with an ability to hear, correctly interpret and articulate a response (i.e. "thinking on one's feet").

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11. Shows understanding and sympathizes with concerns and feelings of target audience.
12. Shows consideration and personal concern for those individuals in the target audience.
13. Speaks effectively and uses appropriate words and phrases while speaking to the target audience.

<b>INTERPERSONAL COMMUNICATION</b>
------------------------------------

1. Ability to present the appropriate affect for the circumstances (i.e. the ability to control emotions) in order to clearly communicate opinions, ideas and / or views, in a courteous, tactful, appropriate and compassionate manner, when necessary.
2. Clearly communicates the same message, both verbally and non-verbally.
3. Ability to wait until all information is presented before offering an opinion or decision.
4. Ability to coach or mentor others, providing feedback on performance promptly, at the right time.
5. Ability to initiate action to improve or deal with problem relationships.
6. Ability to engage subordinates and provide them with feedback that is constructive or corrective.
7. Ability to receive feedback, both positive and negative.
8. Ability to establish and maintain relationships, in order to share knowledge, resources and experience, to reach a common goal(s).
9. Ability to be open, warm, friendly and personable, so as to be approachable.
10. Ability to understand and recognize the deeper reasons behind things that happen or are said, and apply it to interpersonal communication as necessary.
11. Communicates truthfully.

<b>JUDGMENT</b>
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1. Ability to draw upon background, experience and training.
2. Ability to plan and give guidance.
3. Ability to consider the short and long-term impact (i.e. "see the bigger picture").
4. Ability to see a situation for what it truly is.
5. Ability to know and interpret policies and procedures, and act accordingly.
6. Identifies potential problems from a decision and takes appropriate steps to mitigate undesired results when necessary.

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7. Situational outcomes reflect appropriate judgment decisions based on information available at the time.
8. Involves and informs the right people.
9. Displays an awareness of everything that is occurring around them resulting in appropriate responses and actions.
10. When appropriate, undivided focus and attention given to the individual(s) or assigned task.
11. Recognized and identified what needed to be done and accomplished those tasks without receiving direction or being asked.

**CHARACTER**

1. Ability to present full and accurate information.
2. Shows honesty and integrity in actions and behaviors.
3. Ability to keep information confidential and disclose it only when authorized.
4. Ability to meet personal commitments and promises by fulfilling what they consented to do, even if it means unexpected personal sacrifice.
5. Earns future trust by accurately reporting past facts.
6. Seeks solutions to problems by recognizing what needs to be done before being asked to do it.
7. Encourages the attitudes, conditions and environment that bring about improved performance.
8. Ability to take action beyond job responsibilities.
9. Actively attempts to influence events to achieve goals.
10. Respects others in the department, workgroup and community.
11. Acknowledges that achievement results from the investment of others.
12. Rejects wrong desires to do what is right.
13. Uses difficult times to demonstrate commitment.
14. Shows consideration and personal concern for others.

**PROBLEM-SOLVING**

1. Able to identify the practical solutions and keeps others apprised.
2. Utilizes the appropriate resources to overcome and resolve problems.
3. Successfully identifies, analyzes and solves problems.
4. Accepts a difficult problem or situation without giving a deadline to remove it (patience)
5. Approaches problems in a positive manner.
6. Views impediments as solvable challenges.
7. Shows patience in dealing with complex and time-consuming issues.
8. Willingly shares knowledge so others don't have to re-invent the wheel.

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9. Able to break down obstacles or complex problems into their component parts and identify solutions.
10. Able to resolve issues in a timely manner by doing the right thing at the right time (punctuality).
11. Addresses problems and issues head-on, in a pro-active manner.
12. Effectively distinguishes between the causes and symptoms of problems.
13. Ability to approach a problem, task or idea from a new perspective.
14. Ability to recognize and identify key factors to solve difficult problems.
15. Ability to change plans or ideas according to a given situation in order to solve a difficult problem.
16. Ability to identify and apply various strategies and resources to solve problems.
17. Ability to give undivided attention towards solving difficult problems.

**WRITTEN COMMUNICATION**

1. Skill in explaining abstract concepts, in writing, as necessary.
2. Ability to organize facts and complete reports and other forms accurately.
3. Ability to critique written reports and documents.
4. Ability to express oneself clearly and concisely in writing.
5. Skill in communicating legal and technical research in a clear, articulate and concise manner (in writing), to the level of the target audience.
6. Ability to write clear and concise evaluations for subordinates (i.e. yearly evaluations, performance agreements, disciplinary problems, etc.).
7. Reports past facts accurately and concisely
8. Writing reflects an approach to an idea or issue from a new perspective.
9. Knows what facts or content will diminish the accuracy of a document if omitted.
10. Arranges the content of a document in such a fashion that the information is presented in a clear, logical, effective and efficient manner.
11. Content reflects a recognition and accurate perception of the attitude and emotions of the target audience.

**DELEGATION**

1. Once the task is delegated, the supervisor stays engaged but does not intervene or micro-manage, unless necessary.

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2. Ability to identify the individual best suited to complete a particular task.
3. Ability to identify and implement appropriate use of delegation of tasks to effectively and efficiently completes them.
4. Ability to distinguish between tasks that should be delegated and tasks that are the responsibility of a supervisor.
5. Is persuasive in the process of delegating tasks by presenting information in a manner that shows recognition and adaptation to another's mental roadblocks.
6. Checks on progress, validates direction and ensures completion of assigned tasks.

<b>7. PLANNING &amp; ORGANIZATION</b>
---------------------------------------

8. Ability to arrange yourself and your surroundings / workload to achieve greater efficiency.
9. Ability to analyze problems, then develop and prioritize strategies that achieve the preferred results based on the goals of the division or department.
10. Ability to coordinate and plan operations with large numbers of personnel.
11. Ability to work on several projects simultaneously.
12. Demonstrates skill in organizing information.
13. Ability to organize personnel, programs, equipment and budgets, based on available resources.
14. Ability to plan and develop law enforcement tactics to solve particular problems.
15. Ability to be aware of what is taking place around you so that the right response is made.
16. Ability to know how important right timing is in accomplishing right actions.
17. Ability to approach a need, task, or an idea from a new perspective.
18. Ability to accomplish the right goals and tasks at the right time, regardless of opposition.
19. Ability to see and respond to situations from a perspective that transcends the current circumstances or situation.
20. Ability to recognize what needs to be done and following through to complete it.

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**IV. WRITTEN TEST (Sgt Process Only)**

- Constructed with the assistance of an expert test writer.
- Multiple choice
- Covered topics would cover 'Redline' (Critical) Policies, current case law, personnel policies (i.e. FMLA, disciplinary, etc.), time sheets and incident command.
- May include an "open book" portion.

**V. ORAL INTERVIEW**

- Conducted with divisional commanders (sergeants process) or division chiefs (commander process) – conversational in nature.
- Philosophical and organizational in nature.
- Questions can be candidate specific.

**VI. EVALUATIONS (SUPERVISOR / PEER)**

**SERGEANT'S / COMMANDER'S PROCESS**

- Evaluators will not formally seek peer or subordinate input, however, any employee may provide input to the candidate's supervisory team for consideration in the supervisory team's evaluation.
  - The BCSO Personnel Division will notify the Sheriff's Office of the candidates competing in the process, the names of their supervisory team, and a deadline for providing input, via a department-wide (i.e. #SheriffDivisionsAll) e-mail.
- In the sergeant's process the supervisory teams will consist of at least one sergeant (or civilian supervisor) and command level supervisor who the candidate has worked for during (at least) the past six months. In the event the supervisory team has not supervised the candidate for at least six months, the team who last supervised the candidate for at least a six-month duration would complete the supervisory team evaluation with input from current supervisors.

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- In the commander's process the affected division chief and current commander of the candidate complete the evaluation.
- The supervisory team will complete an evaluation based on the 10 evaluation dimensions. Each dimension will be scored on a scale of 1-5, with one being the lowest and five being the highest.
- OPS DIVISION ONLY: In the sergeant's process each detective supervisor will evaluate each applicant on specific skills (i.e. quality of investigations, response to requests for further investigation, corrections, or further follow-up, etc.) in a common written format and will forward that evaluation to the candidate's supervisory team for consideration in the team's supervisory evaluation of the candidate. (Not a stand-alone weighted evaluation).
- The scoring of the evaluation portion of the process is done based on the percentage of the total of possible points on the evaluation sheet applied to the total number of possible points as described in section I. Component Overview.
  - o Example: The evaluation team gives a candidate a score of 42. The score of 42 is 84% of the highest possible score of 50. The 84% is then applied to the highest number of points possible in the evaluation "component" which is 75. 84% of 75 is 63. This candidate would receive 63 points in this portion of the process.

### **ASSESSMENT CENTER**

- Contracted with an outside vendor.
- BCSO will actively seek assessors from other agencies with similar philosophies, values, etc.

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Attachment "B"

**Promotion Process Evaluation Form**

(Note: This form is a template that may be modified to accommodate a specific promotion process, or replaced by a contractor's form when approved by the Undersheriff)





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BCSO Promotional Process  
*Behavioral Dimension Evaluation Form*

Candidate: \_\_\_\_\_ Date: \_\_\_\_\_

Process Component: [ ] Supervisory [ ] Oral Interview [ ] Assessment Center

**Dimension Scoring Values:**

1 – Unacceptable  
4 – Above average

2 – Below Average  
5 – Exceptional

3 – Average  
N/R – “Not Rated”

Decisiveness	1	2	3	4	5	N/R
Comments:						
Flexibility	1	2	3	4	5	N/R
Comments:						
Oral Communication	1	2	3	4	5	N/R
Comments:						
Interpersonal Communication	1	2	3	4	5	N/R
Comments:						

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<b>Judgment</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						
<b>Character</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						
<b>Problem-Solving</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						
<b>Written Communication</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						
<b>Delegation</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						
<b>Planning &amp; Organization</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>N/R</b>
<b>Comments:</b>						

**Evaluator:** \_\_\_\_\_

**Evaluator Agency:** \_\_\_\_\_

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**SUBJECT:** EMPLOYEE RECORDS

**NUMBER:** 309

**EFFECTIVE:** July 3, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to protect the privacy of Sheriff's employees to the extent permitted by law. Employee records are not released without the employee's consent unless required by law or court order.

Employees' records are maintained in conformance with state law and written guidelines.

**PROCEDURE:**

I. Confidentiality

- A. All personnel files of employees are confidential with access limited to the employee, employees responsible for maintaining the records and the employee's chain-of-command, or when law or court order permits access.
- B. No employee may remove, or cause to be removed, any Sheriff's Office or divisional record without proper authority and/or permission from the Undersheriff or Sheriff to do so.
- C. Personnel files are confidential. An employee's employment application and performance ratings are not "personnel files" pursuant to State law and may be released with the following redactions:
  - 1. Social Security Number
  - 2. Phone Number
  - 3. Residence Address
  - 4. Spouse's name, address, phone
  - 5. Spouse's work information
  - 6. Family members' names and addresses
  - 7. Past Residences (where relatives currently reside)
  - 8. Military Service Information
  - 9. References

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10. Affiliations
11. Financial history
12. Liquor and drug use
13. Arrest information - where there is no conviction
14. Driving citations - where there is no convictions
15. Health and medical history

II. Separation of Records

- A. Personnel records may be kept in different files and locations for reasons of efficiency and function that may include the following: Boulder County Human Resources, Sheriff's Office Personnel and Internal Affairs filing system.

III. Maintenance of Records

- A. Sheriff's Office personnel files contain records of an employee's job and performance history. Any record submitted for an employee's personnel file remains in the file until removed by the Sheriff or designee.

1. Sheriff's Office Personnel Records

- a. An employee's personnel file includes personnel action forms, evaluations, letters of disposition in disciplinary actions, letters of appreciation, records of education, leave records, safety and accident records, training received, instructor certifications, and commendations and awards.
- b. Personnel files are maintained for the duration of employment with the Sheriff's Office, plus five years.

2. Internal Affairs Files

- a. These files contain records of allegations of employee misconduct and resulting investigations and are maintained and stored by the Sheriff or his or her designee.
- b. Internal Affairs files are maintained for the duration of employment with the Sheriff's Office, plus five years.

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c. Internal Affairs logs are permanent records and are maintained indefinitely.

3. Employment Test Files

a. The personnel section maintains pre-employment testing records on current employees for the duration of employment, plus five years.

b. The application and any tests taken by an individual who was not hired are maintained for three years.

4. Workmen's Compensation/Medical Files

1. The personnel section maintains records and forms related to Workmen's Compensation claims except as excluded below.

2. Except for a doctor's recommendation related to an employee's fitness for duty, medical files, records and related notes are not maintained by the Sheriff's Office in any form.

IV. Responsibility to Inform Employee

A. The employee's direct supervisor or the Sheriff's Office HR specialist ensure that documents related to matters of discipline and performance are initialed by the document's author and affected employee prior to being placed in an employee's personnel file.

1. All documents related to discipline or job performance are to be reviewed and approved by the employee's Division Chief and the Undersheriff before the documents are placed in the employee's personnel file.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** CODE OF CONDUCT

**NUMBER:** 310

**EFFECTIVE:** May 22, 2012

**POLICY:**

The Code of Conduct provides a guideline for Sheriff's Office employees.

**DEFINITIONS:**

Employee: Any commissioned or non-commissioned member of the Sheriff's Office who serves in any capacity under the color of the Sheriff's authority, whether paid or volunteer.

Gratuity: A free or reduced priced service, or item given to or accepted by an identified employee of the Sheriff's Office, for the purpose of influencing or gaining additional presence, or service from the employee or other members of the Sheriff's Office

**PROCEDURE:**

I. Rules

- A. Sheriff's Office employees are to obey all laws of the United States of America, of the State of Colorado and applicable local ordinances.
- B. Each employee of the Sheriff's Office is to be familiar with, and obey, all rules, regulations, lawful orders, and directives issued by the Sheriff's Office, or division within the Sheriff's Office, or by a supervisor.
  - 1. An employee is not to commit an act, or fail to attempt to act, in a manner that violates any rule, regulation, lawful order, or directive; nor is an employee to aid or abet another to do so.
- C. Each employee is to faithfully and properly perform all duties, and is not to engage in any unlawful job action for the purpose of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.
- D. Sheriff's Office employees treat the information they receive as a result of their employment or association with the Sheriff's Office with confidentiality and take appropriate steps to ensure that information, individual identities and operational plans are not imparted to anyone that it is not authorized to receive it.
  - 1. Only employees authorized to do so communicate with the media about Sheriff's Office business.

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II. General Conduct

A. Abuse of Position

1. Employees are not to abuse their power and public trust and are prohibited from using their credentials, badge, identification, or position in any unauthorized manner or to garner personal gain.
2. Employees are not to allow the use of their name, photograph, or official title, which identifies them as employees of the Sheriff's Office to endorse or advertise any product or service unless authorized by the Sheriff.
3. Employees are not to use their employment with the Sheriff's Office for the purpose of soliciting, selling, or purchasing any product or service without the permission of the Sheriff.
4. Employees are not to use their status as a member of the Sheriff's Office to avoid the consequences of illegal acts, or to obtain privileges not available to the general public except in the lawful performance of duty.
5. Employees are not to use the Sheriff's Office as a mailing address for receiving personal mail, or as a home "address", unless authorized to do so by their Division Chief.

B. Abusive Behavior

1. Employees are not to use abusive language or unbecoming conduct toward the public or any county employee.
2. Employees are not to treat another individual in an abusive manner by subjecting him or her to an unnecessary and/or malicious physical or verbal confrontation, or purposely insult or threaten them.
3. Employees are to refrain from participating in gossip or the spreading of rumors that are intended to be undermining, disparaging, and/or are hurtful toward an individual or group.

C. Gifts, Gratuities, or Bribes

1. Employees are not to use their status in the Sheriff's Office to solicit or accept a gratuity.



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2. Gratuities are to be refused or returned to the donor with an explanation of the gratuity policy.
3. Any attempt by an individual to bribe, intimidate or induce an employee to either perform, or refrain from performing, any act that is a part of an employee's job function, is to be reported to the on duty supervisor.
  - a. Deputies with arrest powers are expected to take appropriate action when probable cause exists that the person(s) attempting any of the acts listed in paragraph 3 of this section committed a crime.
4. Exception: An employee may, at the direction of a supervisor or assigned investigators, accept an item or service of value in order to obtain evidence of a criminal act.

**D. Bounties and Fees**

1. In the event an employee is offered a prize or reward, or is eligible to receive a prize, reward, bounty or performance fee, the employee's Division Chief makes the determination as to the legality of accepting the reward, bounty, or fee in consultation with the Sheriff and county attorney's office.

**E. Public Statements and Appearances**

1. Employees are not to publicly criticize or ridicule the Sheriff, the Office, its policies or other employees where such statements are defamatory, obscene, or unlawful.
2. Employees are not to represent the Sheriff's Office publicly without the permission of the Sheriff.

**F. Identification**

1. Employees are to have a Sheriff's Office issued identification (I.D. card, commission card and badge), and it are to be used to identify the employee's authority when necessary or required.
2. Employees are not to lend their badge or I.D. card to anyone, nor borrow the badge or I.D. card of another, without the permission of the Sheriff.

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3. All employees are to honor requests for identification, except those employees assigned to undercover duties, by presentation of badge, commission card, I.D. card or the giving of a Sheriff's Office business card.

**G. Recognition of Plainclothes Commissioned Personnel**

1. Unless first addressed, employees are not to indicate, in public, the recognition of a commissioned employee known to be working in a plainclothes or undercover capacity.

**H. Residence Telephone and Address**

1. Employees are to provide the Sheriff's Office with the address and telephone number of their current residence, and advise their immediate supervisor and the personnel section of any changes within twenty-four hours of the move or change.
2. Employees are to have a telephone at their place of residence to facilitate notification in any emergency.
3. Employees are not to divulge the home address or telephone number of other employees to anyone outside the Sheriff's Office without the permission of the affected employee.

**I. Employment Outside the Sheriff's Office**

1. Employees are not to be employed outside the Sheriff's Office where such employment would constitute a conflict of interest.
2. Full time employees are not to work outside employment to an extent that it affects their primary job at the Boulder County Sheriff's Office.

**J. Compensation for Damages Sustained on Duty**

1. Employees are not to seek or accept from any person or organization, money or other compensation for injury or illness, sustained in the line of duty, without prior notification to their Division Chief.

**K. Possession and Use of Controlled Substances**

1. Employees are not to unlawfully possess or use any controlled substance.

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2. Notwithstanding the provisions of Colorado Constitutional Amendment 20 – Medical Marijuana – the use or possession of marijuana is a violation of federal law, and is not permitted.

L. Use of Alcohol Off Duty

1. Off-duty employees are to refrain from consuming alcoholic beverages to the extent that the consumption results in behavior which tends to discredit the Sheriff's Office or renders them unfit to report for the next tour of duty.
2. Employees are not to publicly consume alcoholic beverages wearing any apparel identifying them as a Sheriff's employee.
3. Officers are not to wear or deploy any type of firearm while under the influence of alcoholic beverages or drugs.

M. Exercise of Authority While on Suspension or Disciplinary Leave

1. Employees placed on administrative leave pending an IA investigation, or on disciplinary suspension, are not to wear the Sheriff's Office uniform, carry the Sheriff's Office badge or I.D. card, carry a concealed weapon or exercise the powers of a peace officer until authorized.

N. Truthfulness

1. Employees are not to knowingly depart from the truth in any official report, memo, investigation, testimony, or conversation with a supervisor.

O. Affiliations

1. Employees are not to belong to, or be affiliated with any person or group that advocates insurrection, treason, anarchy, or the overthrow of the Government, through unconstitutional means, or purports superiority of one race over another.

III. On Duty Conduct

A. While on duty

1. Sheriff's Office employees are to conduct himself or herself in such a manner as to reflect favorably on the Sheriff's Office. Equipment, performance and public appearance are to always be such as to

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foster high esteem and comply with standards established by the Sheriff's Office.

**B. Reporting for Duty**

1. Employees are to report for duty at the time and place required by assignment, schedule or orders, including judicial subpoenas, notices of hearings, and off-duty law enforcement related employment. An employee are to be physically and mentally fit to perform all duties. Employees are to be properly equipped and cognizant of information required for the performance of duty.

**C. Neglect and/or Dereliction of Duty**

1. Employees are not to engage in any activities or personal business that would cause neglect or inattention to duty. This includes recreational reading, game playing, watching television or movies, accessing computer software or Internet based web sites, or otherwise engaging in personal entertainment. Neglect also involves abuse of meal and break periods and failing to efficiently perform job tasks.
2. Employees are to remain awake while on duty unless given permission by their supervisor to sleep. If an employee has difficulty staying awake the employee is responsible for making their supervisor aware of the problem. The supervisor has the authority to relieve the employee of duty if deemed necessary.
3. Employees are not to leave an assigned post during a tour of duty, except when authorized by a supervisor.
4. Employees are not to abuse the privilege of using Sheriff's Office communications equipment, including telephones, cell phones, computers, mobile data computers or similar devices by unreasonably using these devices for personal use. This usage may include, but is not limited to, sending or receiving personal text messages, e-mails, messages, photographs or videos, or for personal calls or unauthorized long distance calls.
5. Employees are not to identify their employment or association with the Sheriff's Office in any media format, to include any Internet based site, (e.g. MySpace.com, YouTube.com, etc.) in a manner that could damage the employee's professional status or could be used to impeach or adversely effect the creditability of any person testifying in any court proceeding or that reflects negatively upon the Sheriff's

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Office.

D. Performance

1. Employees are to maintain sufficient competency to properly perform the duties and assume the responsibilities of the employee's position. Each employee are to perform their duties in a manner that will maintain the highest standards of efficiency and effectiveness while carrying out the functions and objectives of the Sheriff's Office.
2. Employees are not to willfully, or through cowardice, negligence or insubordination, fail to perform the duties and responsibilities of their rank and position.
3. Employees are not to interfere with Sheriff's Office operations.

E. Physical Appearance and Fitness for Duty

1. Employees are to maintain themselves at a level of physical fitness and conditioning to adequately perform the official duties and responsibilities.
  - a. For commissioned personnel, this may require running, jumping, crawling, and using physical strength and endurance.
2. Employees personal appearance and uniform or dress are to be in conformance with Sheriff's Office and divisional standards.

F. Providing Assistance

1. Employees are to render assistance to any individual who may be in danger or distress, or otherwise in need of law enforcement assistance.
2. When any individual requests assistance or advice, or reports an incident, all pertinent information are to be obtained in a courteous and professional manner, and are to be properly acted upon in conformance with Sheriff's Office and Division policies. Failure to do so may be considered a dereliction of duty.

G. Impartiality

1. Employees are to perform their duties with impartiality and without bias toward any person regardless of the person's sex, age, ethnicity, religion, creed, sexual orientation, or national origin.

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H. Relationship with the Public

1. Employees are to be courteous to the public, being tactful and restrained in the performance of assigned duties. Employees are not to express any prejudice concerning race, sex, religion, creed, politics, national origin, lifestyle, sexual preference, or other personal characteristics.
2. Employees are to exercise patience and discretion, and are to control their temper and not engage in argumentative discussions or malicious physical retaliation, even in the face of extreme provocation.
3. Employees are to courteously and promptly record, or report to higher authority, any complaint made by a citizen regarding the employee, another employee, or action of the Sheriff's Office.
  - a. Complaints are to be handled in compliance with Sheriff's Office policy.

I. Sheriff's Office Records and Reports

1. Employees are to submit all necessary reports by the end of the shift or by the deadline authorized by the supervisor. Reports submitted by an employee are to be truthful and complete.
2. Employees are to maintain confidentiality standards, and are not to misuse information in confidential data banks, including, but not limited to: Tiburon, LAN, NCIC, CCIC, DMV, DOR, etc.

J. County Funds

1. Employees who receive or disperse county monies are to do so honestly, and are to be accountable for the same.
2. Employees are not to incur financial liabilities against the Sheriff's Office or the County except as authorized by their duties or the appropriate supervisor.

K. Illness or Injury Reports

1. When possible, employees are to personally report their absence due to illness or injury prior to the start of their scheduled shift. Employees report their absence to their immediate supervisor or designee, and may be asked to supply the supervisor or designee with a telephone

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number where the employee can be reached.

- a. Employees are to provide documentation to County HR when requested to support FMLA leave.
2. Employees are not to feign illness or injury, falsely report themselves ill or injured, or otherwise deceive, or attempt to deceive any employee of the Sheriff's Office as to the condition of their health.

**L. Processing found and evidentiary Property**

1. Property or evidence which has been found, gathered or received in connection with Sheriff's Office responsibilities are to be handled in accordance with Sheriff's Office and Division procedures.
2. Employees are not to transfer to their own or another's use, tamper with, or withhold any property, except through lawful court order, or established policies and procedures

**M. Use of Alcohol or Drugs While on Duty**

1. Employees are not to consume intoxicating beverages while on duty, except in the performance of duty, and while acting under proper and specific orders from a supervising employee.
  - a. Illegal drugs are not to be used at any time.
2. The use of any prescribed controlled substance that may affect an employee's ability to perform the assigned job must be immediately reported to the employee's immediate supervisor.
3. Off-duty employees who are not on call and are called to respond to a duty situation are responsible for self-reporting to the on scene or requesting supervisor when they believe that they will not able to perform the required duties because of an illness or other condition.
4. An employee reporting for, or performing a duty, who is suspected of using, or having used, alcoholic beverages or drugs that may affect performance may be required to submit to a chemical test to determine the presence of the substance.
  - a. A refusal to submit to a chemical test will be considered a presumption that the employee was under the influence of drugs or alcohol.

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- b. In the testing for alcohol, the breath or blood test are to be used at the discretion of the Sheriff or designee.
  - c. In testing for the presence of drugs, urine, blood, or other medically approved test are to be used. In all tests, the rules and regulations of the State Board of Health are to be followed.
5. Chemical tests will not to be done randomly, but will be done only when there is reasonable suspicion to believe that alcohol or illegal drugs is being used or, in the case of an officer being investigated in a use of force situation, to eliminate the possibility that alcohol or drugs is being used.

**N. Use of Tobacco**

- 1. An employee who uses tobacco is to be sensitive to and respect those who may be affected or offended by the employee's use of tobacco.
- 2. Employees are not to use tobacco of any type when in the presence of private citizens, during information taking functions, in private residences, or where the use of tobacco is not conducive to good officer safety practices.
- 3. Employees are to conform to the Boulder County smoking policy.

**O. Loitering**

- 1. Employees on duty or in uniform are not to enter liquor establishments, theaters, or other places of amusement except to perform police functions. Off-duty employees are not to interfere or disrupt the activities of on-duty personnel.
  - a. Employees are not prohibited from eating in restaurants licensed to also serve liquor.

**P. Posting Bail**

- 1. An employee, while in an on-duty status or in uniform, may not furnish bail for any person.

**Q. Relationships with Inmates or Arrestees**



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1. Employees are not to engage the services of, or become romantically and sexually involved with, any person in custody.
2. Employees are discouraged from becoming romantically or sexually involved with former inmates or known felons. Employees involved in such a relationship are required to notify their immediate supervisor.
3. Employees whose immediate family members are subject to charges or incarceration for criminal violations are required to inform their immediate supervisors.
4. Employees are not to mistreat persons who are in their custody.
5. Employees are not to borrow money or any type of property, or lend money or any property, to any inmate, arrestee, or detainee while that person is in Boulder County Sheriff's Office custody.

R. Knowledge of Criminal Activity

1. Employees are to report to their immediate supervisor any and all criminal activity of private citizens or Sheriff's Office employees.

IV. Orders

A. All lawful orders given by supervisors, acting supervisors, or field training officers to those in training, are to be followed. In some cases, an employee with seniority may issue orders.

B. Supervisor Accountability

Supervisors are accountable for the performance of subordinates under their supervision.

C. Unlawful Orders

1. Employees are not to issue any order that they know, or should know, to be a violation of federal, state, or county law.
2. Employees are not to obey any order they know, or should know, to be a violation of federal, state, or county law. If, in good faith, an employee is in doubt as to the legality of an order, a request is to be made to the issuing employee for clarification of the order.

D. Conflicting Orders

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1. An employee that receives an order from a supervisor that conflicts with a Sheriff's Office or division policy, procedure, or a directive from another supervisor, must advise the person giving the order that there is a conflict. If the employee giving the order insists that the order be followed, the order is to be followed.
  - a. The employee issuing the order, and the employee receiving the order, share the responsibility to report the conflict to next person in the chain of command or to their Division Chief.
2. If an employee receives an unlawful order the employee is authorized to refuse to follow the order and is to report the incident as soon as practical to the next person in the chain of command or to their Division Chief.

**E. Manner of Issuing Orders**

1. Orders are to be issued in a clear and understandable language and only for the purpose of accomplishing Sheriff's Office business.

**F. Insubordination**

1. An employee is to promptly obey any lawful order. Failure to do so, subject to other governing regulations, is insubordination, which is prohibited. Insubordination may include:
  - a. A deliberate refusal to obey a lawful order given by a ranking employee of the Sheriff's Office. This would include orders relayed to an employee from a supervisor via another employee.
  - b. Conduct that impairs the operation of the Sheriff's Office by interfering with the ability of supervisors to maintain discipline.
  - c. Speech or conduct toward a supervisor, which is discourteous, abusive, disloyal, profane, or threatening.
  - d. Conduct, which is designed to undermine confidence in a supervisor, a supervisor's decision, or any Sheriff's Office policy.

**V. Abuse of Law Enforcement Powers**

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- A. A sworn employee is prohibited from abusing law enforcement powers.
- B. An employee is not to make false accusations regarding any federal, state, or local law enforcement agency.
- C. An employee is not to use more force than is necessary to control suspects, arrestees, or any other person.
- D. An employee is not to make any arrest, search, or seizure, which they know to be illegal.
- E. An employee is not to make promises or arrangements with an arrestee, or between a victim and an arrestee, intended to permit the arrestee to escape prosecution, without the knowledge and approval of their supervisor and the appropriate deputy district attorney.

VI. Patriotic Courtesy

- A. Employees are to display proper honor to the national colors and to the playing of the National Anthem in the following manner:
  - 1. Employees wearing Boulder County Sheriff's Office uniforms and are covered, i.e. wearing a hat, cap, helmet, etc. come to attention and salute the national flag in military fashion when it passes by in a formation, during a flag raising ceremony, or when the national anthem is played.
  - 2. Employees in uniform, but uncovered, i.e. not wearing any type of head gear, come to attention and salute the flag by placing their right hand over their badge, unless doing so would unsafely expose their service weapon.
    - a. Generally, employees in uniform should always be uncovered when inside a building unless the head gear is necessary for their assignment.
  - 3. Civilian employees, whether inside or outside, salute the flag by placing their right hand over their heart. When wearing a hat, the hat should be removed, held in the right hand, and placed over their heart.

VII. Disciplinary Action

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- A. Disciplinary actions may be taken for specific violations of the Code of Conduct, other violations of the Policy and Procedures Manual, or any other acts detrimental to the good order and discipline of the Sheriff's Office.

By order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** Bilingual Compensation Program

**NUMBER:** 311

**EFFECTIVE DATE:** February 12, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to provide monetary compensation through the Boulder County Bilingual Compensation Program to Sheriff's personnel who display a proficiency in languages other than English and who avail themselves for translation purposes. The other than English ability must be in a language that benefits and supports the primary mission of the Sheriff's Office.

Monetary compensation is tied to tested skill level and willingness to participate in the program rather than frequency of use.

**RELATED PROCEDURES:**

County Policy 1.27, Bilingual pay program policy and procedure

**DEFINITIONS:**

Bilingual Compensation Authorization Form: Boulder County Human Resources form used to request pay for bilingual skills.

**PROCEDURE:**

- I. Participant requirement
  - A. It is the responsibility of the Operations Division Chief or designee to submit the named participants to county Human Resources (HR) and determine who is eligible to participate in the program.
  - B. Any fulltime Sheriff's employee, off introductory probationary status, is eligible to participate in the program. Personnel working as a temporary, hourly or volunteer are excluded from participating in the program.
  - C. Proficiency testing will be set up through county HR as needed. The participant must attain a minimum proficiency rating of at least 60% to be eligible for monetary compensation.
  - D. Participants must be willing to make themselves available for translation as requested by a Sheriff's Office supervisor.

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II. Enrollment and compensation

- A. The Sheriff's Office will conduct enrollment on a quarterly basis according to the county schedule. In order to receive compensation new applicants must be submitted and approved by county HR prior to the start of a quarter and after testing successfully. It is the responsibility of the Operations Division Chief or designee to approve and forward the Bilingual Compensation Request Form to County HR.
- B. Employees request participation approval, through their chain of command, to the Operations Division Chief or designee. If approved, the employees name is then forwarded to County HR requesting a language proficiency test date.
- C. HR informs the employee of upcoming testing dates.
- D. Once a proficiency rating has been determined, the Operations Division Chief or designee forwards the Bilingual Compensation Authorization Form to HR requesting the quarterly proficiency pay.
- E. Recertification and testing for a higher proficiency rating is facilitated through the testing schedule established by county HR.
- F. Compensation is paid on a quarterly bonus basis and is included in the employee's regular pay the first month of the next quarter, i.e. payment in April for 1<sup>st</sup> quarter participation.
- G. Compensation is based on two levels:
  - 1. Level 1: Test proficiency of 85% or higher - \$300.00 quarterly pay.
  - 2. Level 2: Proficiency of 60% or higher- \$150.00 quarterly pay.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** SUPERVISION OF RELATIVES

**NUMBER:** 312

**EFFECTIVE:** February 14, 2008

**POLICY:**

In the interest of maintaining impartial employment practices, the Sheriff's Office has established a policy regarding the supervision of relatives within the agency.

Under all circumstances, a supervising employee will be excused from any decision regarding a relative's hiring, assignment, assessment, promotion, or discipline.

**DEFINITIONS:**

Direct Supervision: Direct supervision means the day-to-day oversight of an employee's work, assignments, and performance assessment.

Relative: A relative is defined as a parent, spouse, intimate partner, child, grandchild, grandparent, brother, sister, nephew, niece, aunt, uncle, and the in-laws of the same relationship.

**PROCEDURE:**

- I. Authority to Employ a Relative
  - A. The sheriff's office permits the hiring and continued employment of immediate relatives of a current employee, with the understanding that under no circumstances may an employee work under the direct supervision of a relative.
    1. This policy is temporarily suspended when extraordinary circumstances create a situation in which the direct supervision of a relative cannot be avoided.
      - a. In all such cases, there will be a review of the circumstances and decisions made that relate to the temporary suspension of this policy to ensure all appropriate options were considered or implemented before allowing the supervision of a relative to occur.

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II. Job Assignment

- A. Supervising employees and their relatives working within the same division or section shall be assigned to different shifts, squads, or responsibilities.
- B. If, during the course of employment, a supervising employee marries or develops a relationship herein defined as a "relative", with a subordinate employee where one did not previously exist, the supervising employee has a duty to notify their Division Chief of the change in relationship.
  - 1. When this occurs one of the employees will be reassigned in a manner that is in compliance with this policy at the discretion of the affected Division Chief.
  - 2. The reassignment of either or both employees is not considered disciplinary action nor is it intended to be punitive.

III. No Appeal of Decision

- A. The decisions made regarding an employee's job assignment are made at the discretion of the affected Division Chief and are not subject to appeal.

By order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date



**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** WORKPLACE HARASSMENT, DISCRIMINATION AND  
RETALIATION

**NUMBER:** 313

**EFFECTIVE:** July 3, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to provide a positive work environment for employees. The Sheriff's Office will use its best efforts to prevent and/or eliminate all forms of discrimination, harassment, and/or retaliation. Discrimination, harassment and retaliation are an attack on the dignity of individuals and a violation of Sheriff's Office policy. It is also illegal under state and federal law.

Harassment, intimidation and/or unfair discrimination on the basis of race, color, religion, gender, gender identity, disability, socio-economic status, sexual orientation, age, national origin or genetic information will not be tolerated. All reports alleging harassment, discrimination, and/or retaliation as defined in this policy shall be investigated.

It is not a violation of this policy to consider the gender of a deputy when determining assignments involving supervision and searches of prisoners or other assignments where the nature of the assignment reasonably favors a particular gender.

This policy applies to all employees of the Sheriff's Office. It allocates responsibilities for helping to ensure that Sheriff's Office policy is fairly applied, explains the processes by which complaints of discrimination, harassment, and/or retaliation may be brought forward, and provides sanctions for discrimination, harassment, and/or retaliation which may range from reprimands to termination.

**DEFINITIONS:**

Adverse Action: Adverse actions are employment actions such as termination, refusal to hire, and denial of promotion. Other actions affecting employment such as threats, unjustified negative evaluations, unjustified negative references, and/or increased surveillance, and any other action such as assault, or unfounded civil or criminal charges that are likely to deter a reasonable person from pursuing his or her rights. Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation; "snubbing" a colleague; or, negative comments that are justified by an employee's poor work performance or history.

Discrimination: Discrimination occurs when employment decisions are based on stereotypes or assumptions about the abilities, traits, or performances of individuals based on race, color, religion, gender, gender identity, disability, socio-economic status, sexual orientation, age, national origin or genetic information.

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Harassment: Harassment is unwelcome conduct that is based on race, color, religion, gender, gender identity, disability, socio-economic status, sexual orientation, age, national origin or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment can be verbal, visual, physical, or communicated in writing or electronically.

Sexual Harassment: The Sheriff's Office has adopted the Equal Employment Opportunity Commission (EEOC) definition of sexual harassment:

Sexual Harassment is defined as any unwelcome sexual advance, request for sexual favor, or other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as the basis, or threatened to be used as the basis, for employment decisions or assessments affecting an individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment for work.

Retaliation: Retaliation occurs when an employer takes an adverse action against an individual because he or she engaged in a protected activity. An adverse action is an action taken to try to keep someone from opposing a discriminatory practice or from participating in an employment discrimination proceeding.

### **PROCEDURE:**

- I. Individual Employee Responsibilities
  - A. Individual employees are responsible for conducting themselves in a manner that maintains a work place free of workplace harassment, discrimination, and retaliation.
- II. Supervisory Responsibilities
  - A. Supervisors are responsible for taking action to prevent harassment, discrimination, and/or retaliation in the work place and for taking appropriate action in any incident of observed or reported workplace harassment, discrimination, and/or retaliation. Supervisors are responsible for promptly reporting any incident of workplace harassment, discrimination and/or retaliation to their Division Chief, Undersheriff or the Sheriff.

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III. Reporting of Workplace Harassment, Discrimination, and/or Retaliation

- A. The Sheriff's Office can respond to a specific instance or allegation of workplace harassment, discrimination and/or retaliation only if it is aware of an occurrence. Therefore, the Sheriff's Office encourages anyone who believes that she or he has experienced or witnessed workplace discrimination, harassment, and/or retaliation to file a complaint.
- B. Any employee who believes that she or he has been subject to workplace harassment or subject to discrimination has a number of options. The employee may file a complaint with any of the following:
  - 1. The employee's immediate supervisor or any available supervisor.
  - 2. The employee's supervisor's supervisor.
  - 3. The employee's Division Chief.
  - 4. The Sheriff or Undersheriff.
  - 5. County Human Resources.
- C. Employees may leave an assigned post if they believe it is reasonably necessary for their personal safety or to avoid additional contact with the accused person. An employee who leaves an assigned post in such circumstances must report the situation immediately to their direct supervisor or higher authority.
- D. Upon notice of a complaint involving potential discrimination, harassment, and/or retaliation, the employee receiving the complaint shall promptly document the complaint and route the documentation to his or her direct supervisor or Division Chief.
  - 1. The affected Division Chief is to be notified of the complaint as soon as possible.
  - 2. Supervisors receiving reports are to take appropriate action to protect potential or alleged victims from continued contact with the alleged perpetrator of harassment, discrimination, and/or retaliation. Such actions are to be taken in a manner that does not penalize the accuser.

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3. Upon notice of a complaint involving potential discrimination, harassment, and/or retaliation the Sheriff's Office will ensure prompt investigation of the complaint. The Sheriff's Office will strive to protect the confidentiality of all aspects of the investigation; however, the Sheriff's Office cannot guarantee confidentiality. All employees are expected to cooperate with investigators during the course of an investigation of discrimination, harassment, and/or retaliation.
- E. The Sheriff's Office will not tolerate retaliation or discrimination against persons, who in good faith, report or charge discrimination or harassment or against those, who in good faith, testify, assist, or participate in any investigation, proceeding, or hearing involving a complaint of discrimination or harassment. Any retaliation – or any encouragement of another to retaliate – is a serious violation of Sheriff's Office policy and law, independent of whether the particular claim of discrimination or harassment is substantiated. If an employee believes he or she has been subjected to retaliation in violation of this rule, the employee may use the procedures described in Section III.B, above.
- IV. Obligation to Report
- A. Any supervisor who becomes aware of instances or allegations of workplace harassment, discrimination, and/or retaliation by or against any employee of the Sheriff's Office must initiate a report. The report is to be given or transmitted to the supervisor's supervisor as soon as practical unless that supervisor is the subject of the complaint. In that case, the report is to be given to a Division Chief, Undersheriff or the Sheriff.
1. A supervisor who fails to report an instance, or an allegation, of workplace harassment, discrimination, and/or retaliation may be subject to disciplinary action.
- B. Any employee who becomes aware of information indicating a significant likelihood of workplace harassment, discrimination, and/or retaliation must report it to either their immediate supervisor or other authority as described in Sec. III, B. 1-6 of this policy.
- V. Investigation and Discipline
- A. The Sheriff or Undersheriff assigns reports of workplace harassment, discrimination, and/or retaliation to the appropriate investigator(s) given the nature of the allegation.
1. The Director of County Human Resources is notified of the particulars of all workplace harassment, discrimination, and/or retaliation complaints.

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2. At the discretion of the Sheriff the investigation of the complaint may be assigned to a Sheriff's investigator or given to the Director of County Human Resources for assignment.

B. Employees who violate any portion of this policy are subject to disciplinary action in accordance with Sheriff's Office policy.

VI. Records Keeping

A. Records of investigations of workplace harassment, discrimination, and/or retaliation complaints are deemed to be Internal Affairs records and are maintained by the Sheriff in accordance with policy #318.

By Order of the Sheriff,

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Joe Pelle, Sheriff

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Date

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**SUBJECT:** EXTRA DUTY AND OFF-DUTY EMPLOYMENT

**NUMBER:** 314

**EFFECTIVE:** January 18, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to allow deputies to work extra duty jobs and to permit employees to work part-time jobs. It is Sheriff's Office policy that the employee's job with the Boulder County Sheriff's Office is the employee's primary job.

No sheriff's deputy or employee may enter into a contract to serve as a broker for services of sheriff's deputies through which a commission or any part of the deputy's salary is paid to the broker.

Part-time employees are subject only to the conflict of interest provisions of this policy, as their employment outside of county government is acknowledged as their primary jobs.

**DEFINITIONS:**

Off-duty Employment: Any secondary job including self-employment which does not require the employee to be a state certified peace officer as a condition of employment.

Extra duty: Any secondary job where the employee must be a state certified peace officer and will be acting under the color of their authority as Boulder County Sheriff's deputy.

Extra Duty Coordinator: A sergeant, Commander, or administrative assistant appointed by the Operations Division Chief to coordinate extra duty employment.

Conflict of Interest: Any job determined by a Division Chief or the Sheriff to have a conflict with the duties or responsibilities of an employee of the Boulder County Sheriff's Office. Examples of conflict of interest include, but are not limited to:

1. Any job where illegal activity is a function of the organization.
2. Guard duties at any establishment that is primarily a bar or seller of alcoholic beverages.
3. Guard jobs where the employer requires enforcement of other than Federal or state laws as a function of the job. (Exception: Mutual aid employment)
4. Any job where the employer seeks access to any files or records through the Sheriff's Office.
5. Any jobs with a collection agency, process serving agency, or private investigation agency.

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6. Employment, as a security guard, at any establishment, or in connection with any industry, during the period of a strike affecting any of the workers connected with that industry.

**PROCEDURE:**

I. Off-duty Employment

- A. Permission from the Sheriff and Division Chief is required in order for an employee to engage in off-duty employment.
  1. Requests to work non-law enforcement part-time jobs are submitted in writing, specifically stating the duties required, to the employee's Division Chief for approval. If the Division Chief approves the request it is forwarded to the Sheriff for final approval.
    - a. Hours of part-time employment cannot conflict with duty assignments.
    - b. The employee's Division Chief may limit the number of off-duty hours a full-time employee works.
    - c. Employee's are not authorized to use Sheriff's Office property or vehicles as implements to facilitate outside part-time employment.
    - d. An employee's part-time job is not to conflict with the employee's responsibilities to the Boulder County Sheriff's Office.
    - e. The employee's Division Chief may grant temporary approval of part-time employment pending review by the Sheriff.

II. Extra duty Employment

- A. The Operations Division Chief designates the "extra duty coordinator". The coordinator receives all requests from the public for Sheriff's Office employee's to work extra duty law enforcement related jobs and is responsible for all facets of management of these requests. This includes, but is not limited to, the following:
  1. Determines whether the request for deputies is an appropriate function of the Sheriff's Office.



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- a. If the request is not appropriate, the requesting party shall be referred to the private sector.
  2. Obtains all pertinent information from the contractor about the extra duty request.
  3. Informs the contractor of the conditions of employment of the deputies, including hourly rate, equipment and vehicle costs, and scope of work.
  4. Constructs and routes related contracts.
  5. Facilitates internal posting and advertising of open assignments.
  6. Selects deputies for the assignments.
  7. Provides pertinent information in order for the deputies to complete the assignments.
- B. Officers working extra duty only enforce state laws and county resolutions unless authorized to enforce municipal ordinances.
- C. The Sheriff's Office reserves the right to require Sheriff's Office supervisors at an extra duty function.
- D. In most cases, extra duty assignments are filled by deputies on a first come, first served, basis. However, the coordinator has the discretion to recruit specific deputies or make assignments based on any assignments that require a specialty skill.
- a. Extra duty work may be denied to any employee if the Operations Division Chief decides that such work would interfere with the employee's primary employment with the County. Deputies on modified duty due to injury or illness are not permitted to work an extra duty assignment.
  - b. Officers signing up for extra duty are responsible to keep their commitment or to arrange for a suitable substitute.
  - c. Failure to meet commitments may be subject to disciplinary action, at the discretion of the Division Chief.
3. It is the responsibility of the Operations Division Chief, or designee, to insure that off-duty assignments are handled in an equitable manner for all eligible employees of the Sheriff's Office.

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4. The coordinator provides the names of the assigned personnel to the contractor and provides a means through which the contractor can communicate with the assigned employees.
  5. Those employees wishing to consider extra duty employment jobs make notification to the coordinator who will add the employee's name to the "extra duty employment" E-mail group routing code.
  6. All job announcements will be sent to the group routing code and include a synopsis of the jobs and rates of pay.
  7. When positions are not be filled by the above process, assignments may be made as indicated in section "E" below.
- E. The Sheriff or designee may decide to assign deputies to extra duty assignment to be paid by the Sheriff's Office if the assignment is of a civic nature and not a "for profit" event staged by an individual or corporate entity or there is a compelling public safety need to staff the event.
1. Deputies assigned to work extra duty assignments while they are off-duty are paid at their overtime rate, or the contract rate, whichever is greater.
  2. Assignments of this type will be made only in the event that a request for extra duty deputies has been made through the normal process and the required positions have not been filled.
  3. Reserve deputies cannot be paid and keep their volunteer status and, therefore, are not eligible to work extra duty assignments. .
- F. Deputies are responsible for making proper notifications to their chain of command and receiving appropriate approval before applying for an extra duty assignment.

III. Conflicting Jurisdictions

- A. If a proposed assignment occurs in the geographical jurisdiction of another law enforcement agency within Boulder County the coordinator notifies the affected agency and the Operations Division Chief of the request and the relevant information.
- B. If the location of the extra duty assignment is outside the geographical boundaries of Boulder County the coordinator asks the requesting agency to make the request to the Sheriff.

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IV. Skill, Knowledge, and Ability Requirement

- A. A deputy that possess the required skills, knowledge and abilities for specific extra duty jobs are eligible to apply to work extra duty assignments.
- B. The coordinator, in consultation with the Operations Division Chief, determines the required skills; knowledge and abilities required for each extra duty assignment and insures that officers signing up for the extra duty meet the requirements.
  - 1. Officers may be granted leave time to work extra duty assignments at the discretion of their direct supervisor.

V. Pay for Extra Duty Assignments

- A. Rates of pay are determined for each individual extra duty assignment as agreed between the Sheriff's Office and the contractor. Supervisory positions, if needed, will be included in the negotiation process.
- B. The Sheriff's Office will pay all deputies working an event their overtime rate or the minimums rate whichever is higher. Only deputies contracted as supervisors will receive the supervisor pay rate.

VI. FLSA Status for Extra duty, Off-duty and Volunteer Employment

- A. Voluntary and optional off-duty employment by personnel for a second employer doing work which is unrelated to their Sheriff's Office duties, does not effect their FLSA status. Pay for each extra duty job is computed separately from the employee's work and pay as a county employee.
- B. Voluntary and optional extra duty employment by personnel for a second employer doing work, which is related to their Sheriff's Office duties, is not considered joint employment by a single employer. Pay for each job is computed separately. Hours worked in the extra duty job are considered separately from hours worked in the primary job and are compensated at the hourly rate set for that extra duty job.
- C. Voluntary and optional work for the Sheriff's Office on a part-time and sporadic basis in a different capacity from which the employee is regularly employed is permissible. Hours worked in the second capacity are considered separately from hours worked in the primary job and are compensated at the hourly rate set for the secondary job.

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- D. Employees may not volunteer to perform for the County the same tasks done as part of their regular job.
- E. Deputies may volunteer their time, as they choose, without pay or compensation, to work for a non-Sheriff's Office cause or entity doing non-law enforcement tasks.

VII. Additional Considerations for Extra duty Employment

- A. Deputies working extra duty law enforcement assignments are considered to be on duty.
- B. If more than one deputy is working a function, and no deputy has been designated as the person in charge; the senior ranking deputy will have the responsibility of being the deputy-in-charge. Deputies are responsible to the on-duty Operations division field supervisor while working special functions.
- C. Deputies working extra duty assignments wear the appropriate uniform, outerwear and protective gear.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** ENDING EMPLOYMENT

**NUMBER:** 315

**EFFECTIVE:** January 18, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to facilitate the ending of employment in an efficient and effective manner.

**PROCEDURE:**

I. Reasons for Ending Employment:

A. Resignation

1. The Sheriff's Office expects a minimum of two weeks notice when an employee resigns. The employee's termination date is the last day worked. Vacation and sick leave cannot be used to extend the period of employment.
  - a. Resignations with less than two weeks notice may result in a recommendation not to re-hire.

B. Dismissal/Termination

1. Employees may be dismissed as a result of disciplinary action or upon the determination of the Division Chief that the employee has not successfully completed the probationary period.

C. Lay Offs/Reduction in Staff

1. In the event that the Sheriff's Office should have to reduce the work force due to funding reductions, seniority and work performance will be taken into consideration.
2. When circumstances permit, an employee who would otherwise be laid off may be transferred to an open position in another division or reduced in classification to fill another open position.
3. The Sheriff has the final decision as to when a reduction has to occur. When possible, each effected employee will receive a thirty-day written notice of a pending lay off.
4. After a lay off, when full time positions become available, they may be offered to employees who have been laid off on a seniority basis if they are otherwise qualified for the position.

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5. A reduction in force is not a disciplinary action and hence is not subject to appeal or grievance procedures.

D. Retirement

1. Employees are eligible for retirement benefits in accordance with the Boulder County pension plan. Contact should be made with the Sheriff's Office Personnel Section or County Human Resources for details on retirement.

E. Death

1. If an employee dies, the Sheriff's Office Personnel Section and County Human Resources work with the individual employee's survivors to insure that the final paycheck, insurance benefits, and all required forms are completed correctly and the family expeditiously receives payment of benefits.

II. Separation Guidelines

- A. Employees resigning or retiring from the Sheriff's Office coordinate the return of all sheriffs' equipment with their immediate supervisor.

1. Any money owed the County or Sheriff's Office may be deducted from the employee's final paycheck.
2. Employees ending employment for any reason must return any Sheriff's Office and/or County property issued to them or in their possession. The employee's final paycheck will not be paid until all such property is returned to the Sheriff's Office.

- B. Upon receipt of notice of termination, the personnel section will contact the terminating employee and schedule an exit interview.

- C. Final pay is determined in accordance with current County personnel policy

1. Employees are not paid for County designated paid holidays that occur after the ending employment date nor are they paid for unused floating holidays.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** INJURY AND ILLNESS - MODIFIED DUTY

**NUMBER:** 316

**EFFECTIVE:** June 22, 2007

**POLICY:**

When an employee suffers an injury or illness that prevents the employee from performing the duties for which he or she was hired, it is the policy of the Boulder County Sheriff's Office to administer personnel actions and assignments in a manner that is consistent with related policies and procedures contained in this section, the Boulder County Personnel Manual, and applicable State and Federal law.

When there is a conflict between this policy and Boulder County policy, Boulder County policy takes precedence.

**DEFINITIONS:**

Boulder County: The governmental entity that is the umbrella employer for Boulder County employees.

Modified Duty: A temporary duty assignment that is different from the employee's regular or original job responsibilities that are designed to accommodate an employee's existing medical condition. The employee is compensated at his or her regular salary and benefits while in this assignment.

On-the-job Injury: Where, at the time of the injury, the employee is performing service arising out of and in the course of the employee's employment, and the injury or death is proximately caused by an injury or occupational disease arising out of, and in the course of, the employee's employment and is not intentionally self-inflicted.

FTE: Full Time Equivalent, salaried with benefits.

Full-time FTE: An employee hired to a full-time, salaried position with full benefits.

Part-time employee: An employee hired to work fewer hours than is required to be "full-time" within the designated FLSA work period based on his or her exemption status.



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**PROCEDURE:**

I. Leave Due to Illness or Injury

- A. An employee is afforded certain benefits by virtue of being employed with Boulder County that provides various types of coverage in the event of illness or injury.
  - 1. The benefits are set by the Board of County Commissioners and are administered through the county Human Resources department and Risk Management. An employee can direct questions or concerns about benefits to one of these departments.
- B. A sheriff's employee is responsible for informing his or her direct supervisor of any injury or illness that will affect the employee's capability of performing their assignment, whether or not the illness or injury occurs on duty.
- C. The affected employee uses the appropriate type of benefit applicable to their individual situation in accordance with the applicable county policy.

II. Modified Duty Assignment

- A. A Division Chief may assign an employee under his or her command to modified duty when the employee is medically cleared to perform some work but is not cleared to resume full job duties.
- B. When an employee is cleared for modified duty by a physician the employee's Division Chief may order the employee to modified duty rather than place the employee on paid injury leave.
- C. The Division Chief has the authority to determine the length and nature of a modified duty assignment based on the type of medical clearance, the projected duration of the medical condition, and the availability of sufficient work that can be performed by the employee.

III. Return to Full Duty

- A. An employee who is able to return to full duty in the job for which they were hired within the applicable time period as prescribed by county policy is returned to the same or equivalent position as the one they held on the day of the onset of the injury or illness.
- B. An employee who has been on paid or unpaid injury leave may be required to complete an essential job demand evaluation prior to return to duty.

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IV. Inability to Return to Duty

- A. An employee who has exhausted all afforded benefits but is unable to return to work and perform the job duties for which he or she was hired or last assigned may be terminated or permanently reassigned.
- B. Reassignments occur when an employee is unable to meet the essential job demands of his or her current position but is considered capable of performing in another position.
  - 1. Reassignments are not disciplinary but rather an adjustment required because the employee is incapable of doing his or her current job.
  - 2. If an employee is reassigned his or her salary falls within the pay range of the new position and classification.
- C. Terminations that occur because an employee is unable to continue working due to a medical condition or injury are not considered disciplinary or punitive. Rather, the action is necessary when the employee is incapable of doing the job for which the person was hired and does not have the skills, or is unwilling to perform, in a different position, or there is no position available for which the employee is qualified.

V. Exemption from this Policy

- A. An employee suffering from an on-the-job injury or medical condition that does not affect their ability to perform normal job functions in their assigned role is not subject to this policy.

VI. Pregnancy and Maternity/Paternity Leave

- A. Pregnancy is handled like any other medical condition for purposes of leave and modified duty. The decision of when to begin pregnancy leave is between the employee and her physician.
- B. Parents of newborn children, or parents of newly adopted children are eligible for leave provisions as described in county policy.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

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**SUBJECT:** HONOR AND RECOGNITION AWARDS

**NUMBER:** 317

**EFFECTIVE:** September 24, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's to officially acknowledge exceptional performance, acts of heroism, bravery or self-sacrifice, or specific acts that significantly contribute to the fulfillment of the Sheriff's mission by Sheriff's employees, volunteers, and members of the public and public safety employees from other agencies. This recognition or acknowledgement is accomplished in a variety of ways and this policy is not intended to limit other forms of recognition that may not be described herein.

**DEFINITIONS:**

In the line of duty: Any action that a deputy is obligated or authorized by law, rule, regulation, written condition of employment service to perform, or for which the deputy is compensated by the Boulder County Sheriff's Office.

Killed in the line of duty: The term "*killed in the line of duty*" means a deputy has died as a direct and proximate result of a personal injury sustained in the line of duty. This includes victim deputies who, while in an off-duty capacity, act in response to a law violation.

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

Sheriff's employee: For the purposes of this policy, "sheriff's employee", is any individual who is an FTE, part-time or hourly employee or volunteers for the Boulder County Sheriff's Office.

**PROCEDURE:**

- I. Classification of Awards
  - A. Class I Awards are given in recognition of heroism, life-saving, or meritorious service.
    1. Medal of Valor: Medal and ribbon, plus \$500 merit bonus. The Medal of Valor is awarded to any Sheriff's employee who performs an act of extreme personal bravery or self-sacrifice in the line of duty. The performance clearly distinguished the individual from his or her peers and involved risk of life or serious injury to the nominee. Ribbon: Red,

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white and blue with gold colored "V" in the white segment.

2. Silver Star: Medal and ribbon, plus \$400 merit bonus. The Silver Star is awarded to any Sheriff's employee who performs an act of gallantry in the line of duty. The required gallantry, while of a lesser degree than that required for the Medal of Valor award, is performed with marked distinction that clearly distinguishes the individual from his or her peers and involved a risk of serious injury to the nominee. Ribbon: Red, white and blue with a silver colored seven point star in the white segment.
3. Bronze Star: Medal and ribbon, plus \$300 merit bonus. The Bronze Star is awarded to any Sheriff's employee who distinguish themselves through heroism, exceptional achievement, or exceptional service in any single public safety event or incident. Ribbon: Copper, Gold, Copper.
4. Purple Heart: Medal and ribbon. The Purple Heart Medal is awarded to any Sheriff's employee who is killed or seriously injured in the line of duty. A Purple Heart is awarded to the closest relative of each person entitled to a posthumous award. Ribbon: Purple
5. Meritorious Service: Medal and ribbon, plus \$250 merit bonus. The Meritorious Service Medal is awarded to any Sheriff's employee who distinguished him or herself by exceptional service to the Boulder County Sheriff's Office over a period of several years. Ribbon: White and Blue.
6. Life Saving: Medal and ribbon, \$250 merit bonus. The Life Saving Medal is awarded to any Sheriff's employee who, in the line of duty, took rescue, physical or medical intervention actions that directly saved a person's life. Ribbon: White and Red.
7. Distinguished Unit Citation: Citation to the Unit, Uniform Ribbon to individuals. The Distinguished Unit Citation is awarded to the members of a special unit of the Sheriff's Office when the members collectively distinguished themselves with heroism, exceptional achievement, or exceptional service.

**Note:** To be eligible to wear the Distinguished Unit Citation Ribbon, the individual had to be a member of the unit or team at the time of the event and must have participated with the team in a fashion that made a direct and discernable contribution to the outcome of the circumstance for which the unit or team is being awarded the citation. Uniform Ribbon: Blue, gold, white, gold, blue.

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8. Sheriff's Teamwork Award of Excellence: Framed certificate for display and certificate to each individual. The Sheriff's Teamwork award is given to any group of three or more Sheriff's employees whose collective performance creates noteworthy, measurable results, that epitomize any portion of the mission and values of the Sheriff's Office, and distinguishes the group's efforts.
- B. Appurtenances: A five pointed silver colored star, 3/16 inch diameter, affixed to the medal or ribbon to denote the award of additional and/or subsequent awards of the same medal or ribbon.
- C. Class II Awards are given in recognition of exemplary performance above and beyond what is normally expected. To qualify the performance is clearly exceptional and distinguished the individual from his or her peers. These awards may be awarded to more than one individual.
1. Operations Officer of the Year: Engraved Plaque, plus \$250 merit bonus. The Field Operations Officer of the Year Plaque is awarded to a deputy assigned to the Operations Division who distinguished him or herself by exceptional service during the year of the award.
  2. Jail Officer of the Year: Engraved Plaque, plus \$250 merit bonus. The Jail Officer of the Year Plaque is awarded to any deputy assigned to the jail who distinguished him or herself by exceptional service during the year of the award.
  3. Support Services Employee of the Year: Engraved Plaque, plus \$250 merit bonus. Support Services Employee of the Year Plaque is awarded to any employee assigned to the Support Services Division who distinguished him or herself by exceptional service during the year of the award.
  4. Non-Commissioned Employee of the Year: Engraved Plaque, plus \$250 merit bonus. Non-Commissioned Employee of the Year Plaque is awarded to any non-commissioned employee who him or herself by exceptional service during the year of the award.
  5. Volunteer of the Year: Engraved Plaque. Volunteer of the Year Plaque is awarded to any Reserve, Explorer or Volunteer who distinguished him or herself by exceptional service to the Sheriff's Office during the year of the award.
- D. Class III Awards are given in recognition of outstanding service or achievement of a lesser degree than required for Class II Awards. These awards are also given in recognition of outstanding achievement for

## BOULDER COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL

Reserves, Explorers, Volunteers or Civilians.

1. Sheriff's Commendation: Certificate Mounted on Plaque. A Sheriff's employee is eligible to receive a Sheriff's Commendation when the employee is nominated for distinguished or outstanding achievement in the line of duty during the year of the award.
  - a. A non-employee is eligible to be nominated to receive a Sheriff's Commendation when that person distinguishes him or herself by an action that helped in the delivery of services in a public safety event, or for a specific act that enhanced the effectiveness of the Sheriff's Office during the year of the award.
2. Volunteer Excellence Award: Certificate Mounted on Plaque. A Volunteer Excellence Award is given to a Reserve, Explorer or Volunteer who distinguished him or herself by outstanding service during the year of the award.
3. Longevity Service Awards: Lapel Pins/Uniform Ribbon. The Longevity Pin is given to Sheriff's employees and volunteers in recognition of employment with the Boulder County Sheriff's Office and service to the citizens of Boulder County. The label pin is awarded at increments of five years, beginning on the employee's fifth anniversary of employment or service, and continuing until the individual ends their employment or service. The years of service do not have to be continuous.
  - a. The Personnel Section periodically submits the names of eligible employees or volunteers to the Sheriff.

### II. Award Recommendations

- A. Any Sheriff's Office employee may recommend another employee as a candidate for any award. The circumstances of a particular act, service, or contribution to Sheriff's Office objectives must meet the criteria of the particular award as described in this policy.
  1. The nomination form and report detailing the reasons for the recommendation are forwarded to the Sheriff through the nominated employee's chain-of-command.

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- B. An employee of another public safety agency is eligible for a Sheriff's Commendation, and nomination for the appropriate award in that person's home agency, when that employee performs an action while assisting this Office in a mutual aid capacity, which would qualify him or her for an award listed in this policy.
- C. The Sheriff and his staff are the approval authority for all Class I awards and review recommendations monthly. The approval authority of Class II awards rests with the respective Division Chiefs and their staff.
  - 1. For Non-Commissioned Employee of the Year and Volunteer of the Year the Sheriff and his staff is the approval authority.
  - 2. Division Chiefs are the approval authority for Class III awards and review the recommendations monthly.

III. Presentation of Awards

- A. Recipients of Class I awards are notified upon approval and are presented the respective uniform ribbon or appurtenances, as appropriate, for immediate wear.
  - 1. The medal will be given to the employee at the annual awards ceremony.
- B. Class II awards will be presented at the annual awards ceremony.
- C. Class III awards are presented during the year at any Sheriff's Office meeting or function.
  - 1. Recipients will be recognized at the annual awards ceremony.
- D. The Sheriff, Undersheriff, or a Division Chief makes the formal presentation of all awards to the receiving employee or employee's designee.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date



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# Boulder County Sheriff's Office

JOE PELLE  
Sheriff

**Award Title:** \_\_\_\_\_ (One form per award)

**Nominee's Name:** \_\_\_\_\_ **Division:** \_\_\_\_\_

**Nominated By:** \_\_\_\_\_ **Date of Nomination:** \_\_\_\_\_

**Reviewed By:**

Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Div. Chief \_\_\_\_\_ Date \_\_\_\_\_

**Approved as nominated**

**Approved, amended to:** \_\_\_\_\_

**Not Approved**

**Authorized by:**

Sheriff \_\_\_\_\_ Date \_\_\_\_\_

**Justification for Nomination**

Please attach a description of the circumstances that qualifies your nominee for the award. Include the dates of the act(s) or service, related case number, and other pertinent information or documentation that will assist in the award decision. Attach copies of applicable reports, when available. Be as thorough as possible and insure that the nomination being submitted meets the minimum standards for the award.

**Note:** If this nomination is for the **Citizen Recognition** award, please include the home address and phone number of the nominee.

## Award Descriptions

(Check the box of the applicable award)

- Medal of Valor:** The Medal of Valor is awarded to any Sheriff's employee who performs an act of extreme personal bravery or self-sacrifice in the line of duty. The performance clearly distinguished the individual from his or her peers and involved risk of life or serious injury to the nominee.
- Silver Star:** The Silver Star is awarded to any Sheriff's employee who performs an act of gallantry in the line of duty. The required gallantry, while of a lesser degree than that required for the Medal of Valor award, is performed with marked distinction that clearly distinguishes the individual from his or her peers and involved a risk of serious injury to the nominee.
- Bronze Star:** The Bronze Star is awarded to any Sheriff's employee who distinguish themselves through heroism, exceptional achievement, or exceptional service in any single public safety event or incident.
- Purple Heart:** The Purple Heart Medal is awarded to any Sheriff's employee who is killed or seriously injured in the line of duty. A Purple Heart is awarded to the closest relative of each person entitled to a posthumous award.
- Meritorious Service:** The Meritorious Service Medal is awarded to any Sheriff's employee who distinguished him or herself by exceptional service to the Boulder County Sheriff's Office over a period of several years.
- Life Saving:** The Life Saving Medal is awarded to any Sheriff's employee who, in the line of duty, took rescue, physical or medical intervention actions that directly saved a person's life.
- Distinguished Unit Citation:** The Distinguished Unit Citation is awarded to the members of a special unit of the Sheriff's Office when the members collectively distinguished themselves with heroism, exceptional achievement, or exceptional service.  
  
**Note:** To be eligible to wear the Distinguished Unit Citation Ribbon, an individual must have been a member of the unit or team at the time and must have directly made a discernable contribution to the outcome of the circumstance for which the unit or team is being awarded the citation.
- Sheriff's Teamwork Award of Excellence:** The Sheriff's Teamwork award is given to any group of three or more Sheriff's employees whose collective performance creates noteworthy, measurable results, that epitomize any portion of the mission and values of the Sheriff's Office, and distinguishes the group's efforts.
- Operations Officer(s) of the Year:** The Field Operations Officer of the Year Plaque is awarded to a deputy assigned to the Operations Division who distinguished him or herself by exceptional service during the year of the award.

**Jail Officer(s) of the Year:** The Jail Officer of the Year Plaque is awarded to any deputy assigned to the jail who distinguished him or herself by exceptional service during the year of the award.

**Support Services Employee of the Year:** Support Services Employee of the Year Plaque is awarded to any employee assigned to the Support Services Division who distinguished him or herself by exceptional service during the year of the award.

**Non-Commissioned Employee(s) of the Year:** Non-Commissioned Employee of the Year Plaque is awarded to any non-commissioned employee who him or herself by exceptional service during the year of the award.

**Volunteer of the Year:** Volunteer of the Year Plaque is awarded to any Reserve, Explorer or Volunteer who distinguished him or herself by exceptional service to the Sheriff's Office during the year of the award.

**Certificate of Commendation:** A Sheriff's employee is eligible to receive a Sheriff's Commendation when the employee is nominated for distinguished or outstanding achievement in the line of duty during the year of the award.

**Note:** A non-employee is eligible to be nominated to receive a Sheriff's Commendation when that person distinguishes him or herself by an action that helped in the delivery of services in a public safety event, or for a specific act that enhanced the effectiveness of the Sheriff's Office during the year of the award.

**Volunteer Excellence:** A Volunteer Excellence Award is given to a Reserve, Explorer or Volunteer who distinguished him or herself by outstanding service during the year of the award.

**Citizen Recognition:** The Citizen Recognition Certificate is awarded to any citizen who distinguished him or herself by a an action that helps in the delivery of services in a public safety event, or for a specific act, which enhances the effectiveness of the Sheriff's Office during the year of the award.

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**SUBJECT:** INTERNAL AFFAIRS

**NUMBER:** 318

**EFFECTIVE:** September 7, 2011

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to maintain a process for investigating allegations of employee misconduct with the goal of reaching an appropriate resolution to every complaint. When a complaint is made that alleges serious misconduct, which may result in major discipline, the investigation is conducted as an administrative "internal affairs" (IA) investigation. When a complaint is made that alleges misconduct not subject to major discipline the allegation may be resolved by supervisory review (SR).

In either case, it is the policy of the Boulder County Sheriff's Office to be thorough and impartial when investigating an allegation. In most cases, IA investigations are conducted independent of criminal investigations arising out of the same conduct.

**DEFINITIONS:**

Allegation of Misconduct: An alleged violation of law, policy or procedure by an employee or volunteer of the Sheriff's Office.

Internal Affairs (IA): A function within the Sheriff's Office responsible for conducting administrative investigations.

Garrity Administrative Advisement: An employee's right to make a statement or answer questions, write reports, etc. concerning allegations of misconduct under the protection of this advisement rather than Miranda.

Major discipline: A suspension of any length, demotion, punitive transfer or termination of employment.

Major misconduct: Includes, but is not limited to conduct that violates misdemeanor or felony criminal statutes; conduct that involves untruthfulness, is a violation of use of force standards, abuse of authority or that recklessly endangers another person.

Minor Misconduct: Includes, but is not limited to: conduct that involves traffic infractions, petty offenses, i.e. littering, or other technical, non-serious violations of state laws; conduct that involves discourteous interaction, unprofessional actions or minor policy violations.

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**PROCEDURE:**

I. Internal Affairs Function

- A. The Internal Affairs (IA) function is established to investigate complaints of employee misconduct.
  - 1. An employee designated by the Sheriff is responsible for maintaining a system for tracking all complaints – regardless of nature – and storing IA related investigative files.
  - 2. All information received during an internal affairs investigation is confidential. The information is only released as directed by the Sheriff or ordered by the court.
- B. The Sheriff's Office maintains an open door policy for the public and employees who wish to make a complaint against a Sheriff's employee or volunteer.

II. Initiating or Receiving Allegations of Employee Misconduct

- A. Any person may initiate an allegation of misconduct against an employee.
- B. All allegations are either investigated as an IA or assigned for supervisory review.
  - 1. Any non-supervisory employee who is contacted by a citizen wishing to make an allegation against an employee of the Sheriff's Office immediately puts the citizen in touch with a supervisor. If a supervisor is not available, the employee ascertains the nature of the allegation, completes an allegation of employee misconduct form, and forwards the information to a supervisor.
  - 2. A supervisor is responsible for ensuring an allegation of misconduct form is completed when a complaint comes to his or her attention.
  - 3. Upon receiving the complaint, the supervisor may conduct a preliminary investigation to gather information concerning the allegation. When appropriate the supervisor makes a preliminary determination if any law, statute, ordinance, rule, regulation, policy or procedure has been violated.
  - 4. When the supervisor determines that there was no violation the supervisor may attempt to resolve the complaint by explaining why the employee's actions were reasonable and appropriate.

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- a. The explanation given to the complaining party is noted on the allegation of employee misconduct form.
  - C. All allegations are forwarded to the Undersheriff.
    - 1. The Division Chief or Undersheriff notifies the Sheriff of a complaint when an employee is accused of major misconduct.
    - 2. The Undersheriff assigns the investigation as an IA or for Supervisory Review (SR)
- III. IA Investigations
  - A. Procedure
    - 1. A complaint is assigned as an IA administrative investigation when available information supports a reasonable belief that substantiation of the allegation may result in major disciplinary action.
      - a. At the discretion of the Undersheriff the investigation is assigned to the division of the employee named in the complaint or to the currently designated Sheriff's Office IA investigator.
      - b. The investigation may be assigned to the Sheriff's IA investigator when the allegation involves an excessive use of force, crosses division lines, or is projected to be of a protracted or complex nature.
      - c. The affected employee(s) may be placed on administrative leave while the matter is under investigation.
        - 1) The affected Division Chief or Undersheriff decides the duration of the administrative leave after consulting with the Sheriff and County HR and/or the County Attorney.
    - 2. The assigned investigator reviews the completed allegation of employee misconduct form.
      - a. The investigator ensures the affected employee is notified of the complaint and investigation unless such notification would compromise any facet of investigation.



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3. The employee under investigation is informed by the IA investigator of the nature of the investigation prior to being interviewed unless such notification would compromise any facet of the interview.
  - a. During the investigation the employee has the right to consult legal counsel.
    - 1) The employee's legal counsel may be allowed to be in the room with the employee during the interview at the discretion of the affected Division Chief or Undersheriff.
4. The investigator immediately notifies the Sheriff or Undersheriff when the investigator has reason to believe the employee committed a crime.
  - a. A criminal investigation follows normal investigative procedures, separate from the administrative investigation.
    - 1) Criminal investigators are not permitted to observe or participate in any interview conducted under the auspices of a Garrity administrative advisement.
  - b. The criminal investigator may conduct a full investigation up to, and including, presenting the case to the District Attorney's Office for filing of criminal charges.
5. When it is determined that a complainant or witness has knowingly made a false report against an employee, the investigator may pursue the filing of appropriate and applicable criminal charges against that person.
6. When an investigator determines that there are additional acts of misconduct that were not included in the original complaint, these acts may be included as a part of the investigation or investigated separately, at the discretion of the Undersheriff.

**IV. Supervisory Review (SR)**

- A. When the complaint alleges minor misconduct and the possible disciplinary actions do not rise to the level of a suspension or termination, the allegation may be assigned for investigation or review to the affected Division.
  1. The Division Chief ensures the direct supervisor and commander of the affected employee review the matter and conduct further investigation, when needed.

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2. The direct supervisor of the employee, or other supervisor as assigned, is responsible for resolving the complaint in a manner that meets the approval of the Division Chief.
  - a. This supervisor is responsible for communicating with the complainant, completing all related documentation, and administering discipline, coaching, counseling or re-training as indicated by the circumstances.
    - 1) Supervisors are encouraged to make use of the Sheriff's Office mediation contractor when appropriate and when the complainant agrees to participate in the mediation process.
  - b. Any disciplinary action taken is done in accordance with policy #319, Disciplinary Action and Appeals.
- B. Each Division Chief is responsible for establishing and maintaining a system for recording and tracking SR complaints. A pattern of SR level complaints against a particular employee may result in the elevation of a new complaint to the IA level.
  1. Documentation of disciplinary action is placed in the employee's personnel file.
  2. All other paperwork documenting the review, disposition and corrective steps, when taken, is placed in the employee's working file.
    - a. This paperwork is removed from the employee's file when the employee is given his or her annual evaluation.
- V. Cooperation Requirement.
  - A. Employees are required to cooperate with internal affairs investigations and supervisory reviews and must give a statement or answer questions related to the investigation.
  - B. When criminal charges are contemplated against an employee the employee may be given a Miranda advisement. Waiver of those rights may result in the use of incriminating statements in a subsequent criminal prosecution.

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- C. When an employee refuses to make a statement or answer questions after receiving a Miranda advisement the employee may be given a Garrity advisement and compelled to make a statement or answer questions or face disciplinary action, including loss of employment.
  - 1. When disciplinary action is threatened the employee may invoke Garrity and request a written promise that future statements or answers not be used in any subsequent criminal prosecution against them stemming from the related investigation.
  - 2. The IA investigator may offer Garrity protection to the employee promising that future statements or answers will not be used in any subsequent criminal prosecution against them stemming from the related investigation.
    - a. The investigator consults with the Undersheriff or affected Division Chief prior to offering Garrity protection to an employee.
- D. The IA investigator may order that an employee participate in a physical lineup; submit to a breath test, urine test, blood test, ultra violet light scan, or any other non-testimonial evidence test; or have photos taken; or, provide a voice print or hand writing sample, as needed for the investigation. Refusal to comply with any of these types of requests may result in disciplinary action, including dismissal.
- E. An employee may be ordered to submit to a polygraph examination related to the issues under investigation. Refusal to submit may result in disciplinary action, including dismissal.
- F. An employee may also be required to furnish financial disclosure information when such information relates to the investigation.

VI. Privacy Right

- A. An employee's supervisor or the assigned investigator, with the approval of the Sheriff or Undersheriff, may inspect or search all Sheriff's Office owned desks, lockers, storage spaces, rooms, offices, work areas, vehicles, equipment, as well as computer hard drives, storage files, disks, and tapes including, but not limited to, computer storage mechanisms and personal effects that are brought to the work place.
  - 1. The aforementioned search may occur at any time, without prior notice, and regardless of whether a personal lock is attached, or a password or similar security mechanism is in place to restrict access.

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- B. Communications facilities and devices within the Office may be monitored at any time under conditions permitted by law.
  - 1. Other types of communications or conversations may be monitored at any time, under conditions permitted by law.

VII Dispositions

- A. When an IA investigation is completed the investigative packet is forwarded to the affected Division Chief. The Sheriff and Undersheriff also review the investigation prior to designating a final disposition.
- B. Decision makers reviewing the investigation may consider evidence not admissible in a criminal proceeding, including compelled statements and polygraph examinations.
  - 1. The disposition of an internal affairs complaint is not conditioned on resolution of criminal charges filed against the complainant or against an employee who is a subject of the investigation.
- C. After reviewing the investigative reports, the affected Division Chief consults with the Undersheriff or Sheriff and determines the final disposition.
  - 1. The final disposition for each allegation of a complaint, not assigned as an SR, is classified in one of the following ways:
    - a. **Substantiated:** The investigation supports the allegation(s) in full, or in part.
    - b. **Exonerated:** The facts of the allegation(s) are not in dispute; however, the employee's conduct was reasonable and appropriate given the circumstances.
    - c. **Unfounded:** The allegation(s) was false, disproved and/or unsupported by the evidence.
    - d. **Inconclusive:** The investigation did not produce sufficient evidence to either prove or disprove the allegation(s).
  - 2. Discipline is administered, when applicable, as provided in the Disciplinary Actions and Appeals Policy #319.
  - 3. The investigating officer does not make recommendations concerning discipline, or suggest a case disposition, in any of the investigative reports.

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VIII. Notifications

- A. After completion of the IA investigation and final disposition, the Division Chief notifies the complainant and the employee of the outcome of the investigation and documents this notification for inclusion in the IA file.
- B. Complainants are not advised of the specific disciplinary action taken unless authorized by the Sheriff.
- C. Copies of this policy are available to members of the general public upon request.
- D. In accordance with case law requiring the District Attorney's Office to provide information to a defense attorney as to the credibility of a witness, (i.e. Brady v. Maryland, Giglio v. United States, etc.) it is the responsibility of the Undersheriff to ensure the District Attorney's Office is provided with the identity of any deputy found to have been untruthful in any aspect of an IA or SR investigation.

IX. File Storage and Retention

- A. A person is designated by the Sheriff to maintain IA investigative files.
- B. The files are to be physically located in file storage containers that are lockable and placed in a room that has limited access.
- C. IA investigative files are maintained for the duration of a person's employment with the Sheriff's Office, plus five years.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** DISCIPLINARY ACTION AND APPEALS

**NUMBER:** 319

**EFFECTIVE:** May 22, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to correct inappropriate behavior or unsatisfactory performance of employees through reasonable and appropriate disciplinary actions when necessary to ensure the effectiveness of the Sheriff's Office and to maintain the public's trust.

The Sheriff's Office may invoke disciplinary sanctions for violations of law, rule, policy, and procedure, or for actions, or failures to act, which are in conflict with the Sheriff's Office's mission, goals, values and management principles. In addition, disciplinary sanctions may be imposed for acts or omissions that contribute to the lack of good order and discipline of the Sheriff's Office.

When administering discipline, supervisors are to consider all available information, including but not limited to: the nature and circumstances of the situation, aggravating factors, mitigating factors, past violations and work history.

All employees are subject to the provisions of the policy, with the exception of the following:

- Probationary Employees
- Term Employees
- Temporary Employees
- Volunteers, Reserves and Explorers

Employees in any of the above categories may be disciplined, dismissed, or have their conditional offer of employment withdrawn, without cause or prior notice upon the review and approval of their Division Chief or the Sheriff. These employees will be so notified at the time of hire.

**DEFINITIONS:**

Administrative Leave: Leave with pay.

Employee: Any person hired for a Full Time Equivalent (FTE), including 1.0 (100%) FTE, part-time (less than 100%) FTE or job share FTE, and any person hired as a term, temporary or hourly employee, or as a volunteer for the Sheriff's Office.

FTE: Full Time Equivalent salaried employee, with benefits.

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Hourly Employee: An employee hired to work forty or fewer hours per week and who does not receive all of the same benefits received by an FTE.

Pre-disciplinary hearing: A formal segment of the disciplinary process that provides a forum for the supervisor and employee to have a discussion regarding the circumstances that were the catalyst to the initiation of the disciplinary process while also giving the employee an opportunity to plead their case and provide information that explains or mitigates their conduct, performance, behavior, etc. It is conducted prior to the imposing of any type of discipline action when the contemplated discipline is a letter of reprimand or higher.

Probationary Employee: An employee within the first 12 months of continuous Sheriff's Office employment during which time his or her suitability for a regular position is evaluated.

Suspension: Disciplinary action resulting in time off without pay.

Term Employee: An employee hired for a limited, specified period of time.

Temporary Employee: An employee hired for a limited period of time.

Volunteer: An individual who chooses to perform a function within the Sheriff's Office without monetary compensation.

### **PROCEDURE:**

- I. Grounds for Discipline or Dismissal
  - A. An employee may be disciplined or dismissed for violations of the Sheriff's Office policy #310, Code of Conduct, in the Sheriff's Office policy manual.
- II. Standard Order of Discipline
  - A. A supervisor administers corrective action in a manner that gives an employee the opportunity to improve or correct performance or conduct prior to dismissal, except in circumstances where the type of misconduct requires more serious and/or immediate disciplinary action.
- III. Administrative Leave Pending Investigation of Charges
  - A. Any supervisor in the employee's chain-of-command is authorized to place a subordinate on administrative leave pending review by the employee's Division Chief, when:
    1. It is determined to be in the best interest of the employee, the Sheriff's Office or the public.
    2. The employee is emotionally unfit for duty.

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3. The employee is believed to be under the influence of intoxicants or drugs.
  4. The employee was involved in a significant law enforcement action and is the subject of an investigation as to the appropriateness of his or her conduct in that action, i.e. officer involved shooting, pursuit ending in death or serious injury to suspect(s), etc.
- B. The Division Chief consults with the Undersheriff or Sheriff regarding the purpose and duration of the administrative leave. The Undersheriff ensures that appropriate notifications are made to County Human Resources and the County Attorney's Office of the employee's status
- C. There is no appeal of the administrative leave beyond requesting that the Division Chief reduce or rescind the administrative leave.

IV. Disciplinary Action

- A. A disciplinary action that is an oral or written reprimand, suspension, demotion, reassignment or termination may be imposed on an employee when necessary in response to unsatisfactory work performance or inappropriate work behavior or conduct.
- B. Prior to taking disciplinary action the supervisor contemplating the action works through his or her chain-of-command and confers with the Division Chief. The Division Chief decides if the responsibility for determining and imposing discipline remains with the supervisor or if it is to be handled by the Division Chief.
- C. First line supervisors and Commanders are authorized to give an employee an oral or written reprimand when necessary to discipline the employee for unsatisfactory work performance or behavior.
- D. A Division Chief and the Undersheriff are authorized to give an employee an oral or written reprimand and/or, suspension and can recommend demotion or termination in response to an employee's unsatisfactory work performance, behavior or conduct.
1. The employee's Division Chief – or, in the case of the Administration Section, the Undersheriff - is the only supervisor in the employee's chain-of-command authorized to impose a suspension, of one to three days.
- E. The employee's Division Chief/Undersheriff is authorized to reassign an



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employee within their own division as a disciplinary action when the reassignment is deemed to be in the best interests of the Sheriff's Office.

1. Reassignment to another division/section within the Sheriff's Office requires the approval of the Sheriff.

V. Pre-disciplinary Hearing

A. Before imposing any type of disciplinary action, other than an oral reprimand, the supervisor who is responsible for taking the action is required to conduct a pre-disciplinary hearing with the employee.

1. The supervisor prepares a letter stating the grounds on which the disciplinary action is based and the discipline contemplated.
2. The letter is provided to the employee prior to a pre-disciplinary hearing. The exact discipline is determined only after the employee has had an opportunity to reply to the charges, and present mitigating information.
  - a. Supervisors are required to provide employees with a minimum of 24 hours' notice of a pre-disciplinary hearing.
  - b. The written notification is to include the nature of the charge against the employee and a description of the possible disciplinary actions.
  - c. Employees do not have a right to have witnesses present at the pre-disciplinary hearing, but may present written statements from any witnesses.
  - d. The employee may request that his or her attorney be present during the hearing. The employee's Division Chief, or Sheriff, decides who is permitted to attend the pre-disciplinary hearing besides the supervisor and employee.
  - e. The employee's responses to the allegations are to be factored into the final decision of the type discipline or corrective actions to be taken by the supervisor.
  - f. The employee may waive the hearing or decline to attend.

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When the hearing is waived, or the employee does not attend the hearing, it is presumed that the information possessed by the supervisor is sufficient to take appropriate disciplinary action.

3. After the pre-disciplinary hearing and a review of the employee's response to the charges, the supervisor provides the employee with a final written disciplinary action letter/memo that provides justification for the decision and a description of the disciplinary or corrective actions.
4. It is the responsibility of the supervisor to ensure copies of all related reports are forwarded via the chain of command to the Division Chief, the Undersheriff, and Sheriff.

VI. Appeal Process

- A. An employee has the right to appeal any disciplinary action other than an oral reprimand. The appeal is to the Undersheriff. The appeal is in writing and is provided to the Undersheriff within seven calendar days of the date of the discipline.
  1. When the disciplinary action is initiated by the Undersheriff the appeal is to the Sheriff.
- B. Written appeals are to state the reasons why the discipline should be reversed. The appeal is considered when it is based on one of the following:
  1. Information or evidence that tends to mitigate or exonerate the employee of the allegations was not considered by the supervisor taking the disciplinary action.
  2. There is new evidence that substantially changes the facts of the case.
  3. The finding was not objectively reasonable in light of the facts of the case.
  4. The sanctions to be imposed are overly harsh in light of previous disciplinary action taken for similar types of misconduct.
  5. The disciplinary action taken did not comply with Sheriff's Office policy.
- C. The imposed disciplinary action is to be held in abeyance until after the

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appeal date has expired, or until the employee indicates he or she does not intend to appeal, or until the Undersheriff makes a ruling on the appeal.

- D. The Undersheriff reviews the appeal within seven calendar days of receipt.
  - 1. The Undersheriff denies or affirms the appeal, in full or in part, and upholds the disciplinary or corrective actions imposed by the supervisor, modifies them or vacates them entirely.
  - 2. The Undersheriff then forwards his or her findings to the employee, the employee's supervisor, the employee's division chief and the Sheriff.
- G. There is no further appeal from the findings of the Undersheriff.

VII. Termination or Demotion Only Imposed by the Sheriff

- A. A Sheriff's Office employee cannot be demoted or terminated by anyone other than the Sheriff. The process for demoting or terminating an employee is initiated when the employee's Division Chief or the Undersheriff conducts a pre-disciplinary hearing in accordance with this policy and determines that termination or demotion is the appropriate disciplinary action in light of the employee's conduct or performance and recommends one or the other to the Sheriff.
  - 1. The Division Chief or Undersheriff provides the employee and the Sheriff with a letter describing the reasons for the demotion or termination recommendation.
- B. The Sheriff notifies the employee in writing of the recommendation and schedules a pre-disciplinary hearing. The employee receives a minimum of 24-hours' notice of the hearing.
- C. During the hearing with the Sheriff, the employee is given the opportunity to reply to the charges, and present mitigating information. The Sheriff may allow or request others to be present.
  - 1. The Sheriff decides on a course of action that may include, but is not limited to, the following:
    - a. Dismiss the employee.
    - b. Demote or reassign the employee.
    - c. Impose lesser disciplinary sanctions.

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- d. Exonerate the employee of any wrong doing.
  - e. Take any other action deemed appropriate including directing that additional investigation be conducted.
- D. The Sheriff notifies the employee in writing of the findings, the action taken, the grounds for such action, and if appropriate, the particular facts upon which the decision was based. This notification is made within seven days of the end of the hearing.

VIII. Appeal of Disciplinary Action by the Sheriff.

- A. Appeals of disciplinary action imposed by the Sheriff are made in writing to the Sheriff within seven days of receipt of notice of the disciplinary action. Grounds for appeal are limited to the same as those listed in Section VI, paragraph B.
- B. The Sheriff reviews the appeal and makes a final ruling as soon as practical after receipt.
  - 1. There is no further appeal of the Sheriff's decision.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** LEGAL REPRESENTATION FOR EMPLOYEES

**NUMBER:** 320

**EFFECTIVE:** February 6, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office that employees who are sued as a direct result of their employment with the Sheriff's Office are provided with legal counsel at the County's expense, subject to the limitations of CRS 24-10-110. This statute specifically prohibits payment of legal expense of public employees when the action or inaction resulting in the claim is not a result from the performance of the employee's duties or when it is determined that the act or omission was the result of willful, wanton, or criminal action on the part of the employee.

It is the policy of the Sheriff's Office that legal representation for employees will ordinarily be provided by the County Attorney's Office. Employees must obtain the consent of the Sheriff when they wish to have the County pay expenses for private counsel. Employees do not need permission from the Sheriff for hiring attorneys at the employee's own expense.

**PROCEDURE:**

- I. Employee Procedures When Notified of Litigation
  - A. Employees notify their Division Chief that they have been named as a defendant in a civil action or as a principal in a criminal or grand jury investigation when such litigation arises from an act or omission of such employee occurring during the performance of his or her duties and within the scope of his or her employment, except where such act or omission is willful and wanton. Employees include in the notification:
    1. Copies of any legal documents involved.
    2. Copies of all reports and investigative documents previously compiled by the Boulder County Sheriff's Office on the subject of the litigation in question.
  - B. Division Chiefs advise the Sheriff of the situation as soon as practical after receiving notification.

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- C. The Sheriff and affected Division Chief determine if the employee will be represented by the legal staff (District Attorney or County Attorney) of Boulder County or if the employee will be referred to legal counsel of his or her own choosing. In making their determination the Sheriff and Division Chief may consult CRS 24-10-110, the District Attorney and/or the County Attorney.
- D. The Division Chief notifies the employee of the decision as soon as possible.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** WORKERS' COMPENSATION INSURANCE

**NUMBER:** 321

**EFFECTIVE:** August 10, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to support the Workers' compensation Act, which provides monetary relief for employees who suffer injuries or death in the course of their employment. Workers' compensation is provided to all Boulder County employees and is paid by the County. The Boulder County Risk Manager administers the program.

It is the responsibility of all employees to recognize unsafe conditions, practices and equipment. Such conditions are to be reported to a supervisor immediately and appropriate measures are to be initiated to mitigate the circumstances where possible.

It is the responsibility of the Division Chiefs to investigate on-the-job injuries and make appropriate corrections and recommendations to mitigate unsafe conditions.

**DEFINITIONS:**

On the job injury: Any injury received by an employee performing service arising out of, and in the course of, employment with Boulder County, and the injury was not intentionally self-inflicted.

**PROCEDURE:**

- I. Reporting On the Job Injuries
  - A. Employees are to immediately report all personal work related injuries or medical conditions to their supervisor. All documentation is to be forwarded to the Sheriff's Personnel Section prior to the end of the shift on which the accident or injury occurred. The Sheriff's Personnel Section forwards the completed forms to County Risk Management as soon as practical after receipt.
  - B. Medical conditions or cumulative injuries which manifest over a period of time due to on the job exposure are to be reported as soon as practical once it has been determined that the condition is likely caused by work activities.
    1. An on the job injury can be a minor first aid case or an injury that requires professional medical attention. In either case, the injury must be reported to the employee's supervisor prior to the end of the shift in which the accident or activity occurred.



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2. Upon verbal notification of an on-the-job injury, the supervisor and employee meet as soon as practical and complete the Boulder County Sheriff's Office workers' compensation reporting form. In the event of a medical emergency, the employee is to seek medical attention and the workers' compensation reporting form is completed as soon as is practical.
3. When an employee sustains an injury duty that is significant enough to report to a supervisor the employee should seek an evaluation at a designated medical service provider immediately, or if after hours, no later than the next business day.

**II. Designated Medical Service Providers**

- A. When medical treatment is required one of the County's designated medical service providers is to be utilized where possible. After hours medical or emergency care may be sought at a designated emergency room. If follow-up care is required, employees are to report to a designated medical service provider (a regular-hours clinic) the next day. Medical emergencies may be taken to the most appropriate medical care facility.
  1. Refer to Boulder County policy for current designated clinics, hospitals and emergency rooms.

**III. Referrals**

- A. The attending workers' comp doctor, in collaboration with County Risk Management, has the authority and responsibility to make a referral to another doctor or specialist as necessary. When an employee feels that he or she is not improving with treatment, the employee is encouraged to discuss the matter with the attending physician and Risk Management.
- B. Request for Personal Physician
  1. An employee may request to see a physician of their choice after being seen by a doctor at one of the designated clinics. The employee makes the request to the county Workers' comp administrator.
  2. If the request is denied, the employee still has the right to have a physician of their choice consult with the physicians at the designated clinic and be present at an examination by the clinic doctors. The employee is responsible for the cost of this consultation.

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IV. Injury Leave

- A. Time taken off as injury leave is to be based on the diagnosis of a Boulder County designated workers' comp doctor.
  - 1. Injury leave is paid in accordance with County Policy.
- B. Time spent for follow-up care with a doctor, physical therapist, or other designated and approved health care provider is counted as time worked. Therefore,
  - 1. An employee may attend follow-up care and/or treatment appointments during his or her duty shift when approved by his or her supervisor.
  - 2. When an employee attends follow-up care and/or treatment appointments during off-duty hours the time spent including travel time is counted as time worked in that work period.
    - a. However, workers' comp related appointments that occur off-duty are a "job related, pre-planned event" and are adjusted 1-to-1 against any hours taken off within that same work period. (See policy #302, II. E. 1.).

V. Return to Work

- A. The employee submits a request in writing to return to work to his or her Division Chief and provides documentation from the workers' comp doctor that the employee is cleared to return to either full or modified duty.
- B. The Division Chief approves the request in accordance with Sheriff's Policy #316.
  - 1. The employee may be required to take and pass the EJD test prior to receiving approval from the Division Chief to return to full duty.

VI. Billing

- A. Workers' compensation funds pay for employee medical expenses for an on the job injury.
- B. All Workers compensation related bills are forwarded to county risk management.

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VII. Payroll Reporting

- A. When an employee is injured on the job and is off work due to the injury, the employee or supervisor chooses "Workers' comp" on the pull-down menu on the online payroll screen.

VIII. Case Management

- A. The Sheriff's Personnel Section is responsible for coordinating the Workers' compensation claim between the employee and the County Risk Management Office.
  - 1. It is the responsibility of the injured employee to keep the Division Chief informed of his or her status.

VIX. Prevention and Investigation

- A. All employees have a responsibility to be alert for, and aware of, potential hazards and, when feasible, take action to correct or prevent circumstances that may be dangerous.
  - 1. It is recognized that public safety functions, have inherent risks, which are beyond the control of employees.
  - 2. In an effort to prevent or mitigate injuries, dangerous or at risk circumstances are to be reported to a supervisor as soon as practical.
- B. Division Chiefs are responsible for completing an investigation of any workers' compensation injury when the proximate cause is related to any training session, standard operating procedure or is judged to have been foreseeable.
  - 1. Investigations should focus on cause and remedy to prevent similar incidents.
  - 2. Completed reports are to be forwarded to the Personnel Section and the Sheriff for review.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** BADGES

**NUMBER:** 322

**EFFECTIVE:** November 14, 2011

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to have a designated employee, normally within the sheriff's personnel section or division, responsible for the purchase, issuance, and inventory of all Sheriff's Office metal badges.

The purpose of this policy is to ensure badge inventory control and to limit badge ownership to authorized persons.

**DEFINITIONS:**

Uniform Shirt Badge: The standard issue shirt badge is a convex style, seven point shaped metal badge that normally utilizes a pin mechanism on the back to secure to on a uniform shirt or on a belt holder.

Wallet Badge: This type of badge is a flat, seven point shaped metal badge generally contained in a leather holder or wallet.

**PROCEDURE:**

- I. Issuance of Badges
  - A. The Sheriff's Office Personnel Section issues one shirt badge to employees who are required to wear a uniform on a regular or assigned basis.
    1. All badges must be turned in to personnel upon termination or when transferring to a classification not requiring their use.
  - B. A deputy who has been authorized by his or her Division Chief to carry a concealed weapon as a Sheriff's deputy is issued one wallet badge.
- II. Personal Purchase
  - A. Current and former employees are authorized to purchase a badge when agreeing to the conditions of ownership signified by signing the purchase agreement form. (See Attachment "A", Badge Purchase Agreement form)
    1. The cost of each badge is the current retail replacement cost unless a price adjustment is authorized by the Sheriff or Sheriff's designee.

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- B. Upon approval of the Sheriff, or Sheriff's designee, a sheriff's badge may be sold to an individual who is a collector or who wants to permanently mount and display the badge for a lawful purpose. This individual is also required to agree to the conditions of ownership and to sign the "Badge Purchase Agreement" form.

III. Commemorative Issuances to Deputies

- A. A Division Chief is authorized to approve the permanent mounting of a wallet or shirt badge on a plaque for commemorative purposes and the issuance of a "retirement" wallet badge to a deputy when the following criteria is met:
  - 1. The recipient has served as a deputy for an aggregate minimum of 10 years.
  - 2. The recipient is leaving employment with the Sheriff's Office in good standing.
- B. The Division Chief or designee is responsible for coordinating this process with the Sheriff's Personnel section.

IV. Lost or Stolen Badges

- A. When a badge is lost or stolen the affected deputy is to report is loss to his or her Division Chief through the appropriate chain-of-command as soon as possible.
- B. The deputy completes a report as soon as practical.
- C. The deputy coordinates with his or her immediate supervisor to ensure the lost or stolen badge is entered into CCIC/NCIC databases, when applicable Additional follow-up and investigation is conducted through normal case assignment.
- D. Replacement cost for a lost badge is the responsibility of the employee assigned the badge, unless his requirement is waived by his or her Division Chief.
  - 1. The employee is not required to pay for the replacement of a stolen badge.

V. Inventory of Badges

- A. It is the responsibility of the designated employee, normally within the sheriff's personnel section, to maintain an inventory of badges and to purchase new badges, as needed.

**BOULDER COUNTY SHERIFF'S OFFICE  
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- B. Each badge is to have an identifying number engraved on the back to aid in inventory tracking and control.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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ATTACHMENT "A"

Boulder County Sheriff's Office  
BADGE PURCHASE AGREEMENT

The undersigned agrees to purchase Boulder County Sheriff's Office, badge #: \_\_\_\_\_

Serial #: \_\_\_\_\_ on (date): \_\_\_\_\_ for the amount of: \_\_\_\_\_.

As a condition of this purchase the undersigned agrees to use the badge for a collection or display only. The purchaser agrees that the badge will not be resold, will be protected from possession by an unauthorized person and will not be used as identification in any form.

I, (print name) \_\_\_\_\_ agree to abide by the conditions of this agreement in exchange for permission to purchase and possess the above-described badge.

Signed,

\_\_\_\_\_

Date

\_\_\_\_\_

Complete the following when purchased by a civilian.

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone (H)

\_\_\_\_\_  
Phone (C)

\_\_\_\_\_  
Driver's license Number/State



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**SUBJECT:** Electronic Communications

**Number:** 325

**EFFECTIVE:** January 25, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office that when Sheriff's personnel use any electronic devices, including but not limited to, mobile data computers (MDC's), radios, cell phones, smart phones, computers, computer applications, computer programs, Internet resources and network/Internet communications, they do so in a responsible, professional, ethical, and lawful manner.

**DEFINITIONS:**

Electronic Communications: Electronic communications include any communications, statements, postings, comments, or images that may be disseminated, sent or received, utilizing any electronic device, including a desktop computer, laptop, I-pad, cell phone, smart phone, or any other electronic device capable of electronic communications.

Social Networking: Social networking is an example of electronic communication. Social networking involves social network sites that use internet services to allow individuals to construct a public or semi-public profile within that system, define a list of other users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design may vary from site to site. Examples of the types of internet based social networking sites include: blogs, networking sites, photo sharing, video sharing, micro-blogging, podcasts, accessing chat rooms of any type, and any electronic communications posted on any such sites including Facebook, MySpace, YouTube, etc. **The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy.**

**PROCEDURE:**

I. Self-Identification

- A. Employees may identify themselves as representatives of the agency when communicating electronically. However, when they do so, either on their own site, or in any other manner as set out in this policy, their actions may reflect on the Sheriff's Office and are to conform to the Sheriff's Office electronic communications policy. Self-identification can include the acknowledgement in the user profile for work experience, job title, etc., by identifying oneself as an employee of the agency. If the employee identifies themselves as an employee of the agency, they take on the responsibility of representing the agency in a professional manner. If the employee does self-identify themselves as a member of the agency, the employee will at a minimum post

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on their social networking sites a disclaimer that makes it clear that the opinions expressed are solely those of the employee and do not represent the views of the agency.

The disclaimer is to read as follows:

**“The posts on this site, including but not limited to images, links and comments left by readers, are my own and do not necessarily represent my employer’s positions or opinions.”**

1. An employee, whether he/she has self-identified himself/ herself as an employee of this agency, shall at all times follow all requirements of this policy.

### B. Confidential and Law Enforcement Sensitive Information

Employees are to take proper care not to purposefully or inadvertently disclose any information that is confidential or law enforcement sensitive.

1. Employees are required to consult the agency’s other policies concerning what constitutes confidential or law enforcement sensitive information.
2. Employees are to honor the privacy rights of their fellow employees, past or present, by seeking their permission before writing about or displaying internal agency activities that might be considered to be a breach of privacy and confidentiality.

### C. Terms of Service

Social networking sites require that users, when signing up, agree to abide by a terms of service (TOS) document. Agency employees are responsible for reading, knowing, and complying with the TOS of the sites they use. For example, most TOS agreements prohibit users from giving false names or other false information.

### D. Copyright

Employees are to comply with the law in regard to copyright/plagiarism at all times. Posting of someone else’s work without permission is prohibited.

1. Employees are to comply with laws related to libel and defamation of character.

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2. Employees may not use the agency's logos or other identifying items related to their employment without first obtaining written permission from the Sheriff.

E. Productivity

Employees are to comply with general agency internet use policies and recognize that all time and efforts spent on a personal site, or accessing other sites for personal reasons, is to be done on their personal time, or as allowed by their supervisor, and does not interfere with their job duties.

F. Content

Employees are not to utilize any county provided computer or electronic device to access sites or images which would be potentially embarrassing to the agency or fellow employees. Examples include nudity, pornography, gambling or gaming sites, etc.

1. Exceptions are made for investigative purposes with the approval of a supervisor.

II. E-Mail Communications

- A. Employee email accounts are the property of Boulder County and are subject to review by any Boulder County Internet Technician or at the request of any Boulder County Sheriff's Office supervisor.
- B. Employees are not to auto-forward any Sheriff's Office emails to their personal email accounts. This particularly includes email containing criminal justice data such as CCIC/NCIC information, Executive Summary/Pass On, CIAC Bulletins, reports generated by the Crime Analyst, including Criminal Intelligence Reports, etc. Forwarding such emails to a personal email account may constitute a violation of state and/or federal statutes and regulations protecting such information.
- C. Employees may access Sheriff's Office (work) email accounts from their personal electronic devices, however, employees are to exercise care to prevent sensitive/confidential criminal justice information and law enforcement information from being viewed by the general public.
- D. Employees who do use their personal electronic device to access Sheriff's Office (work) email accounts may be court ordered to produce all of the contents of their personal electronic device in legal proceedings or court ordered records requests.

III. Disciplinary Action

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- A. Employees are to use common sense in all communications, whether on their own site or a site that is accessible to everyone. Anything written or posted on their own site or any other networking site as defined in this policy could potentially be grounds for discipline.
  
- B. Employees may face disciplinary action for violations of this policy and for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment, or any other information that may be deemed by the Sheriff to present the employee, another employee or the agency in an unprofessional light.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** TRAINING

**NUMBER:** 401

**EFFECTIVE:** February 23 2007

**POLICY:**

It is the policy of that Sheriff's Office that all deputies annually receive a minimum of 20 hours of job related education or training.

In addition to the training required by this policy, training in weapons proficiency and use is required. See policy number 513 for details.

**PROCEDURE:**

- I. Responsibility for Implementation of Training
  - A. Each Division Chief is responsible for the training within his or her division. Training includes pre-service training, on-the-job or FTO training, briefing training, and in-service training.
  - B. Each Division Chief is responsible for establishing and maintaining written lesson plans for their division's training and education courses. Division Chiefs, or designee, annually review the lesson plans with their training coordinator(s).
  - C. Division Chiefs meet annually with the Sheriff, or Sheriff's designee, to establish the priorities for in-service training. The Sheriff's Administrative Staff reviews in-service training curriculums prior to implementation.
    1. A written lesson plan is required for each training class.
- II. Training Documentation
  - A. Each Division Chief ensures that training is properly documented. Documentation includes the content of the training, the dates and times of the training, the names of the attendees, the names of instructors, the certification obtained and the results of testing or other performance measures.
  - B. The divisional training coordinators are responsible for maintaining training records for each Sheriff's Office employee.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** LAW ENFORCEMENT TRAINING ACADEMIES

**NUMBER:** 402

**EFFECTIVE:** March 14, 2007

**POLICY:**

It is the policy of the Sheriff's Office to annually set aside money to send selected personnel to a Colorado Peace Officer Standards and Training (POST) accredited law enforcement training academy as the budget permits. The Sheriff has delegated authority to Division Chiefs to allow the use of adjusted schedules to accommodate an employee selected to attend an academy.

**PROCEDURE:**

I. External Applicants

- A. Based upon available money, the Sheriff's Office may approve a recruitment and selection strategy, which waives the certification requirement for applicants seeking patrol deputy positions or other positions requiring POST certification.
  - 1. An external applicant selected for a Deputy I position, may be sent to a Colorado POST accredited law enforcement academy at Sheriff's Office expense.
  - 2. While attending an academy, the new employee is placed in the county pay classification system at a salary level below that of the Deputy I. Upon successful completion of the academy the employee is upgraded to Deputy I.

II. Internal Applicants

- A. A selection process may be conducted periodically to identify current employees eligible to attend a POST accredited academy.
- B. Generally, an employee may be considered for the selection process when the employee requires POST certification to become eligible to be a deputy assigned to the Operations Division or for the purpose of personal development to compete in a promotion process.
- C. Attending the academy is the selected employee's temporary job assignment. During this assignment the employee is responsible for meeting all academy requirements and complying with academy policies, rules and regulations.



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1. The selected employee receives their current salary for the duration of the academy.
2. When selected to fill a Deputy I position the employee is reclassified to a Deputy I, when applicable, upon successful completion of the academy.

III. Option to Bypass Internal Process

- A. Employees may bypass the selection process and request to attend a POST Law Enforcement Academy on their own time and expense.
  1. An employee choosing this option applies to their Division Chief by way of their chain-of-command.
  2. The Division Chief has the authority to deny this request when, in his or her judgment, the employee's attendance would unreasonably interfere with the employee's job assignment.
  3. The Division Chief may authorize a modified schedule in order to assist the employee in attending an academy.

IV. Transportation

- A. The selected academy is considered the employee's duty station for the duration of academy training and the employee is responsible for arranging for all related transportation needs.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** STUDENT INTERNSHIPS

**NUMBER:** 412

**EFFECTIVE:** March 14, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to support regional college and university intern programs to the extent possible.

**PROCEDURE:**

I. Eligibility

- A. A student enrolled in a college or university, and pursuing a course of study related to public safety is eligible to apply to be a Sheriff's intern when the school sanctions the program and the student receives academic credit upon successful completion.
- B. The number of intern positions provided is subject to the availability of personnel to provide guidance and oversight to a student.
- C. A CCIC/NCIC background investigation is conducted on an applicant prior to the granting of an internship.
- D. The Sheriff and the affected Division Chief approve an applicant for an intern position.

II. Application

- A. The person applying for an intern position submits a Sheriff's Office volunteer application to the personnel section. A formal letter from the applicant's class instructor verifying that the student receives academic credit for the internship is required prior to acceptance.

III. Limitations

- A. An intern is a civilian position and has no authority to act in a law enforcement capacity.
- B. A Sheriff's Office employee is assigned to act as a mentor for an intern. The mentor is responsible for formulating a balanced program that provides exposure to the overall functions of the Sheriff's Office while addressing the specific field of study required.

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- C. An internship is normally a school semester in duration. However, the time period may be extended or reduced by the Sheriff or the affected Division Chief.

IV. Scope of Internships

- A. The duties to be performed and the areas of the Sheriff's Office the intern will experience are based on the capability of the Sheriff's Office to accommodate the requirements of the intern's program goals as established by the school.
  - 1. The student's instructor and the affected Division Chief, or designee, agree on the areas of experience that an intern is required to pursue prior to the beginning of the internship.
- B. An employee ID card is issued to the intern. The mentor, with supervisor approval, may grant the intern independent access to various Sheriff's Office facilities.

V. Orientation

- A. An orientation and tour of the various divisions of the Sheriff's Office occurs as a precursor to the program. An employee is assigned the responsibility for ensuring the intern receives instruction in applicable Sheriff's Office policies and procedures.

VI. Conclusion of Internship

- A. As a condition of serving as an intern the student agrees to allow the Sheriff's Office to keep a personnel file that includes the student's application and a record of the internship. The file may also include copies of associated notes, term papers, and any other related material as requested by the mentor and approved by the student.
  - 1. The intern's mentor is responsible for completing and submitting any forms or other documents required by the student's instructor during the course of the internship.
  - 2. The mentor completes a Sheriff's Office evaluation of the intern prior to the end of the internship. The evaluation is placed in the intern's personnel file and a copy is provided to the intern.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** CRITICAL AND POST TRAUMATIC INCIDENT

**NUMBER:** 501

**EFFECTIVE:** March 18, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to facilitate access to personal and professional support for employees who experience an on-duty critical or traumatic event.

It is also the philosophy of the Boulder County Sheriff's Office to make rapid and appropriate notifications along with the offer of appropriate assistance to the families of employees who might be injured or killed on duty.

**DEFINITIONS:**

Critical or Traumatic Event: An event that is outside the range of usual human experience that would be distressing to almost anyone, e.g., an officer involved shooting, serious threat to one's life or well being; serious threat or harm to one's children, spouse, or other close relative and friend; sudden destruction of one's home or community; or seeing another person who is being seriously injured or killed as the result of an accident or violent act or encounter.

**PROCEDURE:**

I. Post - Traumatic Event Process

- A. As soon as practical after a traumatic event, any employee directly involved in the event gives a preliminary statement to an on-scene supervisor that provides enough detail about that employee's actions or observations during the event that investigators get a basic understanding of what occurred, i.e. location of suspects, size and location of crime scene, scope of employee's involvement, etc.
- B. An involved employee is then afforded a reasonable recovery time; opportunities to make any notification desired, and consult with an attorney prior to a formal, in depth, investigative interview.
  1. A supervisor or an employee of the Sheriff's Office may be assigned to act as a liaison with the family to answer questions and to see to any reasonable needs.
  2. When needed transport arrangements are made to bring a friend or family member to the employee's location.

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- C. The affected employee is provided an opportunity to attend a confidential debriefing session with a trained counselor as soon as possible (preferably within 24 hours) following the event.
    - 1. The employee's Division Chief or designee is responsible for working with the employee to make arrangements for the debriefing session.
  - D. A Division Chief is authorized to give administrative leave to an employee involved in a traumatic event.
    - 1. The Division Chief notifies the Sheriff and Undersheriff of the decision to put the employee administrative leave.
    - 2. At the conclusion of the administrative leave the Division Chief is authorized to return the employee to work in the employee's normal assignment or, in a different assignment, until such time as the employee is able to return to full duty in their normal assignment.
  - E. The Sheriff may authorize the expenditure of Sheriff's Office funds to pay for counseling for the employee and his or her family when it is deemed necessary.
  - F. Division Chiefs and supervisors are responsible for informing their employees of pertinent facts concerning the event as approved by the Sheriff.
- II. Death or Serious Injury on Duty
- A. All employees are given the opportunity to designate a person to contact in the case of an emergency.
    - 1. This information is compiled and maintained by the Personnel Section and kept in the employees' personnel files.
  - B. The on-duty supervisor is notified as soon as possible in the event of the on-duty death or serious injury of an employee.
  - C. The supervisor ensures that the Sheriff, the employee's Division Chief and the Community Assistance Program Director are also notified as soon as possible.
  - D. The Sheriff and Community Assistance Program (CAP) Director work with the Coroner to ensure notification is made to the employee's designated emergency contact and immediate family.
    - 1. The CAP Director is responsible for arranging appropriate advocacy

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contact and follow-up with the employee's immediate family.

- E. The liaison works with the immediate family to identify and resolve any needs or problems brought on, or exacerbated, by the employee's death or injury.
- F. The Sheriff's Personnel Section works with the liaison and County HR to assist the employee and his or her family in accessing applicable benefits and/or navigate insurance claim processes.
- G. The CAP Director works with the liaison to coordinate longer-term follow up between the family and the Sheriff's Office.

III. Off-Duty Death or Serious Injury

- A. An employee receiving notification of the death or serious injury of an off-duty employee is to immediately notify the on-duty Watch Commander.
  - 1. The Watch Commander ensures notification is made to the Sheriff and executive staff.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

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**SUBJECT:** USE OF FORCE

**NUMBER:** 502

**EFFECTIVE:** April 2, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office for deputies to comply with the laws of the State of Colorado and use only the amount of physical force that is objectively reasonable to affect an arrest, prevent an escape, defend themselves or another from bodily harm, or preserve the peace. The Sheriff's Office recognizes that deputies will encounter infinitely variable situations in the performance of their duties. Variables in size, strength, and fighting skill will be encountered between officers and potential adversaries. Persons against whom force may be used can be under the influence of alcohol or drugs. They may suffer from mental illness. Their willingness to comply with an officer's directions will vary widely and can change quickly.

In light of these factors, the Sheriff's Office recognizes that objectively reasonable force used by deputies cannot always begin with the lowest levels of force. Further, because of differences in size and strength between deputies, different levels of force may be objectively reasonable for different deputies in similar situations.

The Sheriff's Office use of force training regime instills in deputies the capability to assess the potential harm that might result from use of force actions. The Sheriff's Office teaches deputies a variety of tactics and skills including the use of verbal tactics, control holds, conducted energy devices (CED, i.e. taser), chemical agents, strikes and kicks, less-lethal impact weapons and firearms. Additionally, canine and Special Weapons and Tactics units are maintained to provide further options for resolving use of force situations. Deputies assess situations and their own abilities and training, select the tactics and level of force that they believe is proportional to the need, and will successfully resolve the situation.

These decisions are then subject to Sheriff's Office review and may also be reviewed by criminal and civil courts.

Applicable Statutes: Colorado Revised Statutes: 18-1-701 through 18-1-710; 18-3-201; 18-8-103, 18-8-104 and 18-8-801 through 18-8-803.



# BOULDER COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES MANUAL

## DEFINITIONS:

Objectively Reasonable: Courts use this term as the standard by which officers' actions will be evaluated in use of force situations. The United States Supreme Court has ruled that because police officers are often forced to make split-second judgments about the amount of force that is necessary in a particular situation, in circumstances that are frequently tense, uncertain, and rapidly evolving, the reasonableness of the officer's belief as to the appropriate level of force should be judged from the on-scene perspective and not by using the "20/20" vision of hindsight. The reasonableness of the use of a particular level of force will be judged by paying, "careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight."

Deadly Force: Any use of force that is reasonably likely to cause death.

Non-deadly Force: Any use of force other than that which is considered deadly force. This includes any physical effort used to control or restrain another, or overcome the resistance of another.

Use of Force: Use of control holds or restraint techniques, chemical sprays, conductive energy devices, strikes, kicks, canines, impact weapons, threatened use of deadly force, and any on-duty, non-training related, discharge of a firearm.

## PROCEDURE:

### I. Use of Deadly Force

#### A. A deputy is authorized to use deadly force to:

1. Defend himself or herself or a third person from what is reasonably believed to be the use or imminent use of deadly force; or
2. To effect an arrest, or to prevent the escape from custody, of a person whom the deputy reasonably believes has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon, or is attempting to escape by the use of a deadly weapon; or
3. When the subject otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.

### II. Other Deadly Force Events

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- A. Deputies may use deadly force to destroy an animal that represents a threat to public safety, or as a humanitarian measure when the animal is seriously injured and the deputy believes that the deadly force can be used without endangering others.
- B. Discharging a firearm at an occupant of a moving vehicle is only authorized when the deputy is authorized to use deadly force against that occupant and the deputy reasonably believes that the risk to the deputy or others created by discharging a firearm is outweighed by the need to apprehend the suspect(s) without delay.
- C. Discharging a firearm from a moving vehicle at any person outside of that vehicle is only authorized when the deputy is authorized to use deadly force against that person and the deputy reasonably believes that the risk created by discharging a firearm is outweighed by the need to apprehend the person without delay.
- D. Discharging a firearm at a vehicle, whether or not it is moving, with the sole intent of disabling the vehicle is prohibited unless the deputy is authorized to use deadly force against all occupants of the vehicle.

III. Use of Non-deadly Force

- A. A deputy is authorized to use the level of force that is objectively reasonable and necessary to bring an incident under control.
- B. A deputy is authorized to use Sheriff's Office approved techniques and equipment to apply non-deadly force to situations where it is necessary to:
  - 1. Protect the deputy or others from physical arm;
  - 2. Effect an arrest or restrain or subdue a resistant person; or
  - 3. Bring any unlawful situation safely and effectively under control.

IV. Use of Force Coordination

- A. When practical, deputies are required to coordinate the application of force in situations where more than one deputy is present and where any use of any level of force is authorized.

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1. To ensure effective coordination deputies are encouraged to use principles of the Incident Command System when planning, organizing and using multiple deputies to apply force against a person or persons.

V. Use of Force Reporting Requirements

- A. Any deputy who uses force as defined in this policy during the performance of their duties, is required to report that use of force to their supervisor as soon as practical and before the end of their shift. The circumstances of the use of force are to be detailed in the report documenting the crime or incident.
  1. In addition, a Boulder County Sheriff's Office "Use of Force" form is to be completed and submitted to the on-duty supervisor before the deputy ends his or her shift.
    - a. The supervisor who receives the "Use of Force" form is responsible for ensuring that the current procedure for distributing and documenting data on the form is followed.
- B. Any peace officer who witnesses another peace officer use a level of force that exceeds the level permitted by state statute is required to report that use of force to his or her immediate supervisor in accordance with C.R.S. 18-8-802.
  1. Therefore, any deputy - whether or not commissioned as a state peace officer - who witnesses the use of force by any other deputy or peace officer that exceeds the level of force permitted by state statute is to make a report to his/her immediate supervisor as soon as practical and no later than the witnessing deputy's end of shift.
  2. Any deputy who receives information from any Sheriff's employee regarding the witnessed use of force by a deputy or other peace officer that the employee believes exceeds the level of force permitted by state statute is required to make a report to his/her immediate supervisor.
    - a. The initial report may be verbal. However, in every case the verbal report is to be followed up with a written report within 24 hours. The report is to include the date, time and place of the occurrence; the identity and/or description of the participants; and a description of the events and force used.

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- b. The written report is submitted to the author's Division Chief within the 24 hour time period. The Division Chief will inform the Undersheriff and Sheriff of the report's existence and provide a copy to each as soon as practical.
- c. If the officers who allegedly used excessive force are employees of the Boulder County Sheriff's Dept, an internal affairs investigation is initiated.
- d. If the officer or officers who allegedly used excessive force are employees of another law enforcement agency the Division Chief or the Sheriff will transmit the report to the person designated by that agency to receive and investigate such reports.

VI. Investigations

- A. The Sheriff and affected Division Chief assess each incident where force is used. If there is reason to believe that an employee used excessive force, the Internal Affairs Policy will be applied.
- B. In any case where a deputy discharges a firearm at another person an investigation is initiated. (See Boulder County Law Enforcement Shooting Team Policy #503 and the Boulder County Sheriff's Office Internal Affairs Policy #318).
- C. Investigations may be initiated for the purpose of furthering knowledge of the adequacy of training, equipment, or tactics. The Sheriff will decide which option to use based on the circumstances.

VII. Administrative Actions

- A. When an employee uses force in the line of duty and death results the employee is placed on administrative leave pending the outcome of a use of force investigation.
- B. When an employee uses force in the line of duty and injury results, the employee may be placed on administrative leave, at the discretion of the employee's Division Chief, pending the outcome of a use of force investigation.
- C. It is the responsibility of the affected employee's Division Chief, after consulting with the Sheriff, to decide the duration of administrative leave. The factors the Division Chief should consider in making the decision include, but are not limited to, the following:

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- a. The type of force used and the result of that use of force;
- b. The outcome of the investigation into the use of force incident;
- c. The mental and physical condition of the affected employee;
  - 1) Professional assistance may be sought to evaluate the employee's current mental and physical condition.
- d. Any on-going needs the employee may have as a result of the use of force.

VIII. Training

- A. The Sheriff and Division Chiefs may require employees to attend additional training in the use of force, as they deem appropriate and necessary.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** BOULDER COUNTY INVESTIGATION TEAM

**NUMBER:** 503

**EFFECTIVE:** June 4, 2008

**POLICY:**

The Boulder County Chief Executive Officers developed the Boulder County Investigation Team as a resource available to all Boulder County law enforcement agencies. The Investigative Team consists of a collection of skilled investigators from county agencies and serves as a resource to conduct unbiased, objective investigations in cases where officers use deadly force, or for other incidents involving in-custody deaths. The team is made available to conduct an investigation at the request of the Sheriff or Chief of Police of the agency with jurisdiction.

**DEFINITIONS:**

CEO: The chief executive officer of a Boulder County law enforcement agency. Used in this policy to refer to the Sheriff, Chief of Police, or Marshall of the respective law enforcement agency.

Requesting Agency: The law enforcement agency that has jurisdiction over the investigation into the officer involved shooting or in-custody death and requested the activation of the Boulder County Investigation Team.

**PROCEDURE:**

- I. Team Personnel
  - A. The Boulder County Investigation Team (BCIT) consists of law enforcement personnel who are designated by the Sheriff, Police Chiefs, and District Attorney (hereafter referred to as the Chief Executive Officers CEO's).
  - B. The team consists of a coordinator, an alternate coordinator, team supervisors, team members and an advisor from the District Attorney's office.
  - C. The CEO's select a team coordinator and alternate coordinator.
    1. The coordinators serve as the initial contact person for investigations and as the liaison between the team and the requesting agency.

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2. Coordinators provide overall direction and management of each investigation, and are responsible for completing the investigative summary and presenting the investigation to the appropriate CEO and DA's Office.
- D. The team supervisors are responsible for oversight and management of assigned investigations and also serve as a secondary contact person.
  - E. Team members conduct the investigation and perform those duties assigned to them by a team supervisor.
  - F. A deputy district attorney is appointed to serve as an advisor to the team and provides legal guidance and information to members of the team.
  - G. The CEO's review the team make-up on an annual basis.
- II. Activation and Use of Team
- A. The BCIT is available to all law enforcement agencies within Boulder County to assist in those aspects of an investigation deemed necessary by the requesting agency.
  - B. The BCIT can be activated upon the request of the CEO, or the CEO's designee, of the agency with law enforcement and investigative jurisdiction for the incident.
  - C. The BCIT will operate under the direction of the requesting agency's CEO or the CEO's designee.
  - D. The team coordinator will keep the requesting agency's CEO or the CEO's designee apprised of the status of the investigation throughout all phases of the investigation.
  - E. The BCIT performs designated functions and presents fact-finding reports to the CEO of the requesting agency.
    1. Unless otherwise directed by the requesting agency's CEO, or the CEO's designee, and upon approval of the team coordinator, this is the sole responsibility of the team.
  - F. In cases involving the use of deadly force the BCIT is responsible for conducting the criminal investigation into the facts and circumstances giving rise to the use of deadly force. The requesting agency is responsible for any internal or administrative reviews.

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- G. Members of the Boulder County Investigative Team are not to respond to media requests for information on specific investigations. Media inquiries concerning investigations are the responsibility of the requesting agency.
- H. The completed investigative report and summary generated by the investigative team becomes the custodial property of the requesting or home agency, subject to criminal justice records laws and agency policy. Any release of these reports becomes the responsibility of the agency that requested the investigation.

III. Team Call-Out

- A. The CEO, or the CEO's designee, of the agency having primary jurisdiction for the investigation makes the request for assistance of the BCIT.
- B. All requests for assistance are made to the team coordinator, or if unavailable, the alternate coordinator, who will then serve as the Investigation Team coordinator for the incident.
- C. The coordinator is provided the details of the incident and determines what personnel and equipment are needed for the investigation.
- D. The coordinator contacts the necessary members of the BCIT with response instructions and an assembly location. The coordinator, or designee, ensures team members are briefed on the event and receive investigative assignments.

IV. Responsibilities of the Requesting Agency

- A. The requesting agency responsibilities for on-scene management include, but are not limited to, the following:
  - 1. General security, preservation of the scene, and evidence storage.
  - 2. Rendering aid to injured people.
  - 3. Establishment and maintenance of a perimeter
  - 4. Identifying all witnesses and, whenever possible, detaining them for interviews by the investigative team members.
    - a. If that is not possible, the full names, address, phone number and other particular information about the witness should be collected.



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5. Facilitate the briefing of members of the Boulder County Investigative Team.
- B. In the case of an officer-involved shooting, weapons of all involved officers should be secured and preserved at the scene by a supervisor of the involved agency.
1. Other weapons at the scene, related to the shooting that were not in the possession of the involved officer(s) should not be moved or disturbed.
- C. Beyond scene responsibilities, the requesting agency is also responsible for the following:
1. Conducting any related internal or administrative reviews.
  2. Handling all media inquiries and general media relations.
  3. Providing event related equipment, material or supplies
  4. The costs of any special tests or procedures when the tests or procedures were previously approved by the requesting agency
- V. Responsibilities of the Investigative Team
- A. The investigative team's responsibilities include, but are not limited to, the following:
1. On-scene photography and video.
  2. Sketches or diagrams related to the incident.
  3. The collection and preservation of physical evidence.
  4. Interviews with any involved officers.
  5. Interviews with any eye witnesses.
  6. Transcription of any recorded interviews.
  7. Updates to the CEO.

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8. Compilation of final investigative reports.
9. Case presentation to the affected CEO and District Attorney's Office.

VI. Costs

- A. Equipment needed for the investigation may be supplied by the requesting agency and/or the member agencies of the BCIT. If additional, or specialized equipment is needed, the cost of obtaining the equipment is the responsibility of the requesting agency.
- B. The costs related to specialized tests are the responsibility of the requesting agency. Therefore, the team coordinator, or designee, secures agency approval prior to ordering any specialized testing.
- C. Personnel costs, including overtime, are the responsibility of the agency providing the team member, and not the responsibility of the requesting agency.
- D. BCIT team members are deemed to be on-duty, and responding to a mutual aid request from another law enforcement agency, when responding to a callout.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** VEHICULAR PURSUITS

**NUMBER:** 504

**EFFECTIVE:** April 6, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to pursue a person suspected of committing a felony who is attempting to escape by use of a motor vehicle when the risk to the public, deputies and suspect created by the pursuit does not outweigh the benefit of the immediate apprehension of the suspect.

**DEFINITIONS:**

Pursuit: The act of a peace officer chasing a suspected law violator, who is attempting to elude the officer.

Municipality: Incorporated cities and towns. In Boulder County the cities and towns that meet this definition are: Boulder, Longmont, Louisville, Lafayette, Erie, Lyons, Superior and Nederland.

Unincorporated Boulder County: Any area in Boulder County outside of the city or town limits of a municipality.

Primary Unit: The primary unit is the police vehicle initiating the pursuit, or the police vehicle that takes the lead position in the event the initiating vehicle relinquishes the lead position.

Agency of Jurisdiction: The police department or sheriff's office that has primary jurisdiction for the location where the pursuit is currently occurring.

**PROCEDURE:**

- I. Pursuit Authorized in Unincorporated Boulder County
  - A. Deputies are authorized to initiate a pursuit in unincorporated Boulder County, outside of municipalities, when there are reasonable grounds to believe the offender being pursued has committed, attempted to commit, or is about to commit a felony (not including vehicular eluding).
    1. Information, which is used to justify a pursuit, must be information that is known to the deputy initiating the pursuit at the time the decision to pursue is made.
    2. Pursuits in these circumstances are not authorized if the risk to life and property caused by the pursuit outweighs the potential benefit that might result from successful apprehension of the offender.

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3. Deputies and supervisors must consider the type and nature of the felony and ensure that a pursuit is terminated when the suspected crime is a low level felony and that the suspect will not create a substantial risk to the public if allowed to temporarily avoid apprehension.

II. Pursuit Authorized in a Municipality

- A. Deputies may initiate a pursuit in a municipality, or continue to pursue offenders in a municipality, only:
  1. When there is probable cause to believe that the offender has committed, attempted to commit, or is about to commit a felony involving the use of physical violence against another person, or the use of a deadly weapon and,
  2. The deputy has reasonable grounds to believe that, other than from a motor vehicle violation, the offender will endanger human life or cause serious injury to persons unless apprehended without delay.

III. Alternate Tactics

- A. When possible and practical, deputies are to use strategies and tactics that may reduce the possibility that a vehicular pursuit will occur, or aid with identifying the driver, prior to attempting the vehicle stop. These tactics may include, but are not limited to, the following:
  1. Query the vehicle license plate number and obtain “wants” and warrants, and address information on the registered owner.
  1. Move other units equipped with “stop sticks” into the area and position them along obvious escape routes.
  2. Plan the stop for an area on the highway or street that may make it difficult for the driver to maneuver in an attempt to elude.

IV. Risk Analysis

- A. Deputies must weigh the following factors in situations where a suspect is fleeing in a motor vehicle and where a pursuit is authorized under this policy:
  1. The nature of the offense and the risk to the community presented by the offender if not immediately apprehended.

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2. Whether there is sufficient information known about the suspect to aid in identifying and apprehending the suspect at a later time.
  3. The manner in which the suspect is fleeing, including:
    - a. Speed;
    - b. The suspect's regard for other traffic and traffic control devices;
    - c. The suspect's control of the vehicle;
    - d. The type and condition of the vehicle driven by the suspect, and,
    - e. The implications of these factors on the safety of the public, officers, and the suspect.
  4. The time of the day and day of the week.
  5. The road and weather conditions.
  6. Traffic volume and congestion, both immediately present and that which may be encountered.
  7. The presence of passengers in the fleeing vehicle and knowledge about their relationship to the driver.
  8. The existence of special hazards, including traffic control devices and intersections present in the area into which the fleeing vehicle is being driven.
- B. In situations where a pursuit is authorized, deputies involved in the pursuit and supervisors of the primary agency or the agency where the pursuit is occurring must weigh any known risk created by the pursuit including but not limited to those listed in IV, A.1-8.
- C. When, in the deputy or supervisor's judgment, the risks presented by the pursuit outweigh the potential benefits of safely apprehending the offender, the pursuit must be terminated.
- V. Cancellation
- A. Deputies are responsible for ensuring that conditions exist which meets the requirements to initiate a vehicular pursuit, as described in this policy, before initiating a pursuit.

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1. If the conditions do not exist the deputy is not authorized to pursue the fleeing suspect.
  - B. Deputies involved in the pursuit as the primary or secondary unit are responsible for continually evaluating the risks created by continuation of the pursuit.
    1. As soon as the risks outweigh the benefits the deputies are required to immediately terminate the pursuit.
  - C. The on-duty patrol supervisor is responsible for monitoring the pursuit and is required to terminate the pursuit as soon the supervisor receives information that the pursuit does not meet policy, or concludes that the risks of continuation of the pursuit outweigh the benefits of apprehension of the suspect(s).
  - D. When a supervisor from an agency that has jurisdiction where the pursuit is occurring, orders the pursuit to stop, pursuing deputies will give significant weight to the request and, in most cases, immediately terminate the pursuit.
    1. A Boulder County Sheriff's supervisor is authorized to override the order and direct that the pursuit continue when the factual situation of the crime committed by an occupant of the fleeing vehicle creates a compelling need to apprehend the suspect that outweighs all other considerations.
- VI. Operations
- A. Pursuit Vehicles
    1. While being aware of the duty to drive with due regard for the safety of all persons, deputies engaged in pursuits may exercise the privileges set forth in CRS 42-4-108.
    2. Emergency lights and siren must be activated while in pursuit.
    3. Unmarked cars are prohibited from engaging in pursuits unless the car is equipped with emergency lighting and siren in compliance with CRS 42-4-213.
      - a. Unmarked units are to relinquish their position in a pursuit to a fully marked emergency vehicle as soon as is practical.

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**B. Role of the primary unit**

1. The primary unit provides the Communication center and other participating units with all information pertinent to the pursuit, such as location, direction of travel, speed, vehicle description, occupant(s) description, manner in which the fleeing vehicle is being driven, and grounds for pursuit.
  - a. The communications function should be turned over to the secondary unit as soon as possible.
2. The primary unit may relinquish its position to another police vehicle due to the lack of knowledge of the terrain, pursuit vehicle becoming inoperable, or other reason, when it improves the chances of successful resolution of the pursuit.

**C. Role of the secondary unit**

1. The Secondary Unit is an authorized police vehicle and officer(s) that assists the primary vehicle.
2. The secondary unit maintains a distance that is reasonably safe behind the primary pursuit unit and the fleeing vehicle. The secondary unit will assist the primary unit in the course of, or upon termination of the pursuit, or taking the primary pursuit position if the primary vehicle relinquishes its position.
3. The secondary pursuit unit takes over radio communications as soon as practical, relieving the primary pursuit unit of this function.

**D. Number of Pursuit Vehicles**

1. Pursuits should be limited, when practicable, to one primary pursuit unit and one secondary pursuit unit.
2. If officers believe it is necessary to have more than two pursuit units, additional pursuit units should maintain sufficient distance between each other and the pursuing and pursuit vehicles in order to diminish the possibility of a multiple-vehicle accident. Additional units should strive for reduced speeds in order to present less danger to the public.

**E. Support Units**

1. Other deputies may be designated as support units. Support units are not to join in the pursuit unless directed to do so by a supervisor.



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2. Supporting units may assist with traffic control, vehicle-stopping methods, or high risk stops.
3. Supporting units report their activity to the communications center when practical and when reporting does not interfere with emergency communications.

**F. Communications**

1. Upon notification that a pursuit is in progress, the Communications dispatcher notifies the on-duty patrol supervisor and ensures the supervisor is aware of where the pursuit is occurring, the reason for pursuit and other pertinent information.
2. Communications personnel:
  - a. Receive and record information on the pursuit and pursued vehicle and disseminate it to field units.
  - b. Control all radio communications and clear the designated pursuit channel of non-essential transmissions.
3. If a pursuit becomes multi-jurisdictional (involving pursuit vehicles from more than one agency or enters a jurisdiction other than that of the primary agency) but is still contained within Boulder County, the dispatcher attempts to get all agencies on a common frequency.
  - a. In the event the dispatcher cannot get all participating agencies onto a common radio channel, the dispatcher continues to relay information to involved Boulder County units.
4. The dispatcher designates the pursuit channel and notifies all radio users that the radio channel being used as the pursuit channel is restricted from other uses. The dispatcher designates another radio channel to be used for normal radio traffic.

**G. Command Authority**

1. The overall command of the pursuit rests with the jurisdiction of the primary unit. Should the primary unit relinquish that position, overall command is transferred to the jurisdiction of the new primary unit.
2. The on-duty patrol supervisor is responsible for monitoring any pursuit entering unincorporated Boulder County and any pursuit where deputies are actively involved in the pursuit as a primary, secondary or support unit.

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3. The on-duty patrol supervisor is responsible for directing units in situations where the units are acting in a support capacity for pursuits involving other law enforcement agencies.

H. Methods of Stopping Pursued Vehicles – Extraordinary Tactics

1. The patrol supervisor responsible for overseeing the pursuit may consider the use of a number of different tactics, including extraordinary tactics, to stop the fleeing vehicle. In these cases, a decision to stop the vehicle should be based on the danger to the public of continuing the pursuit, as well as the probability of success and the risk to the public, officers and the suspect.
  - a. The preferred method of attempting to stop a fleeing vehicle is by the use of “stop sticks” or similar tire-deflating device.
2. Extraordinary tactics, include, but are not limited to: Boxing, rolling roadblocks, ramming and the PIT maneuver. Before any of these tactics are attempted by a deputy the authorizing supervisor must have a reasonable belief that the tactic has a probability of success, and that the risk to pursuing officers, the fleeing suspect(s) and the public created by attempting the tactic is outweighed by an ever increasing danger of injury or death to a person, or persons if the pursuit and/or manner of driving by the suspect is allowed to continue.
3. Shooting at a vehicle with the intent to disable the vehicle is not authorized unless the use of deadly force against all occupants of the vehicle is justified.
4. A decision to utilize any of these types of tactics to stop a fleeing vehicle must be communicated to all participating units.

I. Duty to Apprehend

1. When a decision is made to terminate a pursuit, deputies are responsible for attempting to identify, locate and apprehend the suspect through other means.

J. Investigation and Jurisdiction at Termination

1. Deputies are responsible for crime scene security and coordination of on-scene investigation of pursuits that terminate in unincorporated Boulder County, Lyons or Superior.

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- a. In cases where the pursuing officers are from another law enforcement agency with jurisdiction in Boulder County, such as the Colorado State Patrol or a federal law enforcement agency, the on-duty patrol supervisor consults with officers or supervisors from that agency to determine who will have responsibility for crime scene processing, arrestee processing, filing charges and any other related investigatory tasks.
    - b. At the discretion of the on-scene supervisor an arrestee may be released to the police agency that initiated the pursuit or to the agency with jurisdiction where the most serious violation occurred.
  2. At the conclusion of a pursuit that had been initiated by a Boulder County Sheriff's deputy the on-duty patrol supervisor is responsible for overseeing the coordination of follow-up related to the suspect's arrest and transport to jail, seizure of evidence, disposition of the vehicle and other investigatory tasks.
    - a. The deputy who initiated the pursuit is responsible for completing the initial crime report.
    - b. All deputies who were involved in the pursuit in any capacity are individually responsible for documenting their actions or observations while involved in the pursuit, or its aftermath, in a supplemental report.
  3. When a vehicular accident occurs as a result of the pursuit, or an occupant of the fleeing vehicle commits any criminal act while the pursuit was occurring, the law enforcement agency with jurisdiction of the location where the incident occurred is responsible for investigating and filing charges related to that incident.
    - a. The supervisor responsible for coordination of the portion of the aftermath of the pursuit has the authority to attempt to have all crimes and incidents investigated by deputies when such action seems the most effective and efficient way to handle the event.
- K. Press Releases
1. The on-duty patrol supervisor is responsible for ensuring proper notifications are made to Sheriff's staff and that a press release is completed before the end of the supervisor's tour of duty.

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VII. Reporting and Debriefing Requirements

- A. In every case where a pursuit is initiated, or a suspect flees and a pursuit is terminated, the supervisor of the deputy who initiated the pursuit or the attempt to stop, is responsible for ensuring a report documenting the event is forwarded to the Operations Division training coordinator via the supervisor's chain of command.
- B. The supervisor of the deputy who attempted the stop or initiated the pursuit is responsible for ensuring a review of the circumstances of each event occurs as soon as possible after the pursuit, or terminated pursuit.
  - 1. All pursuits will be debriefed with involved officers and other involved personnel and efforts will be made to critically evaluate application of the policy, procedure, stopping tactics, training, equipment and other related areas in order to better further the Sheriff's Office mission and values.

VIII. Pursuits originating outside Boulder County

- A. When the on-duty patrol supervisor believes an outside agency pursuit in Boulder County creates a greater risk than the potential benefit of apprehension, the supervisor is to request that the outside agency terminate the pursuit. In the event the outside agency does not terminate the pursuit, the supervisor may authorize deputies to assist in the pursuit to the degree necessary to ensure public safety, without joining in the high-speed pursuit.
- B. When the outside pursuit is a permissible pursuit under this policy and procedure, deputies may assist in the pursuit in any manner consistent with this policy.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** RETURNED CHECKS

**NUMBER:** 505

**EFFECTIVE:** April 6, 2007

**POLICY:**

It is the policy of the Sheriff's Office to utilize and enforce state law concerning checks written to the Sheriff's Office that are returned due to insufficient funds or closed accounts. CRS 13-21-109 and 30-1-108 allow for a charge of up to \$20.00 for checks returned because of insufficient funds. CRS 18-5-205 Fraud by Check, may be utilized for enforcement of unlawful actions.

Conspicuous posting of the amount charged for returned checks is mandatory. Check writers have fifteen days after notifications of a returned check to submit repayment. If repayment is not received within that time, an additional charge of three times the amount of the check, or \$100.00 - whichever is higher - is allowed. There is currently a two-year statute of limitations on returned checks.

**DEFINITIONS:**

Check: A written, unconditional order to pay a sum certain in money, drawn on a bank or similar institution, payable on demand, and signed by the drawer, including a negotiable order of withdrawal or a share draft.

Drawee: A bank, savings and loan association, industrial bank, credit union or similar institution upon which a check, a negotiable order of withdrawal or share draft is drawn.

Drawer: The individual who writes the check, negotiable order of withdrawal or share draft.

Insufficient Funds: A drawer (check writer) has funds less than the amount the check was written for or no funds with the drawee institution to pay a check or when the drawer has no account or the account is closed.

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**PROCEDURE:**

I. Public Notice

- A. All Sheriff's Office locations receiving payments from the public will conspicuously post a sign stating "\$20.00 Fee For Returned Checks."

II. Accepting Checks for Payment

- A. A Sheriff's employee accepting a check for payment takes the following steps:
1. Look at the photo on identification provided by the check writer to ensure that the check writer is the person in the photo.
  2. Compare the signature on the identification with the one on the check and ensure they are the same.
  3. Write the check writer's identification number, i.e. driver's license number, on the check.
  4. Verify current address and phone number information and write the same on the check if it's not already printed on the check.
  5. Initial and write their employee ID number on the front of the check indicating actions outlined in II.A, have taken place.

III. Returned Checks

- A. Upon return of a check for insufficient funds, the Division that received the check will personally serve or send, by certified mail, a letter to the check writer which complies with CRS 13-21-109(3) and (4) and includes:
1. The date the check, draft or order was issued.
  2. The name of the bank, depository, person, firm, or corporation on which it was drawn.
  3. The name of the payee.
  4. The face amount.

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5. A statement of the total amount due, which shall be itemized and shall not exceed the amount permitted by law including the original payment amount plus the mandatory returned check charge of \$20.00.
  6. A statement that the maker has fifteen days from the date notice was given to make payment in full of the total amount due.
  7. A statement that, if the total amount due is not paid within fifteen days after the date notice was given, the maker may be liable in a civil action for three times the face amount of the check but not less than one hundred dollars and that, in such civil action, the court may award court costs and reasonable attorney fees to the prevailing party.
  8. The payment must be in the form of a cashier's check or money order. Cash can be accepted if the payment is made in person.
  9. If no payment is received the matter will be referred to a detective for check fraud investigation and other appropriate action.
- B. Upon reimbursement of the original payment and the mandatory \$20.00 charge, the original check is returned to the check writer.
- C. When reimbursement is not made, a detective supervisor is contacted to initiate a criminal investigation.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date



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**SUBJECT:** EMERGENCY RESPONSE

**NUMBER:** 506

**EFFECTIVE:** April 11, 2007

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to ensure deputies are properly equipped and trained to respond quickly and arrive safely in situations requiring an emergency response in a Sheriff's vehicle.

**DEFINITIONS:**

Emergency: A serious situation or occurrence that develops suddenly and unexpectedly and demands immediate attention.

**PROCEDURE:**

- I. Authorized Emergency Vehicle
  - A. Sheriff's Office law enforcement vehicles authorized for emergency response are equipped with emergency lights, siren and horn as prescribed by law.
    1. Emergency lights are prescribed in CRS 42-4-213 (1-3).
  - B. Sheriff's Office emergency services vehicles authorized for emergency response are equipped with emergency lights, siren, and horn as prescribed in CRS 42-4-213 (1-3) and may be equipped in accordance with CRS42-4-213 (4) and CRS 42-4-222 (1).
- II. Authorized Emergency Response
  - A. An emergency response is authorized:
    1. For circumstances and situations that the deputy reasonably believes threaten serious bodily injury or death.
    2. For circumstance in which other officers or public safety agencies request an emergency response.
    3. For in-progress crimes involving weapons, threatened use of a weapon or physical assault.

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4. For in-progress circumstances that the deputy reasonably believes poses a significant health or safety issue or which threaten serious and significant damage to a building that may be occupied.
5. When authorized or directed to do so by a supervisor.

III. Authorized Vehicle Operations

- A. In all cases, deputies exercise due regard for the safety of all persons while operating a vehicle during an emergency response in compliance with CRS 42-4-108.
- B. Deputies radio the Communications Center to notify them and monitoring units that they are responding emergency.
  1. Emergency lights and sirens are activated when responding to an emergency, except as authorized by CRS 42-4-108 and as described below.
  2. Sirens are not required when:
    - a. The vehicle is not moving.
    - b. The deputy is initiating a traffic contact; or
    - c. An unannounced approach is necessary.
      - 1) When responding with emergency lights only, deputies use a high level of caution and ensure that their actions do not endanger the public or other motorists.
  3. Back-up units do not respond emergency unless it is readily apparent that the first arriving deputy will require immediate back-up, or when further emergency response is requested by the on-scene units or when directed by a supervisor.
  4. When obstructing a right-of-way, deputies utilize the level of emergency lighting necessary to make their presence visible to other motorists. In addition, and when appropriate, deputies position their vehicle in such a way as to minimize the impact on traffic flow affected by the obstruction.
  5. Deputies responding emergency in a Sheriff's vehicle are authorized to:
    - A. Park or stand in violation of existing law or regulation.

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- B. Proceed through a red stop signal or sign after slowing down or coming to a complete stop as necessary for safe operation.
- C. Exceed the speed limit to the extent necessary to expedite their response without endangering themselves or others.
- D. Disregard regulations governing direction and turns.

IV. Reporting Requirements

- A. Deputies are required to inform their direct supervisor as soon as practical of any near collision with another vehicle or pedestrian, or other significant event, that occurs during the emergency response.
  - 1. Documentation of the incident in a report may be required when the deputy's supervisor concludes such documentation is necessary.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** Boulder County Bomb Squad

**NUMBER:** 507

**EFFECTIVE:** 03/01/2004

**POLICY:**

It is the policy of the Boulder County Bomb Squad to provide a front line response to incidents involving, or suspected of involving bombs, explosives, incendiary devices and other shock sensitive materials. Any Boulder County agency providing Hazardous Devices Technicians to the Boulder County Bomb Squad is considered a participating agency and agrees to adhere to this policy and its procedures.

**DEFINITIONS:**

Boulder County Bomb Squad: A multi-jurisdictional resource comprised of certified peace officers and firefighters within Boulder County whose primary purpose is to assist with investigations involving the use, or suspected use of explosive substances.

Hazardous Device Technician: Persons trained to handle, deactivate or detonate explosive substances. Only those persons certified as bomb technicians through the Hazardous Device School (HDS) are authorized to act in this capacity. Technicians are also trained to handle post-blast investigations.

Bomb Threat: Any communication reported to anyone warning of an explosive device or substance placed where it may cause injury or damage.

Hazardous Device: Any device containing any combination of commercial explosives, improvised explosives or incendiary devices which have been designed to explode or burn

Explosive Substance: Dynamite, nitroglycerine, or any other material that if detonated, could cause injury to persons or damage property.

Improvised Explosive: Improvised explosives are combinations of fuels and oxidizers, when mixed can be made to explode

Incendiary: An incendiary is a combination of fuels and oxidizers, that when mixed can be made to burn over a period of time.

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**PROCEDURE:**

**I. SUPERVISION:**

- A. Squad administrators, designated by agreement of the Executive Directors of participating agencies, supervise the Bomb Squad. The squad administrators utilize a unified command structure to fulfill this oversight responsibility.
  - 1. Squad administrators may assign the responsibility of overseeing specific squad related functions to an individual member of the bomb squad. These responsibilities may include, but are not limited to: training, equipment acquisition and maintenance, intra-agency liaison, administration, etc.
- B. The agency with jurisdiction of the event has the responsibility for designating an Incident Commander (I.C.). The I.C. has the authority to utilize attached units as needed to resolve an event.
- C. Upon arrival on scene of an event the bomb squad becomes an attached unit within the command structure of the Incident Command System.
  - 1. Once deployed the bomb squad administrators retain operational authority over bomb squad actions.

**II. EQUIPMENT:**

- A. Participating members of the bomb squad share all current bomb squad equipment and any future equipment acquisitions equally. All equipment is accessible by any bomb squad member within guidelines established by squad administrators.
- B. All participating agency personnel or squad members will comply with policies and guidelines established by agreements with private vendors as it relates to the use and care of applicable equipment.

**III. DUTIES and RESPONSIBILITIES:**

- A. When activated the bomb squad responds with essential safety equipment and an adequate number of personnel.
  - 1. The bomb squad follows established Hazard Device School (HDS) safety protocols, whenever possible and practical, when performing any of the following:

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- a. Rendering safe and/or removing suspected hazardous devices, or
  - b. Searching for secondary devices, or
  - c. Transporting, disposing or storing hazardous devices, or
  - d. Conducting a hazard device crime scene investigation and collecting, recording and preserving evidence related to that investigation, or
  - e. Preparing and providing courtroom testimony related to any hazardous device event in which the squad member participated, or
  - g. Using, storing, or performing maintenance, or compiling inventory data, on any bomb squad equipment.
- B. The bomb squad performs a number of auxiliary and adjunct duties related to its primary function as a first responder unit to hazardous device events. These duties may include, but are not limited to, the following:
- 1. Providing technical support related to hazard device situations.
  - 2. Preparing lesson plans and/or conducting hazardous devices related training.
  - 3. Maintaining Bomb Data Center publications or other hazardous device related documents and education materials.
  - 4. Maintaining professional liaison with other state and local bomb squads, Military Explosive Ordnance Disposal (EOD) units, Federal agencies or professional associations.
  - 5. Compiling data on hazardous devices incidents that have occurred within Boulder County.
  - 6. Developing agency specific response plans and crime scene management for bomb threats, hazardous devices, explosive and related investigations.
  - 7. Developing and promulgating bomb threat awareness and safety programs for public and private organizations.
  - 8. Reporting found or recovered military ordnance to the appropriate



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military EOD unit(s).

9. Developing and implementing procedures for fireworks disposal.
- C. The bomb squad works closely with Boulder County police and sheriff SWAT and canine teams as needed. The bomb squad's support for these units may include, but is not limited to, the following:
1. Construction and deployment of explosive devices used to facilitate safe and quick entry into buildings or vehicles.
  2. Assistance in searching for hazardous devices and bobby traps and properly disposing of any such devices once located.
  3. Providing hazardous device related training and educational materials to team members.

IV. TRAINING:

- A. Hazardous Device Technicians must attend and graduate from the HDS Basic class at Redstone Arsenal in Huntsville, Alabama.
- B. Bomb squad members participate in in-service training as required unless excused by a squad administrator. Squad members meet the minimum training requirements as established by the bomb squad administrators.
- C. Newly appointed members of the Bomb Squad, who have not yet graduated from HDS, attend all in-service training with the squad. However, these members are prohibited from handling hazardous devices at any time unless they have attended a certified explosive handling course and are under the direct supervision of a Hazardous Device Technician. During callouts, these members may only act as an observer and/or assist with general non-hazardous support duties.
- D. Hazardous Device Technicians will recertify as required by the Hazardous Device School. If a team member fails to maintain his/her certification they are subject to suspension or removal from the squad until such time as the certification requirements are met.

V. MUTUAL AID:

- A. As a multi-jurisdictional unit, the Boulder County Bomb Squad responds to call outs occurring within its jurisdictional boundaries.

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- B. Out of county mutual aid must first be approved by at least one of the bomb squad administrators. This squad administrator then obtains approval from their chain of command prior to activating the squad.

By order of the participating agencies:

\_\_\_\_\_  
Boulder County - Sheriff Joseph K. Pelle

\_\_\_\_\_  
Date

\_\_\_\_\_  
Longmont Chief of Police – Michael Butler

\_\_\_\_\_  
Date

\_\_\_\_\_  
Longmont Fire Chief – Steven Trunck

\_\_\_\_\_  
Date

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**SUBJECT:** Alarm Response

**NUMBER:** 508

**EFFECTIVE:** June 16, 2005

**POLICY:**

Due to the inherent nature of alarms and the proliferation of alarm systems, the impact on police resources is significant. Without proper use, proper maintenance, and proper monitoring, almost all alarms reported to the police are false. However, when used appropriately, alarms can be useful crime prevention and apprehension tools for law enforcement. Therefore, police respond only to alarms that meet and adhere to respective city codes, ordinances, resolutions, and agency policy. It is Sheriff's Office policy that communications air all alarms to include the alarm subscriber's status (non-response list or non-compliance list). Upon airing, it is the responsibility of the district officer or field supervisor to determine if and what type of a response is appropriate.

**DEFINITIONS:**

Alarm Administrator – The person designated by the Operations Division Commander to coordinate and administer false alarm reduction efforts.

Alarm Business – Any business by an individual, partnership, corporation or other entity that sells, leases, maintains, repairs, alters, replaces, moves, installs, or monitors any alarm system. Alarm business also includes any person, business or organization that monitors security alarm systems and initiates alarm dispatch request, including units or divisions of larger businesses or organizations that provide proprietary security alarm monitoring services only to affiliates of the parent business or organization.

Alarm Site – The premise served by an alarm system.

Alarm Subscriber or User – Any person or designated responsible party, firm, partnership, corporation or other entity controlling a security alarm system at an alarm site.

Alarm System – The device, which transmits, emits, or otherwise notifies an alarm company, law enforcement, or the alarm system subscriber of alarm activation.

Central Station Alarm Association Alarm Verification and Notification Procedures - Standards approved by the American National Standards Institute that define verification procedures for alarm businesses prior to them requesting a law enforcement response.

False Alarm - A false alarm is considered to be any alarm that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy. A false alarm is also deemed to have occurred when the responding officer is unable to determine if evidence of a criminal offense or attempted criminal offense is present because an alarm site is

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inaccessible

Fire Alarms - A signal initiated by a device that indicates the presence of a fire or fire signature. Fire alarms are exempt from this policy.

Intrusion Alarms – Any system or device detecting and reporting any unauthorized entry or attempted entry or property damage upon real property. Alarms on automatic teller machines are included in this definition.

Robbery and Panic Alarms – An alarm signal generated by the manual or automatic activation of any system, device, or mechanism on or near the premises intended to signal that a robbery or other crime is in progress and that one or more persons are in need of immediate police assistance in order to avoid injury, serious bodily harm or death at the hands of the perpetrator of the robbery or other crime.

Medical Alarm – An alarm signal generated by the manual or automatic activation of any system or device on or near the premises intended to signal a medical emergency. Medical alarms are exempt from this policy.

Protective/Reactive Alarm System – An alarm system rigged to produce a temporary disability or sensory deprivation through use of chemical, electrical or sonic defense, or by any other means, including use of vision obscuring/disabling devices.

**PROCEDURE:**

- I. Response to Robbery and Panic Alarms
  - A. In order for a response to occur, alarm businesses must be in compliance with all applicable ordinances, codes, and resolutions, and must agree and adhere to established agency policy. If a business is not in compliance the agency may suspend response to any alarms from such business until such time they provide proof to the alarm administrator that they are in compliance.
  - B. Prior to requesting a response, alarm businesses must adhere to the Central Station Alarm Association Procedures as approved by the American National Standards Institute (Link to .PDF in Sheriff's online policies). Upon receipt of a robbery or panic alarm, one patrol unit is dispatched to respond.
    1. Deputies respond non-emergency unless conditions meet the criteria found in the emergency response policy.
    2. Once a building perimeter has been established, and no notice of a false alarm has been received, the primary unit directs the dispatcher to contact the business by telephone. If such telephone contact is

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made and the dispatcher receives a questionable response, officers at the scene are advised and the primary unit, or supervisor, determines the need for additional backup or specialized unit response.

3. If the dispatcher notifies officers that a representative of the business has been contacted and there is an apparent absence of questionable circumstances, the primary officer obtains from the dispatcher identity and description of the representative and waits for that person to exit the facility. The dispatcher advises the representative to exit the establishment with identification in hand and hands visible. Once contact is made with the representative outside of the facility, officers accompany the person into the establishment to verify the status of the interior of the business.
- C. After responding to three false alarms at the same location in a year period, the Sheriff's Office may suspend responding to alarms at that location until such time that the alarm business can provide evidence that the circumstances causing such false alarms have been identified and rectified.
- D. Upon receipt of a mobile personal panic alarm with locator capabilities, communications determines the victim's location from the alarm business. Deputies respond non-emergency unless conditions meet criteria found in the emergency response policy, and according to the nature of the circumstances.

II. Response to Intrusion Alarms

- A. In order for a police response to occur, alarm businesses must be in compliance with all applicable ordinances, codes, resolutions, and must agree and adhere to established agency policy. If a business is not in compliance the Sheriff's Office may suspend response to any alarms from such business until such time they provide proof to the alarm administrator that they are in compliance. Deputies only respond to business intrusion alarms if one of the following conditions exists.
  1. An alarm has already been verified as being the likely result of criminal activity through independent means such as third party response, witness verification, listening devices, video monitoring, etc.
  2. The alarm business has, prior to requesting a police response, attempted verification pursuant to the Central Station Alarm Association Procedures as approved by the American National Standards Institute. Dispatchers will verify from the alarm business if they have complied with the Central Station Alarm Association Procedures prior to airing the alarm. On demand the alarm business must provide Boulder Sheriff's Communications with the

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names and telephone numbers called. The alarm business must also advise communications if a protective/reactive alarm system is installed on the premises.

3. If an electronic cancellation is received, no alarm dispatch will be requested. If an electronic cancellation occurs after a police response has already been requested, the alarm businesses must cancel the request.
- B. After responding to three false alarms at the same location in a year period, the Sheriff's Office may suspend responding to alarms at that location until such time that the alarm business can provide evidence that the circumstances causing such false alarms have been identified and rectified.
  - C. Unless an alarm is otherwise verified as listed in paragraph A.1, communications dispatches one deputy to respond. On alarms verified as criminal activity, two or more deputies are dispatched as circumstances dictate.
  - D. Should a deputy respond and find the business open or occupied by employees, the deputy contacts an employee to determine the cause of the alarm.
  - E. When an alarm is received after business hours and the establishment is not occupied, responding deputies conduct an inspection of the exterior for signs of forced entry.
    1. It is the responsibility of the alarm business to make any notifications to a representative of the business at the time the alarm notification is made. The business responsible party is advised to respond in order to assist officers as appropriate or to assure the defective alarm is repaired. Once it is determined that an establishment is secure, deputies may leave the scene.
    2. If evidence of forced entry or other damage exists, the responding deputy requests appropriate assistance to secure the perimeter and coordinate a perimeter and, if necessary, an interior search.
    3. If a responsible party does not respond after a reasonable amount of time, or is unavailable, deputies may leave the scene or in the case of forced entry or damage make reasonable attempts to provide extra patrol for the property as determined by the shift supervisor.

III. Disposition

- A. When clearing any alarm, deputies provide communications with the

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appropriate disposition.

IV. Record Keeping and Notifications

- A. Boulder County Communications maintains alarm response history in the computer aided dispatch system. The alarm administrator assigned to the operations division is responsible for tracking alarm histories and determining and notifying communications of suspended and reinstated responses.
- B. When deputies have responded to a false alarm at any given location three times in a year period, a written notice is sent by the alarm administrator to the alarm user and/or alarm business notifying them that police response to future alarms will be suspended.
- C. Once the alarm business has identified the problem or source of the false alarms and have taken corrective action, they may submit written documentation to the alarm administrator and request that law enforcement response be reinstated. (see attached sample document)
- D. If satisfied that the corrective actions will resolve the false alarm problem, the Alarm Administrator then reinstates police response. If not satisfied, the alarm administrator will provide information on what additional steps must be taken in order for police response to be reinstated.
- E. After corrective action has fixed a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in no response. Continued problems with an alarm after corrective actions have been taken may result in an indefinite suspension.
- F. Annual statistics are collected and monitored by the alarm administrator to determine the impact the policy has had on the rate of false alarms.

By Order of the Sheriff

\_\_\_\_\_

Sheriff Joseph K. Pelle

\_\_\_\_\_

Date

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**SAMPLE DOCUMENT**

\_\_\_\_\_ Department

A. Alarm Call Response, Reinstatement Request Form

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name: \_\_\_\_\_

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Call Response History:

Date of Call: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time of Call: \_\_\_\_:\_\_\_\_

Cause of Alarm:

Valid Alarm with explanation,  False Alarm with explanation of remedy  
Explanation:

Date of Call: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time of Call: \_\_\_\_:\_\_\_\_

Cause of Alarm:

Valid Alarm with explanation,  False Alarm with explanation of remedy  
Explanation:

Date of Call: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time of Call: \_\_\_\_:\_\_\_\_

Cause of Alarm:

Valid Alarm with explanation,  False Alarm with explanation of remedy  
Explanation:

We affirm that, to the best of our knowledge, the causes of alarms are accurate and the remedies applied will avoid future, similar occurrences.

Alarm Subscriber/User	Alarm Business Responsible for System
Name:	Name:
Company Name:	Company Name:
Phone:	Phone:
Signature:	Signature
Date: ____/____/____	Date: ____/____/____
Response to be Faxed to:	Response to be Faxed to:

For Dept. use only Request approved <input type="checkbox"/> Date: ____/____/____ By: _____ Denied <input type="checkbox"/> Reason: _____
---





## Alarm Verification and Notification Procedures

ANSI/CSAA CS-V-01-2004.XX (version July 16, 2004)

**Sponsor**  
Central Station Alarm Association (CSAA)

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## Foreword

This standards document is published by the Central Station Alarm Association (CSAA) and was developed and adopted by a consensus of industry volunteers in accordance with CSAA's standards development policies and procedures.

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## Introduction

This standard defines methods by which false dispatches can be greatly reduced. It has been proven that verifying an alarm signal by a monitoring central station will drastically reduce false dispatches. This standard takes verification to its next level by defining multiple call verification, cross zoning, biometric, audio and video verification.

Methods defined herein have been tested and proven to achieve a lower level of false dispatch. Further reduction is possible to achieve using a combination of the methods defined herein.

# Alarm Verification and Notification Procedures

## 1 Scope

This standard has been prepared under the direction of the Security Industry Standards Council (SISC) members with the participation of Central Station Alarm Association (CSAA) members, Security Industry Association (SIA) members, National Burglar & Fire Alarm Association (NBFAA) members, ASIS members and Canadian Alarm Association (CANASA) members. This standard is to be used by alarm monitoring facilities and by state and local units of government in their development of consistent administration criteria for alarms. New technologies and successful efforts to reduce false alarms have led to this standard. This standard, adopted by the various states and local units of government, recognizes the life saving benefits monitored security and fire alarm systems provide. The intent of this standard is to achieve increased efficiencies by reducing costs and eliminating wasteful efforts associated with potential false alarms.

### 1.1 General

If differences exist between this standard and other written Special Instructions with the monitored premises, the Special Instructions shall take precedence.

### 1.2 Definitions

#### 1.2.1

##### **alarm verification**

alarm verification is a generic name given to many techniques used (1) to permit authorized personnel to appropriately identify themselves, thereby preventing emergency response agencies from being requested to respond to situations that do not represent an emergency; and (2) to confirm or deny the validity of alarm signals received at a Central Station or monitoring facility.

#### 1.2.2

##### **"UL Certificated" Service**

the term "UL Certificated" Service, as used in this document, refers to burglar alarm systems that have a UL certificate in force and therefore follow verification procedures outlined in UL 827, UL 2050, ULC S301 or ULC S304 Standards.

#### 1.2.3

##### **Types of Verification**

Two broad forms of verification may be employed. These include:

##### 1.2.3.1

##### **standard verification**

standard verification is the attempt by monitoring facility personnel to verify that an emergency does not appear to exist at the monitored premises, by means of a telephone call, voice contact or other electronic means

### **1.2.3.2**

#### **enhanced verification**

Enhanced Verification is the attempt by monitoring facility personnel to verify that no emergency appears to exist, at the monitored premises, by means of more thorough procedures such as two (2) or more verification calls, live audio or video, cross zoning, other means or a combination of these procedures.

### **1.2.3.3**

#### **Methods of Verification**

#### **1.2.3.3.1**

##### **Electronic Verification**

An electronic signal transmitted to the monitoring facility that indicates to its personnel or to its dispatch computer that no emergency appears to exist.

#### **1.2.3.3.2**

##### **Verbal**

A personal contact by means of telephone or audio conversation with an authorized pass code holder or other authorized person for the protected premises to verify that no emergency exists.

#### **1.2.3.3.3**

##### **Video**

An electronic picture, pictures or images viewing an area of the protected premises from which an alarm signal has been received which permits monitoring facility personnel to view the area which has an alarm to verify an emergency condition exists or alternately that no emergency appears to exist.

#### **1.2.3.3.4**

##### **Cross Zoning**

The application of redundant detection devices such that one motion detector or one photo-electric beam paired with some other device such as another motion detector, photo-electric beam, door contact or door contacts, to cover generally the same area. An alarm is recognized when both detectors in the pair are triggered.

#### **1.2.3.3.5**

##### **Electronic Biometrics**

The ability to verify the identity of authorized on premises personnel through the use of detectors that utilize facial or body recognition, voice identification, hand geometry, fingerprint identification or other biometric characteristic identification technology.

### **1.3**

#### **notification call**

The call to the law enforcement authority, such as 911 or the telephone number used to reach the responding law enforcement agency.

### **1.4**

#### **dispatch**

Notification of law enforcement agency as defined in 1.3. a guard, guards, a runner, runners, other response entities or predetermined combination of the above to respond to the premises.

### **1.5**

#### **special instructions**

A written, separate document from the monitoring contract document, that specifies a specific set of instructions to be followed in the event of an alarm, between the monitored premises and the alarm/monitoring company.



## **2 Standard Verification Procedures for Burglar Alarm Signals**

### **2.1 Procedures for Alarm Signals Received from Systems without “UL Certificated” Service**

Unless Special Instructions exist, monitoring facility personnel shall call the protected premises for identification and verification of persons authorized to be on the customer’s premises.

#### **2.1.1 If No Contact**

If there is no answer, the monitoring facility personnel shall make a Notification Call, unless the monitoring facility personnel have reason to believe no emergency exists.

#### **2.1.2 If Telephone is Answered**

If the telephone is answered, the monitoring facility personnel shall obtain pass code verification or other electronic identification that the person is authorized to be on the premises. Upon receipt of correct identification, and the authorized person states that no emergency exists, responding entities shall not be notified or shall be recalled, if already notified, and the alarm is considered aborted.

##### **2.1.2.1 No Code**

If no code or authorization is provided, the monitoring facility personnel shall attempt to reach an authorized person off premises to verify the authenticity of the on premises person, and failing that shall make a Notification Call. Further explanatory material on this can be found in Annex A.

##### **2.1.2.2 Wrong Code**

If the person(s) contacted cannot be identified by a valid identification code within a reasonable time after the contact as defined in 2.1.2, the monitoring facility personnel shall make a Notification Call.

### **2.2 Procedures for Alarm Signals Received from Systems with “UL Certificated” Service**

Signals received from certificated systems shall be handled in accordance with the procedures defined in UL Standard 827, UL 2050, ULC S301 or ULC S304.

## **3 Enhanced Telephone Verification of Burglar Alarm Signals**

### **3.1 Extended Time**

The maximum time permitted for enhanced verification of a non-certificated system can be extended beyond the time constraints imposed for certificated systems defined in UL 827, UL 2050, ULC S301 or ULC S304.

### **3.2 Procedure**

For burglary alarm signals received from non-certificated commercial burglary alarm systems or any residential alarm system, the following procedures shall be followed (further explanatory material on this can be found in Annex A):

### **3.2.1 Call 1**

The monitoring facility shall attempt telephone verification to the protected premises after receipt of the alarm signal. The procedure defined in 2.1.2 above shall be followed if the premises telephone is answered. Otherwise proceed to 3.2.2 or 3.2.3, whichever is applicable.

### **3.2.2 Call 2 Other Than Premises**

When monitoring facility personnel get a busy signal or no answer on the first call to the protected premises, a second call or calls shall be made to an alternate phone number such as a cellular or work number and if the authorized person states that no emergency exists, responding entities shall not be notified or shall be recalled, if already notified, and the alarm considered aborted.

### **3.2.3 Call 2 Premises**

When monitoring facility personnel get a busy signal or no answer on the first call to the protected premises, a second call or calls shall be made to an alternate phone number at the protected premises when such number is available. The procedure defined in 2.1.2 above shall be followed.

## **3.3 Answering Machines**

When any call reaches an answering machine a message shall be left, clearly stating that it is the alarm company calling and leaving necessary information for the alarm user to promptly contact the monitoring facility.

## **3.4 Scheduled Events**

If an alarm signal is received in connection with a scheduled opening or closing event, additional telephone numbers shall be called on the call list in order to determine whether the alarm signal is caused by an opening or closing error. If no answer or no determination can be made that a false alarm exists, a Notification Call shall occur.

## **3.5 Verified False**

If the alarm is verified as being false during the first, second or succeeding calls, monitoring facility personnel shall suspend activities relating to the specific signal being worked.

## **3.6 Call lists and Priority**

Following the Notification Call, attention shall be placed on contacting the emergency call list, until someone is reached to achieve a cancellation of the notification if it is determined that no emergency exists.

## **3.7 Additional Methods**

Audio verification, video verification, cross zoning or other electronic verification mediums shall be permitted in place of or in addition to the second verification call and shall be considered in compliance with this enhanced verification standard.

## **4 Hold-Up**

### **4.1 Commercial Hold-Up Alarm**

Unless otherwise noted by Special Instructions, the monitoring facility shall not call the protected premises but shall make a Notification Call.

### **4.2 Residential Panic/Duress/Emergency Alarm**

The monitoring facility shall follow the Standard Verification Procedures as defined in section 2.0.

## **5 Residential Fire Alarms**

### **5.1 Households**

For purposes of this standard, “household” is defined in NFPA 72 August 2002 as the family living unit in single-family detached dwellings, single-family attached dwellings, multifamily buildings and mobile homes. This definition excludes common usage areas in multifamily buildings such as corridors, lobbies, basements, etc. Fire alarm systems covering such excluded areas are not “household” fire alarm systems. The primary purpose of fire alarm systems in households is to provide an audible signal to occupants in order to expedite evacuation of the household. Further explanatory material on this can be found in Annex A.

#### **5.1.1 Household Fire Alarm Signal**

The procedures defined in the NFPA 72 code shall be followed for household fire alarm signals.

## **6 Commercial Fire Alarms**

### **6.1**

For the purpose of this standard, a commercial fire alarm is defined as all fire alarm systems in all properties other than households as defined in 5.1 above

### **6.2 Commercial (Non-Household) Fire Alarm**

The procedures defined in the NFPA 72 code shall be followed for commercial (non-household) alarm signals.

## **Annex A (Informative)**

### **A.2.1.2.1**

If the monitoring facility personnel reaches the protected premises on the first or second call and the person answering the phone does not have the proper pass code then, if possible, the personnel may attempt to make a 3-way call with the premises person retained as a party to the call. The monitoring facility personnel may attempt to reach others on the call list to verify the authenticity of the person on the protected premises. If this process fails to resolve the issue then the monitoring facility personnel should proceed to make a Notification Call.

### **A 3.2**

Verification Phone Accessibility Guideline. Care should be taken to verify that the emergency call list phone numbers are to phones without call waiting, or alternately that \*70 is programmed in front of the monitoring center phone number in the electronic digital communicator. The verification phones at the monitored premises should be accessible after hours (not locked up in an office), such as in the vicinity of commonly used entrances and not be sent to voice mail after hours so the after hours users and cleaning people can hear and answer the phone.

### **A 5.1**

NFPA #72 states that “This code {Household Warning Equipment} is primary concerned with life safety, not with the protection of property. It presumes that the family has an exit plan.”

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** Profile Stops

**NUMBER:** 510

**EFFECTIVE:** March 13, 2007

**POLICY:**

Boulder County Sheriff's Office policy prohibits deputies from using profiling as a basis for stopping or detaining any person. It is also the Sheriff's policy that deputies are prohibited from stopping, or detaining, any person when acting entirely on information provided by a citizen and the deputy reasonably believes the citizen's suspicion of the person is based solely on that person's race, ethnicity, age, or gender. Further, deputies are prohibited from prolonging a lawful stop or detention based solely on the race, age, gender, or ethnicity of the person stopped.

**DEFINITIONS:**

Profiling: The practice of stopping and detaining a person based on factors solely related to the person's race, ethnicity, age or gender without the existence of reasonable suspicion or probable cause that the person being stopped has committed, or is committing, a traffic violation or criminal offense.

**PROCEDURE:**

- I. Training
  - A. Every commissioned deputy who, by virtue of their assignment, duty, or responsibility, makes traffic or pedestrian stops is required to attend training on the subject of profiling. The first training was conducted within six months following August 1, 2001 in compliance with C.R.S. 24-31-309.
    1. The Operations Division training coordinator or designee ensures newly hired deputies have received the training and, if not, ensures that they receive the training within the first year of hire.
  - B. The Sheriff sets the number of training hours devoted to the subject of profiling based on an assessment of internal needs.
  - C. The content of the training complies with the POST board's certified curriculum. (See attachment "A")
  - D. Training attendance is documented by the Operations training coordinator or designee. The Operations training coordinator or designee is also responsible for maintaining lesson plans for each training session. .

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II. Communications Division Procedures

- A. Communications Center personnel are responsible for screening calls received from the public describing suspicious activity, which may be based solely on the suspect person's race, ethnicity, age, or gender.
  - 1. The dispatcher alerts the responding deputy to the possibility that the request to investigate a situation may be based solely on the race or the ethnicity, etc. of the suspect person.
  - 2. Deputies are prohibited from stopping or detaining a person based solely on the suspicion of a third party when that party's suspicion is based only on the race, ethnicity, age or gender of the suspect person.

III. Traffic Stop Comment Reporting

- A. When a deputy conducts a traffic stop, which does not result in the issuance of a summons or an arrest, the deputy is required to provide the citizen with his or her business card.
  - 1. The information on the business card includes the deputy's name, division, and badge number. Each business card also includes the telephone number of the Traffic Contact Comment line so the citizen can contact the Sheriff's Office to make a comment or complaint.
  - 2. Deputies acting in an authorized undercover operation are not required to comply with provision III, A.
- B. It is the responsibility of the Sheriff's designee to monitor and log messages left on the Traffic Comment line. This designated person ensures that any complaints alleging employee misconduct are processed in compliance with policy and procedure. Anonymous complaints are investigated to the extent reasonably possible.
  - 1. Per C.R.S. 24-31-309 complainants of alleged profiling are not required to fully identify themselves when leaving a message. However, when the complainant requests that their name be kept confidential, the identity is kept confidential to the extent permitted by law.
- C. Information to be logged
  - 1. Date, time and location of the contact and date and time the phone message was received.
  - 2. Nature of comment.

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3. Deputy(s) involved.
4. Brief description of the allegation.
5. Outcome of any follow up or investigation.

IV. Reporting Responsibilities

- A. In accordance with C.R.S. 24-31-309, the designated employee compiles a summary report of all allegations of profiling. The report is completed annually and given to the Sheriff.
- B. The report includes, but is not limited to, the following:
  1. Number of allegations.
  2. Outcome of allegations.
  3. Costs of operating the Traffic Contact Comment system.
- C. The public report is not to include the following:
  1. Identification of complainants.
  2. Identification of deputy(s) involved.
- D. The report is made available to the media and the public at no cost. The report may be distributed as a standard press release.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

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**“ATTACHMENT A”**

**COLORADO P.O.S.T.  
Anti-Bias Training Program  
June 8, 2001**

Required Hours - Agency or Academy Determination

**A. THE PATTERNS OF BIAS BASED POLICING**

General learning goal: The student will have a basic knowledge of the patterns of Profiling and Bias Based Policing.

1. Knowledge of the Colorado statutory provisions pertaining to Profiling and Bias Based Policing.
2. Knowledge of the Fourth Amendment and the interpretive case law.
3. Understanding of the meaning of basic words related to "bias".
4. Understanding the various perspectives of communities of color.
5. Discussion of the impact of consequences on the community.
6. Knowledge of the negative impact on the reputation of the peace officer, the officer's department and the profession.

**B. THE PRACTICES OF BIAS BASED POLICING**

General learning goal: The student will gain the knowledge of the practices and perceptions of Profiling and Bias Based Policing.

1. Knowledge of the history of Profiling and Bias Based Policing.
2. Knowledge of national and local incidents that illustrate profiling.

**C. THE PROTOCOLS WHICH PREVENT PROFILING**

General learning goal: The student will understand the concepts and practices that prevent Profiling and Bias Based Policing.

1. The student will be able to identify examples of civil rights violations.
2. Emphasis will be placed upon examples of bias, profiling, civil rights, "isms", and hate crimes.
3. The student will recognize how anti-bias training benefits the communities served by law enforcement agencies.
4. The student will learn how community policing partners with Anti-Bias Based Policing.
5. The student will learn the ramifications of police not policing themselves.

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**“ATTACHMENT A”**

Source Material

- Colorado P.O.S.T. Cultural Diversity, Bias and 4th Amendment Curriculum
- Community Policing - A Contemporary Perspective, Chapter 2
- Crime and Justice in America, Chapter 7
- The Fourth Amendment to the Constitution of the United States
- Driving While Black - Kenneth Meeks

Source: <http://www.ago.state.co.us/post/antibiasprog.html>

12/31/2002

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** Use of Portable Electronic Device While Driving

**NUMBER:** 511

**EFFECTIVE:** November 2, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office that Sheriff's employees and volunteers operate county vehicles in a safe manner. To that end, the Sheriff places reasonable restrictions on the use of any personal or county-owned portable electronic device while driving a county vehicle, or personally owned vehicle operated while working in an official capacity for the Sheriff's Office.

**DEFINITIONS:**

**Portable Electronic Device:** Cell phone, smart phone, MDC/MDT, iPad or similar device, laptop or similar device, iPod or similar device, and 2-way radio.

**PROCEDURE:**

I. Restrictions

- A. Law enforcement operations frequently involve the use of radios, cellular phones, and mobile data computers (MDC) in the vehicle while enroute to a call for service or when contacting a suspected offender. Employees are to exercise discretion in responding to or initiating phone calls, radio traffic, or MDC messages, remaining cognizant of their attendant distractions, and giving weight to the higher priority of driving appropriately and cautiously.
- B. Employees are prohibited from using any portable electronic device other than the two-way radio when responding emergency or when driving in adverse weather conditions.
- C. Employees are prohibited while driving from using any portable electronic device for the purpose of reading or composing e-mail or text messages when the vehicle is in motion.
- D. Cell phone conversations conducted while driving are to be limited to high-priority business related calls or conducted with a hands-free device unless the vehicle is no longer in motion.
  - 1 Employees are to exercise caution when dialing, answering, or conducting cell phone conversations when utilizing the hands-free device.

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2. Employees are encouraged to pull over whenever practical in order to use any electronic device, other than the two-way radio.
- E. It is unlawful in Colorado for citizens to send or receive text messages while driving. Citizens may observe employees utilizing electronic messaging systems and be unfamiliar with the exceptions granted law enforcement personnel. Employees are to be aware of the public perception that may be created by the use of a portable electronic device and strive to minimize actions that may present an unfavorable image.

By Order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** AUTHORIZED WEAPONS, USE AND PROFICIENCY

**NUMBER:** 513

**EFFECTIVE:** November 9, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to require deputies assigned to certain law enforcement positions to be armed with a firearm when on-duty. The firearm is intended for use as prescribed by Colorado state law and in accordance with Sheriff's Office policies concerning the use of force.

It is the policy of the Boulder County Sheriff's Office that all deputies required or authorized to carry a firearm on-duty are trained in the use and care of that firearm. The sheriff has delegated the responsibility of developing, implementing, and updating firearms use and care training sessions to specific supervisors and deputies. These training sessions are scheduled periodically and are mandatory for all deputies who are required or authorized to carry a firearm on-duty.

In an emergency situation a deputy is authorized to take whatever steps are necessary to protect life or prevent an attempt by another to inflict serious bodily injury on any person, including using firearms not approved by this policy, or adapting an item for use as a weapon.

**DEFINITIONS:**

Primary Duty Handgun: Carried by a deputy while performing a normal duty assignment.

Off-duty Handgun: Carried by a deputy when the deputy is off-duty. It may be the same handgun used by the deputy as a primary or back-up handgun.

Back-up Handgun: Carried by a deputy during normal duty assignments as a back up to the primary duty weapon in the event the deputy's primary duty weapon becomes unusable.

I. Firearms Program Management and Proficiency Standards

A. The Operations Division Chief is responsible for assigning a command level supervisor the responsibility of managing the firearms program and ensuring compliance with all applicable policies.

1. Division training sergeants and firearm instructors assist the program supervisor as directed.

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- B. The firearms program supervisor ensures written documentation of all firearms related training and proficiency testing is recorded and maintained.
- C. The firearms program supervisor provides a monthly firearms training attendance report to the Sheriff's Executive Staff.
- D. The Sheriff's Executive Staff reviews and approves all firearm qualification courses prior to the course becoming the proficiency standard.
  - 1. Monthly firearms training sessions are developed by designated firearms instructors and approved by the firearms program supervisor and operations command staff.
  - 2. Qualifying standards, when applicable, may vary depending upon the particular course of fire and training objectives.

II. Authorized Weapons and Ammunition

A. Authorized Handguns and Ammunition:

- 1. Each deputy required or authorized to carry a handgun on or off-duty is responsible for purchasing a handgun meeting all specifications described in this policy.
  - a. Any handgun, or other firearm, purchased by a deputy pursuant to this policy is the sole property of that deputy.
  - b. The care, maintenance and repair of all personally owned firearms are the responsibility of the owner.
  - c. The care and maintenance of all departmental firearms assigned to a deputy are the responsibility of that deputy.
- 2. Only handguns of authorized calibers and manufacturer are permitted as primary, off-duty or back-up weapons. The Sheriff's Executive Staff determines the authorized manufacturers and calibers:
- 3. The following specifications are required for all authorized handguns:
  - a. Capacity of a minimum of six rounds for a primary duty handgun and five round capacity for a back-up or off-duty handgun.

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4. Back-up and off duty handguns should be of a compact and concealable design and must conform to all applicable specifications described in this policy.
5. Handguns must be registered with the Sheriff's Office and inspected by a firearms instructor for reliability and safety. The handguns must operate in accordance with the manufacturer's original specifications and will be inspected annually for reliability and serviceability.
  - a. The program supervisor ensures written documentation of all registered firearms is recorded and maintained in a secure and retrievable format.
6. The Sheriff's Office furnishes the ammunition for departmental training and duty use. The ammunition must be factory loaded with proven reliability and of specific design as determined by the Sheriff's Executive Staff. A command level supervisor may authorize other ammunition types when emergency circumstances require their use.
  - a. SWAT team members are authorized to train with, and deploy, a variety of ammunition types as per their standing operating procedures
7. A Division Chief may authorize the temporary assignment of a departmentally-owned handgun to a deputy, subject to availability, for any of the following reasons:
  - a. The deputy's personally-owned handgun has been damaged or is inoperable. It is the deputy's obligation to ensure that repairs are made as soon as practicable.
  - b. The deputy's weapon has been impounded pending the resolution of an investigation (e.g. an officer-involved shooting, internal affairs investigation, etc.)
  - c. The deputy has been assigned temporarily to a duty assignment that necessitates the use of a different weapon.

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- d. The deputy anticipates transitioning to a different make, model, or caliber of weapon and would benefit from the opportunity to carry a similar weapon for a trial period (subject to their meeting all of the other qualification requirements). This includes the anticipated purchase of a back-up handgun or off-duty weapon.
  8. Departmentally-owned weapons may be assigned for a period of up to six months.
  9. The Firearms Program supervisor is responsible for maintaining an accurate inventory of departmentally-owned weapons and their status.
- B. Shotguns and Ammunition
  1. Only shotguns owned by the department with proven reliability and of specific design as determined by the Sheriff's Executive Staff are authorized.
  2. Only Sheriff's Office issued less-lethal ammunition is authorized
    - a. Less-lethal shotgun ammunition must be factory loaded, with proven reliability and of the specific design as directed by the Sheriff's Executive Staff.
    - b. Various types of shotgun ammunition may be utilized during training as approved.
  3. The Sheriff, Undersheriff or Operations Division Chief may authorize specific deputies to carry and use a shotgun loaded with lethal ammunition.
    - a. SWAT tactical team members are authorized to use a variety of types of lethal, and less lethal, shotgun ammunition as per their standing operating procedures and as determined by mission requirements.
- C. Authorized Rifles/Ammunition
  1. Only Sheriff's Office issued rifles and ammunition are authorized
  2. The specific make, model, and caliber is determined by the Sheriff's Executive Staff.



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3. Only department issued ammunition is authorized for use.
4. The officer assigned to the rifle is responsible for its care and maintenance; the department is responsible for its repair.

D. Special Weapons

1. Special weapons are defined as automatic weapons, silenced weapons, gas launchers, explosive devices, and any other weapons, not covered by this policy, utilized by the S.W.A.T. and Riot Control Teams.
2. The use of special weapons is governed by the S.W.A.T. and Riot Control Team policies.

E. Other Weapons

1. Any object or device may be used as a weapon if necessary for self-defense or defense of another person without violating this policy.
2. An employee is required to obtain his or her Division Chief's written approval before carrying a knife on duty when the knife has a folding blade that is longer than 3.5 inches or when the knife has a fixed blade of any length.
3. Devices such as body armor, ballistic clipboards, etc. that are defensive in nature are not subject to restriction by this policy.
4. Any weapon described in CRS 18-12-102 (illegal weapons) is not authorized for normal duty use.

F. Intermediate Weapons:

Every uniformed deputy, while on-duty in a public safety capacity, is to carry at least one approved intermediate weapon, or an approved conductive energy device, as a less-lethal alternative to his or her firearm.

1. Batons
  - a. Sheriff's personnel are only authorized to carry the straight or collapsible baton.
    - 1) Straight batons made of wood or polycarbonate

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materials are authorized.

- 2) Collapsible batons made of carbon fiber material, polycarbonate and metal are authorized.
- 3) Deputies may carry these weapons or keep them readily available. The Sheriff's Office furnishes batons and holders for all personnel authorized to utilize a baton.
- 4) Deputies use these weapons in the manner prescribed in Sheriff's Office training and in the Use of Force Policy, #502.
- 5) Training and re-certification requirements are to be determined annually by the divisions' training sections and approved by Sheriff's Executive Staff.

2. Chemical Agents

a. Deputies may only utilize authorized chemical agents.

- 1) Deputies use these agents in the manner prescribed in Sheriff's Office Training and in the Use of Force Policy, #502.
- 2) Training and re-certification requirements are determined annually by the training sections of the respective divisions and approved by the Sheriff's Staff.

III. Authorization of Firearms

A. Deputies requesting authorization to carry a firearm for any employment related purpose are to abide by the following process for each specific firearm:

1. Obtain permission from their Division Chief and qualify with the firearm
2. The specific make, model, and caliber as determined by the Sheriff's Executive Staff.
  - a. The range officer inspects the firearm to insure that it is in good working order, is an authorized make and model, and that it meets reliability and safety standards.



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discharge.

- c. Provide safe storage for firearms and utilize department provided locking devices and vaults for rifle and shotgun storage in vehicles.
  - d. Only remove a handgun from its holster in a manner visible to the public when authorized by applicable state law and Sheriff's policies.
  - e. When not in uniform, deputies are required to carry their handgun in a manner that does not cause undue public alarm.
  - f. Deputies carrying an exposed sidearm when not in Sheriff's Class A, B, C or D uniform must also wear a Sheriff's Office badge clipped to their belt near the weapon and/or their Sheriff's photo identification on a lanyard or attached to their outer clothing and clearly visible.
3. Deputies are to immediately secure and make safe all firearms coming into their possession.
- a. When the current condition of the action or the loading of the firearm is of evidentiary value, officers are to take appropriate precautions to minimize the risk to persons who may come in contact with the firearm.
  - b. Deputies receiving an unfamiliar firearm are to seek assistance in properly handling and clearing it.
4. Deputies may not carry firearms within the confines of the Jail unless authorized by the Sheriff or the Jail Division Chief.

V. Warning Shots

A. Under normal circumstances warning shots are not authorized

- 1. The deputy firing a warning shot must be able to justify the decision based on the circumstances or conditions faced by the deputy at the time the shot was fired.

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VI. Basic Pre-service Training

- A. All deputies are to complete the basic firearms training requirements as described by Colorado P.O.S.T. prior to carrying a firearm. This includes, but is not limited to instruction in:
  - 1. The safe handling of firearms,
  - 2. The legal aspects of the use of deadly force,
  - 3. The safe storage of firearms,
  - 4. Sheriff's Office policies and procedures, and
  - 5. Pass a written examination covering these topics.
- B. Deputies receive range instruction and practice shooting, to include a shooting decision exercise and reduced light shooting exercise.
- C. Deputies are required to shoot a passing score on the current Sheriff's Office firearm's qualification course.

VII. In-Service Training

- A. Deputies required to carry a firearm are to complete the following annually:
  - 1. Receive instruction in:
    - a. The safe handling of firearms,
    - b. The legal aspects of the use of deadly force, and,
    - c. Relevant Sheriff's Office policies and procedures.
  - 2. Attend all yearly handgun and rifle qualifications and firearms training sessions as determined and required by their Division Chief unless excused.
  - 3. Pass the POST specified handgun course at least once with each authorized handgun. The course must be offered at least twice a year.

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4. Attend an annual briefing training session concerning the use of non-lethal force. This training includes, but is not limited to, the following:
    - a. Announcement of the intent to apply less-lethal force,
    - b. On scene pre-planning, identification of the authorized less-lethal rounds,
    - c. Responsibilities of back-up deputies, and
    - d. Medical attention to be given to an individual after the application of less lethal force.
  5. Successfully complete the rifle qualification course when required to carry a rifle.
- B. Deputies may be required by their Division Chief to attend other firearms related training.
- VII. Program Attendance and Firearms Proficiency
- A. Those with an excused absence from their Division Chief may qualify or train at any firearms workshop or other authorized training session during the quarter of the scheduled qualification.
1. Any discipline related to an unexcused absence is the responsibility of the affected employee's Division Chief.
- B. Deputies who fail to successfully pass a Sheriff's Office firearm's qualification course are to be given immediate remedial training and afforded one additional opportunity to qualify.
1. When a deputy fails to qualify after a second attempt the range officer in charge of the qualification shoot is to notify the deputy's supervisor as soon as practical.
  - e. Information presented in the notification is to include the range officer's assessment of the deputy's fitness for duty and recommendations for corrective actions.
- C. The supervisor then notifies the affected Division Chief as soon as practical. The Division Chief ensures corrective actions are prescribed and implemented.

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1. Deputies who continually fail to demonstrate basic firearms skills or minimum Sheriff's Office standards may be required to obtain additional training and may have their authorization to carry a firearm removed until such training is satisfactorily completed, as determined by their Division Chief.
2. Continued failure to meet standards may result in a personnel action including reclassification, reassignment, or termination.

By order of the Sheriff,

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** Conductive Energy Devices

**NUMBER:** 514

**EFFECTIVE:** April 19, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to use the level of force that is objectively reasonable and necessary to affect an arrest, or to control or subdue a violent or potentially violent person, and any person resisting arrest or attempting to escape. Conductive Energy Devices (CED) have proven to be effective in providing deputies with an option that reduces the risks to the deputy and to the subject in these violent or potentially violent situations. Therefore, deputies trained in the use of a CED are authorized to utilize this device in appropriate circumstances.

**DEFINITIONS:**

Active Aggression/Assault: An active attempt to inflict bodily injury against another person or a deputy.

An assault against a deputy or other peace officer is considered an elevated risk because of the possibility that the person committing the assault may get possession of one of the deputy's/officer's weapons and use it against another person.

Active Resistance: A refusal to comply with instructions accompanied by physical action that is intended to injure, thwart a lawful arrest, or to interfere or overcome an attempt by a deputy to lawfully subdue the resisting individual or another person.

Conductive Energy Devices (CED): This term currently refers to a device designed to disrupt a person's central nervous system by means of conducting battery powered electrical energy from the device to the person with sufficient power to cause uncontrollable muscle contractions and override a person's voluntary or directed motor responses.

Defensive Resistance: Refusal to comply with instructions accompanied by resistance that does not yet rise to the level of active resistance but through word, or body posture, a person demonstrates an intention or willingness to cause or to attempt to cause injury to another person.

Non-Lethal Force: Force that is not inherently likely to kill or cause great bodily injury to a person.

Non-Lethal Weapon/Device: A weapon or device that is armed and/or equipped to deliver a level of force to a person that is not intended to kill or cause serious bodily injury. Instead, the force delivered is intended to overcome resistance and aggression by causing temporary pain, discomfort and/or incapacitation.

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Passive Resistance: For purposes of Sheriff's policies, this term refers to a type of resistance encountered by deputies where a person refuses to comply with instructions but does not offer any type of physical resistance outside of having their body go limp, stiffening their body or refusing to move. The term also refers to resistance by nonviolent methods to a government, an occupying power, or specific laws, as in refusing to comply, demonstrating in protest, or fasting.

Verbal non-compliance: An individual ignores instructions and/or refuses to comply with instructions, but does not offer any type of physical resistance.

### **PROCEDURE:**

#### **I. Training Requirement**

- A. A deputy is authorized to carry and use the CED upon successful completion of the Boulder County Sheriff's Office 6-hour training program and/or the manufacturer's certification course.
  - 1. All personnel authorized to carry one of these devices are required to receive a minimum of two hours of annual refresher training.
    - a. The training may take many forms including, but not limited to: briefing, in-service, or law enforcement agency sponsored training. Topics that must be covered during the two hours include: 1) the care and carrying of the device; 2) the appropriate use of the device – including scenario discussions; and, 3) the inappropriate use of the device - including scenario discussions.
- B. A person is eligible for authorization to be a CED instructor upon successful completion of a manufacturer's and/or state certified CED instructors' course.

#### **II. Authorized Devices**

- A. Nothing in this policy is intended to restrict the lawful ownership and lawful use of a CED by a sheriff's employee.
- B. Personally owned CED's are not approved for use on-duty.

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- C. Deputies authorized to carry a CED for on-duty use are only authorized to carry a Boulder County Sheriff's Office issued CED.
  - 1. Deputies must receive written permission from their division chief to carry a department issued CED off-duty.
- D. Deputies who use a CED while off-duty within Boulder County's jurisdiction are considered to be acting under the color of their authority as a deputy sheriff and are on-duty from the beginning of the incident requiring the use of the device.
  - 1. Off-duty use of a CED by a sheriff's employee who is not a deputy or that occurs in a jurisdiction outside of Boulder County is subject to applicable local laws.

III. Device Readiness

- A. The device is to be carried by authorized personnel in an approved holster on the support side of the body.
- B. The device is to be carried fully armed with the safety "on" in preparation for immediate use when authorized and appropriate.
- C. Personnel authorized to carry the CED are to be issued at least one spare cartridge as a back up.

IV. Authorized Use

- A. The Conductive Energy Device is a non-lethal device that is intended for use against a person in situations that meet the criteria within the continuum of force for use of other types of non-lethal chemical or impact weapons. Deputies are authorized to use a CED's in a manner that is consistent with their CED training in situations that include, but are not limited to, the following:
  - 1. Defending against any type of assault;
  - 2. Preventing the use or threatened use of any type of weapon against the deputy or another;
  - 3. Overcoming *active* or *defensive* resistance,
  - 4. Disarming a person threatening suicide,
  - 5. Preventing the escape of a jail inmate.

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6. Holding/jail cell extraction or subduing a violent inmate: The use of a CED to facilitate the removal of an inmate from a holding/jail cell or to subdue a violent inmate is authorized when:
  - a. The inmate is engaged in active or defensive resistance; or
  - b. The inmate is engaged in any type of physical or sexual assault against another; and,
  - c. The risk of injury to the inmate or deputy is higher if other means are used to extract or subdue the inmate than is the risk of injury created by using the CED.
  
- B. A deputy's authorized use of a CED is limited in the following circumstances:
  1. Restrained subjects: Use of the CED on a person who is in handcuffs or other restraint device is only authorized when the person is actively resisting an attempt by a deputy to move the person from one point to another, and the deputy reasonably believes that the person's continued resistance creates a greater risk of injury to the restrained person or the deputy than is created by applying the touch prongs, i.e. "drive-stun", of a CED to the person.
  
  2. Fleeing subjects: The use of a CED on a person fleeing on foot from a deputy or other peace officer is only authorized when:
    - a. The deputy reasonably believes the person fleeing poses a danger to himself or others if not apprehended immediately; and,
  
    - b. The deputy reasonably believes there is a low risk of serious injury to the person if the person becomes incapacitated as a result of the use of a CED.
  
- C. In situations where time and circumstances allow, and it is a tactically sound option, deputies are to attempt to gain a person's compliance by announcing their intent to use the device and then demonstrate its use by activating the electrical arch between the touch prongs prior to actually touching the person with the prongs or firing the probes at the person.

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V. Prohibited Use

A. Personnel are prohibited from using a CED on a person in the following situations:

1. The person is in a restraint device(s) and is only offering verbal non-compliance or passive resistance, except as described in paragraph 2, below.

2. Overcoming *passive* resistance:

In the vast majority of circumstances where an individual is offering only passive resistance deputies are not authorized to use a CED to gain the person's compliance. However, there may be rare situations encountered by deputies where it becomes clear that the safest way to overcome the person's resistance is by using the CED. In those instances, deputies must have supervisory authorization before using the CED.

a. Before using a CED, deputies must first take steps to determine whether the person's resistance is due to a medical condition, i.e. the person is suffering a seizure or is in diabetic shock.

b. Deputies must attempt to gain the person's cooperation or compliance using other techniques. These techniques include, but are not limited to, the following:

1) Verbal commands,

2) Use of hand/arm restraint or compliance methods,

3) Applying low levels of physical force to the person while implementing a coordinated effort of multiple officers,

4) Using, or threatening the use pepper spray.

c. The authorizing supervisor must be able to list and describe the specific factors that led him or her to conclude that the use of the CED on the individual was a safer alternative to other available and practical options.

3. The person is fleeing and the deputy does not have sufficient information to believe that the person is a danger to themselves or others.

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4. The deputy is in a moving vehicle and the subject is outside of that vehicle.
5. The subject is in a moving vehicle.
6. The subject is using, or in contact with, flammable liquids or vapors.
7. The person may fall from a height when stunned that is likely to cause serious injury to that person or another.
8. The deputy should reasonably believe the person is pregnant.
9. In any form when the sole intent is to frighten or to cause pain to the person as punishment or for amusement.
10. In a training situation, on any person who is not a Colorado peace officer and has not expressly given permission for its use on him/her.
11. In a training situation on any inmate. Employees are not authorized to request that an inmate participate in the demonstration of a CED.

VI. Medical Evaluation and Treatment

- A. As soon as practical after the prongs or probes of a CED have come in contact with a person and electrical current has been discharged in, or on that person, on-scene personnel are to evaluate the person's medical condition and treat for injuries or other medical conditions.
- B. Upon completion of the on-scene evaluation, personnel have a number of options for dealing with the medical needs of the subject. The specific option chosen is dependant on the seriousness of injuries or other medical needs of the subject. The options include:
  1. Remove probes and minister to entry points, if needed, in a manner consistent with training. Transport to the jail and notify a jail nurse of the use of the CED and request medical clearance.
  2. Request that an ambulance respond to the scene and have paramedics evaluate and treat injuries or other medical conditions.
  3. Transport the subject to the hospital for evaluation and treatment of injuries or other medical conditions.
    - a. The subject's medical condition determines whether the subject is transported by ambulance or sheriff's vehicle to the medical facility.

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- C. Medical clearance at a hospital is mandatory when:
1. The subject was struck in the eyes, head, genitals or, when a female, the breasts.
  2. The subject appears to be in unusual physical stress or has not fully recovered within 10 minutes of being stunned.
  3. The subject falls into one of the following classes:
    - a. Juvenile under the age of 16, or
    - b. Subject has a pre-existing medical condition known to officers that may increase the subject's vulnerability, or
    - c. Subject is elderly.

VII. Reporting Requirement

- A. Personnel who use or attempt to use a CED in any non-training situation are required to complete a "use-of-force" form when required by current Sheriff's Office policies and procedures governing use-of-force reporting.
- a. Additionally, in situations where CED probes are discharged the CED is to be submitted to an Operations Division employee designated by the Operations division chief.
  - b. The designee downloads the data from the CED documenting the frequency and duration of its use to the appropriate computer or other applicable storage device.
  - c. This designee is responsible for ensuring the information from the download is secure and retrievable and stored in a manner that preserves the information for an indefinite period of time.

By Order of the Sheriff

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Joseph K. Pelle, Sheriff

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Date

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**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** Off-Duty Use of Sheriff's Vehicles

**NUMBER:** 515

**EFFECTIVE:** July 15, 2005

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to designate certain employees, deputies and command staff as "emergency response positions" in order to ensure the timely response to major crime scenes or in-progress emergency situations after duty hours. In order to facilitate this policy, deputies assigned to these positions are required to take certain county-owned vehicles home as specified in this procedure. In order to qualify for designation as an emergency response position the employee, deputy or member of command staff must live within Boulder County, or if in an adjacent county, within 10 or fewer miles of the Boulder County line. Exceptions to this standard may be made upon the review and approval of the division commander, Sheriff or Undersheriff if the location of the residence provides for a timely response or if the need and benefit to the Sheriff's Office outweighs the distance traveled.

**DEFINITIONS:**

Assigned Vehicle: A marked or unmarked Sheriff's vehicle assigned for the primary use of a particular deputy or employee. The deputy or employee drives the vehicle to and from home due to being called upon to immediately respond outside of normal duty hours.

Emergency Response Position: Personnel subject to call out after normal duty hours. Usually assigned to emergency services, detectives, K-9, SWAT, explosive ordinance disposal, riot team, resident mountain deputy and sheriff's command staff positions.

Emergency Response Vehicle: Any Sheriff's vehicle equipped with emergency lights, sirens and radio equipment or any Sheriff's vehicle used to assist in the investigation of a crime scene or emergency is considered emergency response vehicles for the purpose of this policy. May be assigned, semi-assigned or fleet assigned.

Fleet Vehicle: A marked or unmarked Sheriff's vehicle that is not assigned or semi-assigned to specific deputies or employees and is available for use by any deputy or employee for Sheriff's business purposes. Fleet vehicles are not to be driven to and from home without the consent of the division commander, Sheriff or Undersheriff.

Marked Vehicle: Any Sheriff's vehicle painted, equipped, and configured in such a manner as to be readily identifiable as a Sheriff's Office vehicle. May be assigned, semi-assigned or fleet assigned.

On-Call Status: Scheduled period of time for which the deputy will be the first to be notified of a response requirement, usually relating to an immediate criminal investigative need such as deputies assigned to detectives. The Sheriff and his command staff are always

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considered to be in an on-call status.

Semi-Assigned Vehicle: Sheriff's vehicle assigned for the use of two or more deputies/employees. Without the expressed consent of the division commander or designee, semi-Assigned vehicles are generally not driven to and from home.

Unmarked Vehicle: Any Sheriff's vehicle not painted or configured in such a way as to make it readily identifiable as a Sheriff's Office vehicle. May be assigned, semi-assigned or fleet assigned.

### PROCEDURE:

#### I. Assignment Responsibility

- A. Division commanders or designee(s) are responsible for the management and assignment of all vehicles within their division. The following is considered when making vehicle assignments:
  - 1. Assigned Vehicles: Position and collateral duties of personnel such as supervisory responsibilities, emergency response and investigative responsibilities and residence within the county or within the parameters of the 10 mile guideline. Geographic dispersal to facilitate timely call-outs and off-duty response times and the age, mileage and condition of vehicle are also considered.
  - 2. Semi-Assigned Vehicles: Shared responsibilities of deputies who use a particular vehicle equipment configuration such as mountain deputies, traffic deputies, K-9 handlers, etc. Shift assignments, days off, and shift overlaps, age, mileage and condition of vehicle are also considered.

#### II. Use of Sheriff's Vehicles:

- A. Sheriff's Vehicles are operated in conformance with State law and Sheriff's policy. Only county employees, or with supervisor permission, specific sheriff volunteers, such as; reserve deputies, civilian volunteers and cadets, are authorized to drive Sheriff's vehicles. Only deputies and emergency service personnel are authorized to drive emergency response or marked vehicles unless extraordinary circumstances require an exception to this policy.
- B. Deputies and emergency service personnel operating a marked or unmarked department vehicle, on or off-duty, are expected to respond in their official capacity to public safety emergencies, and must be suitably equipped and attired to handle those emergencies (including access to weapon and

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identification).

1. Personnel in an assigned vehicle may have family members with them on the way to or from work, (e.g. children to and from school, daycare, wife to work, etc.) with the expectation that they may be called upon to act in their official capacity while operating the vehicle and that the presence of the family member cannot impede the timely response to a call-out.
  2. In order to help balance the personal lives of employees and the needs of the Sheriff's Office, off-duty use of an assigned vehicle by personnel in an on-call status is authorized in the following situations:
    - a. When traveling alone and the distance is within a reasonable response time to a potential call-out and use of the sheriff's vehicle will reduce anticipated response times (a response time greater than one hour would generally be considered unreasonable), or
    - b. When traveling with non-sheriff's personnel and the use is within a reasonable distance of employee's home and their presence does not significantly impact a timely response to a call-out.
- C. The Sheriff must approve the use of Sheriff's vehicles outside the State. Travel should be limited to those situations where it is determined that out-of-state vehicle use provides a substantial cost savings or where the situation requires the use of a vehicle because of security concerns. The county risk manager must be notified of the details of the travel for each proposed out-of-state use of a Sheriff's vehicle so that any insurance compliance requirements can be met.

By Order of the Sheriff

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** SPECIAL WEAPONS AND TACTICS    **NUMBER:** 516

**EFFECTIVE:** 04/10/2006

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to equip, train and maintain a specialized unit of officers to deal with extraordinary, high risk, criminal or public safety events that occur within Boulder County or, upon a mutual aid request, outside of Boulder County.

**DEFINITIONS:**

SWAT: Acronym for Special Weapons and Tactics. A team of officers that receives specialized training and equipment to enable it to respond to, and deal with, high-risk criminal and public safety events when those events exceed the capabilities of on-duty patrol resources.

Impact Weapons: Impact weapons are capable of firing rubber, plastic, foam or wooden ammunition. This ammunition is designed to deter, distract or disable and is considered to be non lethal. Impact weapons and ammunition may be used in high-risk situations where the use would likely help resolve the situation and reduce the risk of injury to officers and other persons.

Pepper Ball Non-lethal Weapons: Pepper-Ball is considered a non-lethal weapon that combines elements of both a chemical agent and impact weapon. Pepper-Ball may be used in high-risk situations where the use would likely help resolve the situation and reduce the risk of injury to officers and other persons.

**PROCEDURE:**

- I.     Organization and Structure
  - A.     The SWAT team is comprised of commissioned officers from the Boulder County Sheriff's Office, Lafayette Police Department, Louisville Police Department and Erie Police Department, volunteers and employees from the Boulder County Sheriff's Office and specially trained paramedics from Pridemark Ambulance Service.
  - B.     Supervision of the team is the responsibility of the Boulder County Sheriff's Office. The Sheriff's Office provides command and control of the team. All other agencies that participate are governed by this policy and the interagency agreement (IGA). The team is normally organized into three units: the tactical unit, the negotiations unit, and the tactical support

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unit.

C. Chain of Command

1. SWAT is an auxiliary unit of the operations division and falls under the supervision of the operations division chief. This assignment is collateral to other duties.
2. The operations division chief with consent of the executive staff appoints the SWAT Commander. In the event the commander is absent, a tactical team leader takes charge of team operations.
3. Tactical team leaders are chosen from among the team without regard to rank, and report to the team commander.
4. Negotiations team leaders are chosen from among the team without regard to rank and report to the team commander.
5. Technical support team leaders are chosen from among the team without regard to rank and report to the team commander.

D. Position Functions:

1. Commander: Develops and coordinates team response to situations, evaluates problems, and identifies the type of equipment and personnel needed. The commander is responsible for the selection, assignment, and training of SWAT tactical and negotiations personnel.
2. Tactical Team Leaders: As determined by the team commander, may assume the commander's duties in his/her absence. Team leaders carry out orders and provide first line supervision and coordination of assigned team members in the field
3. Tactical Officers: Perform those tasks deemed necessary for the completion of each SWAT operation as directed. They may be cross-trained to handle different tasks and may develop specialties as needed.
4. Tactical Unit - The tactical unit's training and equipment is geared towards the resolution of a situation through some application of force. The level and type of force used is determined by the type of incident and by the actions and level of compliance of the subject(s) involved.

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- a) The tactical unit may be divided into smaller teams with specific duties as dictated by the nature and type of event. Those teams may be designated as, but are not limited to, any of the following:
  - b) Entry Team – Officers with the responsibility of making entry into any type of physical structure.
  - c) Arrest Team – Officers with the responsibility of physically arresting and securing a subject.
  - d) Perimeter Team – Officers with the responsibility of manning inner perimeter posts to secure an area around the target to prevent the escape of suspects and prevent or control the ingress and egress of unauthorized persons.
  - e) Tactical Observation/Marksman Team – Officers who are trained and equipped in long-range marksmanship and observation skills. This team provides magnified observation capabilities and long range shooting options.
  - f) Evacuation Team – Officers with the responsibility of removing innocents from an area or structures within an area to a safe location(s).
  - g) Crisis Reaction Team – Officers with the responsibility to stage and respond to developing crisis situations while more thorough response plans are being developed.
5. Negotiations Team Leader: Carry out orders and provide first line supervision and coordination of assigned negotiators in the field.
6. Negotiators: Conduct discussion and negotiation with persons as needed. They provide intelligence and information on the situation to command and work within the framework of the situation to assist its resolution. Negotiators are cross-trained to provide assistance in tactical support, security and crowd control tactics.
7. Technical Support team Leader: Carry out orders and provide first line of supervision and coordination of Technical Support Team members.
8. Technical Support Team Members: Provide overall technical support to the team to facilitate both tactical and negotiation operations. This support includes but is not limited to:

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- a) Maintaining the tactical operations center (TOC).
  - b) Maintaining a negotiation point.
  - c) Securing and establishing the necessary telephone lines, or other method of conducting negotiations.
  - d) Providing audio and video surveillance capabilities to the incident commander, TOC, and tactical and negotiation teams.
  - e) Maintains the various negotiation phones.
9. Tactical Dispatchers: Provide overall communication support to the tactical and negotiation teams. They report to the technical support team leader. SWAT mission related duties include, but are not limited to:
- a) Monitor and log operations specific communications and information.
  - b) Monitor and record communication and observations from observation/marksman teams.
10. Tactical Paramedics: Provide overall medical support the team. They report to the SWAT team commander; duties include the following:
- a) Develop and maintain medical histories on each team member.
  - b) Develop medical plans to support on-going operations.
  - c) Coordinate with other medical providers for basic and advanced care.
  - d) Provide immediate on scene medical treatment of team members, hostages, and/or suspects.
  - e) Maintain a liaison with medical providers who are treating team members requiring medical attention.

**E. Staffing**

- 1. The operations division commander determines staffing levels.

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They generally include:

2. One commander
3. Two tactical team leaders
4. One negotiations team leader
5. One technical support team leader
6. Sixteen tactical officers
7. Three to five negotiators
8. Three to five technical support members
9. One to three tactical dispatchers

**II. Eligibility**

- A. Eligible department members may apply for SWAT positions. All appointments are made by the operations division chief with the Sheriff's Staff approval and remain in effect until terminated by the operations division chief or by the member's resignation. The appointment or failure to appoint, or termination of appointment of any member, is not subject to grievance. Members who are appointed are expected to serve a minimum of three years. To be eligible to apply for a SWAT team assignment:
  1. Candidates must be current full- time certified peace officers with a minimum of two years of police experience with their respective agency. The only exceptions are for tactical medics, dispatchers, volunteer members of the technical support unit, and other non-sworn support members.
  2. Candidates volunteer for appointment.
  3. Candidates are not on probation at the time of appointment.
  4. Candidates have received positive endorsements at every level of their chain of command.
- B. Application, Testing and Selection
  1. Application and testing applies to all members with the exception of



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the commander, who is appointed by the Sheriff.

2. Selection Process

- a) Position announcements are posted for a minimum of ten days.
- b) Interested members submit a letter of intent to the SWAT commander, through their chain of command.
- c) The letter includes a brief resume and an endorsement by the members' supervisors.
- d) Tactical testing
- e) Completion of agility and endurance exercises as determined by the SWAT Commander.
- f) Oral interviews.
- g) May include the completion of a written test or questionnaire.
- h) Review the candidates' suitability with current supervisors.
- i) Assess the candidate's firearms skills and abilities through a review of firearms records, and discussions with firearms instructors.

III. Training

- A. New members are required to attend a recognized basic academy or training program, within their area of assignment (tactical, negotiations) within one year of selection (FBI, IACP, or NTOA Basic).
- B. Members attend regularly scheduled unit training as determined by the commander. Training is scheduled on a yearly basis.
- C. Tactical unit members train at least 16 days a year to include a scheduled monthly training day, and an annual training week.
- D. Negotiators train at least 12 days a year, and are encouraged to attend as many tactical unit trainings as possible.
- E. Negotiators are scheduled for range days as needed and approved by the

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commander.

- F. Training records are maintained by the Operations Training Sergeant to include, attendance and lesson plan(s) of each training session.
- G. Physical Fitness Qualification
  1. Team members are required to perform in high risk, strenuous operations, carrying necessary equipment. Therefore all members are expected to maintain good physical fitness.
  2. The commander schedules physical fitness activities as part of the yearly training activities. Tactical officers are required to participate.
  3. The minimum level of qualification for any tactical, negotiation or medical team member is a passing score on the sheriff's office essential Job demand course.
  4. Tactical unit members are required to complete the course, without stopping, while wearing full gear.
  5. If a member is unable to qualify on the course, he/she is given 30 days to train and re-qualify. If they are unable to qualify a second time, he/she is placed on restricted status with the team, and given another 30 days to qualify. Repeated failure to qualify is grounds for dismissal from the team.
- H. Firearms Qualification Standards
  1. Team members are expected to maintain proficiency in the weapons they are assigned. Members carry their SWAT handgun as their primary duty weapon. Tactical members will normally deploy with a shoulder-fired weapon as well (sub-machine gun, shotgun, .223 rifle, or precision rifle). Team leaders make specific weapon assignments on missions.
  2. Team members are required to qualify at scheduled SWAT qualification shoots. The commander and SWAT firearms instructors approve the standards.
  3. Members who attend the SWAT shoots are not required to attend the department shoot for that month.
  4. A Marksman is assigned to a specific scoped .308 caliber rifle. Marksmen qualify with their assigned rifle monthly.

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IV. Vehicles and Equipment

- A. The team commander ensures that a current inventory of the team's weapons, equipment, and supplies is maintained.
- B. SWAT tactical unit members are assigned take home cars when possible. They keep their assigned equipment in their cars to facilitate an expedited response when either on or off duty.
- C. Tactical team leaders drive assigned response trucks where other necessary non-assigned equipment is kept. Team leaders arrange for other team members to drive the response trucks in the event of their absence.

V. SWAT Operations

- A. The tactical arm of the SWAT team is generally utilized in a situation that is resource intensive, of a criminal nature and is, or has the potential to become, a threat to public safety.
  - 1. The SWAT team provides a tactical option to the Incident Commander that normally involves the use of some level of force.
  - 2. The deployment tactics and level of force used is entirely dependent on the nature of the crime, the level of threat created by the situation and the urgency that is needed to neutralize the threat.
- B. These tactics can involve deployment of diversionary devices, chemical agents, non-lethal weapons and devices; various building and vehicle entry techniques and open ground movement and search techniques. Deployment of the team and use of any of these tactics is inherently high-risk.
  - 1. Therefore, the team is thoroughly trained in the use of assigned equipment and individual or team deployment tactics.
  - 2. The actual tactics used are the responsibility of the team commander or the commander's designee.
  - 3. The tactics used are proportionate to the level of threat created by the situation and in compliance with applicable state law and Sheriff's Office policies.
  - 4. The tactics are designed and implemented in a way that resolves the situation and neutralizes the threat lawfully, effectively and as

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urgently as required.

5. Each Operation is debriefed to critically identify issues that were successful and issues that need improvement. An After Action Report is completed for Staff review.

C. The SWAT Team is responsible for coordinating and providing security protection for visiting dignitaries or other persons requiring special security.

1. The team commander, or designee, plans, coordinates, and supervises any special security detail.

VI. SWAT Call Out Process

A. An executive staff member, on-duty commander or on-duty supervisor, has the authority to activate the team for any critical incident or high-risk situation

Critical incidents consist of, but are not limited to the following,

1. Any barricaded subject, armed with a firearm.
2. Any sniper incident.
3. Any hostage incident.
4. Any high risk entry (a known or suspected armed subject, explosives, or a history of violence involving weapons)
5. A riot or significant civil unrest.
6. Warrant service involving a violent felony or possible physical resistance.

B. The on-scene incident commander or ranking supervisor assess the situation and determines if SWAT is needed. The supervisor then performs the following tasks:

1. The team is paged for immediate response in any identified crisis situation.

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- a) In the event of an escalating situation, the supervisor may consult with the SWAT commander to discuss a response.
  - 2. The supervisor ensures that communications and field units are notified of the response.
  - 3. Informs the responding commander of all pertinent details concerning the incident.
  - 4. Identifies the exact location of the incident; provides directions for best approach, staging areas, and command post; negotiations posts; and evacuation safe zones.
  - 5. Provides an inner perimeter for the incident until relieved by SWAT personnel; maintains the outer perimeter throughout the incident, or until relieved or reassigned.
  - B. The ranking supervisor maintains overall incident command, unless relieved, providing for support and staffing, logistics, public information officer, and security until the incident is resolved.
  - C. The SWAT commander takes command of the tactical aspects of the incident upon arrival. The tactics used to resolve the incident are the responsibility of the SWAT commander.
  - D. Team members are required to carry a pager at all times when available for call response.
  - E. The communications center is requested to page the SWAT team for response. Upon direction from the commander or team leaders, specific elements of the team may be identified for response.
    - 1. The incident commander or on-scene supervisor provides a telephone number where he/she can be contacted.
  - F. Instructions and directions for approach into the scene, staging areas, and command posts are sent by pager to responding team members.
  - G. SWAT command personnel respond directly to the scene to assess the situation, and begin planning deployment.
- VII. Use of Force
- A. A team member's use of force is consistent with applicable state law and Sheriff's Office policy. When considering force options, deputies assigned

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to SWAT, and conducting SWAT operations, are held to the same standards as other Sheriff's Deputies engaged in police activities. Nothing in this policy is intended to change those standards.

- B. Members are authorized to use appropriate levels of force, without prior authorization from SWAT command, when it is apparent that the life or safety of an innocent person, or police officer is in imminent danger, and the officer is in a position to appropriately and successfully intervene based upon the following safety priorities:
  - 1. The safety of hostages;
  - 2. The safety of innocent parties;
  - 3. The safety of police officers;
  - 4. The safety of the suspect.
  
- C. In the event the SWAT commander places additional restraint on the use of force, the commander issues these orders in plain and understandable language.

**VIII. Use of Flash/Sound Diversionary Devices**

- A. The SWAT Team maintains and trains with flash/sound diversionary devices. These devices are used in accordance with this training and applicable state law and department policy.
  
- B. Flash/sound diversionary devices may be used in high-risk situations where the use of such devices would likely help resolve the situation and reduce the risk of injury to officers and other persons. These situations include, but are not limited to:
  - 1. Barricaded suspect or hostage situations;
  - 2. High risk warrant service;
  - 3. When the distraction of a mentally deranged, violent person, or one who is under the influence of alcohol or drugs, is deemed necessary to help in their apprehension; and
  - 4. When the authorizing person deems their use necessary to safely resolve the situation.

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- C. Flash/sound diversionary devices are not used without prior authorization from the SWAT commander except in an emergency that has the potential to cause serious injury or is life threatening.
  - D. When using flash/sound diversionary devices, the commander considers circumstances such as the location, the nature of situation, the presence of children, elderly persons, natural gas or other flammables, and other circumstances that would make the use of the device inadvisable or dangerous.
- IX. Use of Chemical Agents, Ordinance and Special Weapons
- A. The SWAT Team maintains and trains with various chemical agents, ordinance, and special weapons. Such agents or weapons are used in accordance with this training and applicable state law and department policy.
  - B. Chemical agents may be used in high-risk situations where the use of such agents would likely help resolve the situation and reduce the risk of injury to officers and other persons.
  - C. Chemical agents are not used, without prior authorization from the SWAT commander, except in an emergency has the potential to cause serious injury or is life threatening.
  - D. In crowd control situations, when practical, a dispersal order is given including the warning of the use of chemical agents.
    - 1. If circumstances do not allow for an announcement, the commander may authorize the use of chemical agents if innocent persons or police officers are in immediate danger.
    - 2. When using chemical agents, the commander considers circumstances such as:
      - a) The location;
      - b) The nature of the crowd;
      - c) Weather conditions such as wind direction; and
      - d) The likely presence of children or other at risk persons.
- X. Use of Non-lethal Weapons and Ammunition

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- A. The SWAT Team maintains and trains with various non-lethal impact weapons. Such weapons are used in accordance with this training and applicable state law and department policy.
- B. In crowd control situations, when practical, a dispersal order is given including the warning of the use of these non-lethal impact and Pepper-Ball weapons.
  - 1. If circumstances do not allow for an announcement, the commander may authorize the use of these non-lethal impact weapons if innocent persons or police officers are in immediate danger.
- C. Impact weapons and ammunition is not used, without prior authorization from the SWAT commander, except in an emergency that has the potential to cause serious injury or is life threatening.
  - 1. When possible, an announcement is made prior to deploying impact weapons and ammunition.
  - 2. When using Impact weapons and ammunition, deputies do not target above mid-chest level.
- D. Pepper Ball weapons are not used, without prior authorization from the SWAT commander, except in an emergency that has the potential to cause serious injury or is life threatening.
  - 1. When possible, an announcement is made prior to deploying Pepper-Ball weapons.
  - 2. When using Pepper-Ball weapons, the commander considers circumstances such as the location, the nature of the crowd, weather conditions such as wind direction, and the likely presence of children or other at risk persons.
  - 3. When using Pepper-Ball weapons, deputies do not target above mid-chest level.
- C. Conducted Energy Devices
  - 1. Deputies using Conducted Energy Devices (CED) during special operations do so in compliance with the Sheriff Office's applicable CED policy.



**BOULDER COUNTY SHERIFF'S OFFICE  
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Joe Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** ESCORTS

**NUMBER:** 517

**EFFECTIVE:** 02/06/2003

**POLICY:**

It is the policy of the Boulder County Sheriff's Office that Officers do not normally escort ambulances, fire equipment or any other law enforcement agency vehicles EXCEPT out-of-County vehicles which need emergency direction to a particular location at which an individuals health and/or welfare is at stake. Employees may not use Sheriff's Office vehicles to transport sick or injured persons to hospitals or medical centers under normal circumstances.

Additionally, it is the Sheriff's Office belief that sufficient resources exist in the private sector to escort funerals, wide loads, house moves, etc.. As a general rule the Sheriff's Office shall not conduct escorts that are rightfully handled by the private sector.

**PROCEDURE:**

I. Out of County Vehicles

- A. Officers in the field who are requested by an out of county agency for emergency direction may escort that vehicle if the health and welfare of an individual is at stake.
- B. If the officer decides to escort the out of county vehicle he must advise Communications of:
  - 1. His/her location, at contact with out of county vehicle,
  - 2. His/her destination, and,
  - 3. The nature of emergency.

II. Commercial Escorts

- A. The Sheriff's Office, as a general rule shall not conduct commercial escorts. Exceptions to this position are at the discretion of the on duty shift commander.

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

By order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** USE OF SEAT BELTS

**NUMBER:** 518

**EFFECTIVE:** June 25, 2007

**POLICY:**

Employees of the Sheriff's Office are to utilize existing safety belt systems in compliance with CRS 42-4-236 when in a motor vehicle on county business. .

**DEFINITIONS:**

CRS 42-4-236: The State of Colorado statute requiring the use of safety belt systems, stating the exceptions to the statute and the penalties for violation of the statute.

Safety Belt System: A system utilizing a lap belt, a shoulder belt, or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers.

**PROCEDURE:**

- I. Wearing Safety Belt Restraints
  - A. All Boulder County Sheriff's Office personnel utilize safety belt systems while operating or riding in a Sheriff's Office or county vehicle.
  - B. All passengers riding in Boulder County Sheriff's Office vehicles are required to utilize safety belt systems.
  - C. All Boulder County Sheriff's Office personnel utilizing private transportation, for which reimbursement for mileage is being received from the Sheriff's Office are subject to the restrictions in Sections A. and B.
  - D. All prisoners transported in Boulder County Sheriff's Office vehicles are subject to the restrictions of Section B above. Additional regulations on the transport of prisoners can be found in the Jail Policy on Prisoner Transportation.
- II. Exceptions
  - A. When the vehicle is not equipped with a safety belt system.
  - B. Employees performing tasks that require the frequent exiting from and entering of vehicles (business checks).
  - C. Employees anticipating the need for a rapid exit from a vehicle.

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** ADA Compliance – Deaf and Hard of Hearing

**NUMBER:** 522

**EFFECTIVE:** March 21, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. The Sheriff's Office has specific legal obligations under the Americans with Disabilities Act to communicate effectively with people who are deaf or hard of hearing. Therefore, Sheriff's Office employees are to comply with the directives of this policy when interacting with any person who is in need of, and/or subject to, public safety and or law enforcement services.

The tenets of this policy are built from a set of values that include, but are not limited to, the following:

- People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to any other person.
- The Boulder County Sheriff's Office recognizes and accepts an obligation to ensure that its deputies and employees communicate effectively with people who are deaf or hard of hearing.
- Effective communication can be facilitated through the use of various types of auxiliary aids and services and Sheriff's employees strive to match the most effective aid or service with the individual by balancing the individual's usual method of communication with the nature, importance, and duration of the communication at issue.

**DEFINITIONS:**

Deaf or Hard of Hearing: a person who has a functional hearing loss of sufficient severity to prevent aural comprehension even with the assistance of hearing aids.

Qualified Interpreter: a person who has a certificate of competency by the Colorado Commission of the Deaf or Hard of Hearing and includes but is not limited to oral interpreters and sign language interpreters. The interpreter must also be certified to provide legal interpretation.

Effective Communication: methods of communication that are individualized and culturally appropriate to a person who is deaf or hard of hearing so that he or she can easily understand all auditory information.

**BOULDER COUNTY SHERIFF'S OFFICE  
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**PROCEDURE:**

I. Assistance Dog

- A. A disabled person with an assistance dog has the same rights to access public places and services as any other person. An assistance dog means a dog that has been or is being trained as a guide dog, hearing dog, or service dog. (C.R.S. §24-34-803)

II. Deaf or Hard of Hearing

- A. Under the Americans with Disabilities Act (ADA), people who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided to hearing persons. Boulder County Sheriff's Office personnel are to make reasonable efforts to communicate effectively with those who identify themselves as deaf or hard of hearing.

- B. Sheriff's Office personnel encountering any person who identifies themselves as deaf or hard of hearing are to immediately notify the shift supervisor or watch commander. The supervisor/commander is to determine if the person requires auxiliary aids or services to effectively and accurately communicate and to make arrangements to provide appropriate auxiliary aids and services, when necessary. Such auxiliary aids include, but are not limited to:

1. Use of gestures or visual aids to supplement oral communication
2. Use of a pen or pencil to exchange written notes
3. Use of a phone or other electronic communication device available
4. Use of an assistive listening system or device to amplify sounds
5. Use of a qualified legal, oral or sign interpreter
6. Use of computers or a typewriter
7. Use of Teletypewriters (TTY) or Videophones (VRS)
8. Use of family members or friends of the individual (patrol and investigations only).
  - a. Deputies refrain from using family members or friends of the deaf individual, unless it is urgent or necessary to communicate immediately and no other option is available. The nature, level of importance, and duration of the

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communication issue are to be weighed before using family members or friends of the deaf individual.

- C. Primary consideration is to be given to providing the type of communication aid or service requested by the individual. Attempts are to be made to determine what type of auxiliary aid or service the individual requires. The individual's choice is to be accommodated unless another equally effective form of communication is available given the circumstances, importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.

III. Qualified Sign Language Interpreting Services

- A. The Operations Division Administrative Commander, or designee, is to develop and maintain a list of qualified sign language interpreting services that are available on-call, 24 hours per day, and are able to provide qualified interpreters, as needed. The interpretation services are to have legally recognized qualifications. The list is to be made available to all sheriff's office personnel via the Sheriff's Office intranet, and in Communications, Jail booking and Operations administration.
- B. When an interpreter is needed, the employee is to do the following:
  - 1. Contact the on-duty supervisor and seek approval to contact an interpreting service.
  - 2. Once approval is obtained, the employee is to personally contact, or request that Communications contact, an approved sign language interpreting service and request the use of a qualified interpreter.
  - 3. Specify whether a legal, oral or a sign language interpreter is needed.
- C. Document the use of the interpreting service in the appropriate reporting location and notify Sheriff's Accounting by voicemail or email that an interpreter was used.
- D. Persons who are deaf or hard of hearing are not to be charged for the cost of an auxiliary aid or service needed for effective communication.
- E. The use of a qualified legal interpreter is not necessary for routine questioning during an initial contact with an individual who is deaf or hard of hearing.



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IV. Summons and Complaint

- A. At the time that a Summons and Complaint is issued to a deaf or hard of hearing person, the deputy is to ensure that effective communication is utilized. Issuing deputies are to use appropriate discretion in deciding whether or not to call an interpreter to the scene.
  - 1. This includes weighing any possible misunderstanding against the inconvenience to the individual in awaiting the arrival of the interpreter.
- B. On any summons and complaint issued to a deaf or hard of hearing individual, the deputy is to write on the face of the summons: "Deaf or Hard of Hearing Individual – Interpreter Required". This note alerts court officials to summon a qualified interpreter for the court proceedings, minimizing delays and postponements.

V. Arrest Procedure

- A. When a deputy has probable cause to arrest an individual who is deaf or hard of hearing, he or she is to ensure that the individual has access to effective communication services. The type of communication necessary may depend on the circumstances of the arrest.
- B. When possible, an interpreter is to be requested prior to a deaf or hard of hearing individual being arrested; however, deputies are not required to delay an arrest of a deaf or hard of hearing person based solely on the lack of an interpreter.
- C. Arrest of a deaf or hard of hearing person is to be supported by probable cause developed without the questioning or interrogation of the deaf or hard of hearing person. An interpreter is to be provided before any questioning of the suspect takes place and before verbally advising the suspect of their Miranda Rights.
- D. Prior to the arrival of the interpreter, the deputy is to write messages to the suspect in simple language explaining what is transpiring or is going to transpire. In writing, the deputy notifies the deaf or hard of hearing individual that an interpreter has been requested.
- E. No other questioning, interviews or interrogations are to be conducted without an interpreter present. Do not verbally advise the deaf person of their Miranda Rights without the interpreter present.
- F. Once an interpreter has arrived, use him or her to facilitate all communication with the deaf or hard of hearing individual.

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- G. At the conclusion of the arrest, if the deaf or hard of hearing individual is to be placed into jail, the interpreter is asked, when possible, to accompany the deputy to the jail to complete the book-in process.

VI. Interview/Interrogation

- A. Lengthy or complex interviews or interrogations of individuals who identify themselves as deaf or hard of hearing are to be completed using the services of a qualified interpreter. These would include any interviews with victims, witnesses, suspects, arrestees or inmates.

- 1. Individuals are to be notified that the service of a qualified interpreter is provided free of charge to them.

- B. Procedures for utilizing an interpreter are as follows:

- 1. Contact a supervisor and obtain approval to use a qualified legal interpreter.
  - 2. Contact an interpreter from the Sheriff's Office list of qualified sign language interpreting services.
  - 3. Establish the location of the interview/interrogation with the interpreter and supervisor, as necessary.
  - 4. Document all aspects of the interview/interrogation in the original report or supplemental report pertaining to the case.
    - a. Documentation can also be accomplished through the use of an electronic video recording of the interview.
  - 5. Advise Sheriff's Accounting via email or voicemail that an interpreter was used.

VI. Evidence

- A. All written correspondence exchanged with a person who is deaf or hard of hearing in a criminal case is to be placed into evidence under the appropriate case report number. This includes any notes exchanged between the individual and deputy.
- B. Placement of any notes into evidence does not take the place of documenting the conversation in the narrative section of the case report.

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- C. As necessary, in non-custodial interactions (i.e. traffic stops) deputies are encouraged to place any written notes exchanged with a deaf or hard of hearing individual into evidence under the appropriate case report or summons number.

VIII. In Custody, Charged with New Crime

- A. When an inmate who is deaf or hard of hearing is in custody and is being charged with a new crime, the services of a qualified interpreter are to be used to notify the inmate of his constitutional rights prior to any attempts to interrogate or take a statement

IX. Other Situations

- A. In situations that are less complex, gestures and/or an exchange of written notes are likely to be sufficient to communicate efficiently without the need of an interpreter. Urgent or exigent situations may also necessitate the use of gestures or an exchange of notes.

X. Telephone Service

- A. Access to TDD, TTY or equivalent telephone services is to be made available to all inmates who are deaf or hard of hearing when the inmate qualifies for phone use as described in Jail Procedure III: Telephone Use, under Jail Policy 0920, Module Supervision, (link: <http://insidebc/sites/sheriff/Documents/jailpolicy.pdf>).

XII. Inmate Privileges

- A. Jail inmates may have specific privileges which may include access to the special programs as described in Section 19 of the Jail Policy Manual.
- B. Deaf or hard of hearing inmates who wish to attend programs and who require the use of interpretation services or who have other special needs, are to submit a 'Program Attendance Request' form to a deputy at least 48 hours in advance of the scheduled program. The deputy receiving the request form is to immediately notify the appropriate supervisor and/or designated program director. The supervisor or program director is responsible for scheduling an interpreter or making other arrangements.
- C. All personnel are to ensure that any verbal communication given to the hearing population is also communicated to the deaf or hard of hearing inmates.

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- D. Module deputies making announcements via the public announcement (P.A.) system are to ensure the deaf or hard of hearing person is made aware of the information.
- E. An inmate may request interpretation assistance through the module deputy if the inmate cannot read, write, or speak English or if it has been determined that the inmate does not understand the jail disciplinary process.
- F. In order to ensure that the deaf or hard of hearing are given the ability to fully understand any disciplinary actions charged against them, an interpreter is to be utilized at any time when the inmate is incapable of understanding written communication.

**XIII. Inmate Interaction - Booking**

- A. When a deputy or booking LET becomes aware that a person is deaf or hard of hearing in the booking area, a supervisor is to be notified so that the most appropriate form of communication for the booking process can be determined.
- B. Primary consideration is to be given to the type of communication aid requested by the inmate. Types of communication may include but are not limited to:
  - 1. hearing aid
  - 2. written communication
  - 3. text messaging
  - 4. sign language interpretation
  - 5. 3rd party video interpretation (VRS)
- C. In all instances, documentation of the communication is necessary.
  - 1. When written communication is utilized, those notes are to be placed in the inmates file in ISU.
  - 2. When a sign language interpreter is to be utilized, a request for an interpreter is made from the approved list, after receiving approval from a supervisor.

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3. Upon arrival at the jail, the interpreter is to be escorted by a deputy to the booking area to assist in the completion of the booking process.
- D. During the classifications deputy intake screening, the deputy is to complete a 'Deaf and/or Hard of Hearing' intake form, which identifies or describes the inmate's preferred method of communication.
- E. During the medical intake screening, a notation is to be made on the inmates screening sheet that the inmate is deaf or hard of hearing.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** UNIFORMS AND APPEARANCE

**NUMBER:** 523

**EFFECTIVE:** July 16, 2010

**POLICY:**

It is the policy of the Sheriff's Office that employees wear the approved or issued uniform(s) in the prescribed manner. Division Chiefs are responsible for setting the criteria for which class of uniform is worn by whom and under what circumstances.

**DEFINITIONS:**

Class "A" Uniform: Long sleeve shirt, fully buttoned with a tie worn out and secured by an approved tie bar or buttoned to the shirt. Dress pants without cargo pockets. This uniform class requires a metal shirt badge, metal rank insignia for Command Staff and metal nametag. Award ribbons, year pin, and special identifier pin are authorized.

Class "B" Uniform: Inclusive of all Class "A" specifications, but worn without tie and collar open. The shirt may be long sleeves or short sleeves. The sleeves on long sleeve shirts must remain buttoned. Cargo pocket type pants are not authorized with this uniform class.

Class "C" Uniform: Deputy Duty Uniform (DDU) designated for normal field duty activities. Long sleeve and short sleeve shirts with embroidered name, collar rank insignia (commanders and above) and a cloth badge instead of a metal badge, etc. as used on Class "A" and B uniforms. Pants are BDU type with cargo pockets.

Class "D" Uniform: Tactical Uniform designated for special unit activities.

Command Staff: All commanders within a division.

Decorations: Class I awards as designated and authorized by Policy #317.

Employee/Uniformed Employee: For the purpose of this policy, employee, or uniformed employee, refers to any employee who is authorized to wear a uniform while performing a sanctioned sheriff's office function or task.

Executive Staff: Sheriff, Undersheriff and Division Chiefs.

Skill Pins: Pins authorized to be worn on the designated Class "A" and "B" uniforms. These pins denote special skills established by Sheriff's Office policy and procedures. Examples are: S.W.A.T., Bomb Technician, Canine Handler, Field Training Officer (FTO), Firearms Instructor, D.R.E. and Hazardous Materials Responder.

**BOULDER COUNTY SHERIFF'S OFFICE  
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**PROCEDURE:**

I. General Appearance and Grooming

- A. The Division Chief is the deciding authority as to whether a deputy's appearance and grooming meets the letter and spirit of this policy.
1. Employees' grooming and hygiene are to conform to generally accepted societal standards. A deputy's choice of hairstyle, facial hair, jewelry, clothing accessories, etc. must comply with policy, and cannot draw attention away from the uniform, create a potential distraction to the deputy's purpose, or present a safety risk to the deputy.
  2. A deputy's choice of hairstyle and length cannot restrict the deputy's ability to wear headgear required for duty. Head hair is to be neatly groomed and combed.
  3. Facial hair is to be neatly groomed, closely cropped and cannot interfere with a deputy's ability to wear a protective mask or other duty required breathing device.
  4. Employees are not to display a tattoo, temporary decal, or portion thereof that is deemed to detract from the professional appearance of their person or their uniform, or is deemed racist, sexist, offensive, obscene, or excessive and is visible to the public while wearing the uniform. Examples of prohibited tattoos include, but are not limited to:
    - a. Tattoos that depict nudity or sexual acts,
    - b. Tattoos that display obscene, racist, sexist, or vulgar words,
    - c. Tattoos that depict symbols used by militant, and/or racist/hate groups,
    - d. Tattoos that promote, support, or identify gangs, gang activity, or gang affiliation,
    - e. Tattoos (continuous or multiple) that cover more than half of the extremity on which they appear;
    - f. Tattoos on the face or head, or which are visible on the neck.

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5. Employees with tattoos or temporary decals that are deemed inappropriate will ensure that they are covered (e.g. by wearing a long-sleeved uniform shirt).
6. Employees are prohibited from wearing any jewelry piercing any visible part of the body other than the ears.

**II. Authorized Wearing of Uniform**

- A. Employees wear the appropriate class of uniform prescribed for the type of duty to be performed or as directed by a supervisor who is authorized to set uniform requirements. Executive and command staffs are authorized to wear any of the approved uniforms at their discretion.
  1. Class "A" Uniform: Dress uniform worn for formal occasions, i.e. funerals and ceremonies, etc. Employees below the rank of commander wear the Class "A" uniform when authorized or directed to do so by their supervisor.
  2. Class "B" Uniform: Relaxed version of the Class "A" uniform. Employees below the rank of commander wear the Class "B" uniform when authorized or directed to do so by their supervisor.
  3. Class "C" Uniform: Also known as the DDU (Deputy Duty Uniform), is the normal, day-to-day duty uniform for all field and jail deputies. This uniform is worn for all normal field and jail duty assignments unless authorization to wear a different uniform is received from the appropriate supervisor.
  4. Class "D" Uniform: Tactical uniform worn by SWAT officers for all missions unless the appropriate supervisor designates a different uniform.

**III. Purchase, Issuance, and Replacement of Authorized Uniforms**

- A. The Division Chief is responsible for coordinating the purchase or Issuance of the approved uniform.
  1. Only uniform brands and styles approved by the Division Chief are to be purchased.
- B. The Division Chief, or designee, assigns a division employee the responsibility of maintaining an inventory sheet for each uniformed



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employee. This employee records the issuance of all apparel and accessories to uniformed employees as they occur. In addition, this employee maintains a list of all approved uniform items and vendors.

- C. Cleaning and care of issued uniforms and accessories is the responsibility of the employee.
- D. The employee's direct supervisor, or a designee, determines whether repair or replacement of any uniform part is necessary.

IV. Authorized Accessories

A. Headgear

- 1. Authorized headgear approved by command staff and issued by a division includes the following:
  - a. A black baseball style cap with an embroidered star emblem centered on the front of the cap. (The baseball cap is not authorized with the Class "A" uniform).
    - 1) Members of specialty units may have a unit designation on their cap, when approved by the unit's Division Chief.
    - 2) A deputy may have his or her last name embroidered on the rear of the cap when approved by their Division Chief. No other embroidery, pin, etc., is authorized.
  - b. A black U.S. Navy type "watch cap" without badge or insignia.
  - c. A black felt or straw campaign hat with issued star hat badge.
    - 1) This hat may be worn with all uniform classes except Class "D."
  - e. Protective helmet, with a reflective sheriff's star decal centered on the front and reflective employee badge number centered on the rear near the bottom edge.
    - 1) Employees are to wear helmets when directed to do so by their supervisor.

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- 2) Helmets may be worn at the employee's discretion when necessary to protect the employee.

**B. Uniform Outerwear Specifications**

1. The Division Chief sets specifications of uniforms and accessories to be worn by employees of that division.
  - a. Outerwear includes, but is not limited to: coats, jackets, windbreakers, sweaters, and gloves.
    - 1) Executive staff approves the specifications of these items prior to uniforms or accessories being purchased or worn.
2. All outerwear, except a traffic or similar safety vest, is to be solid black.
  - a. Removable liners may be worn when the appropriate patches are on the sleeves and/or left pocket area.
  - b. Traffic reflective safety vest are issued to each commissioned field employee.
  - c. Gloves are solid black.
    - 1) Gloves are not issued and must be purchased by the employee.
    - 2) The Division Chief, or designee, approves gloves for duty use prior to their being worn.

**C. Footwear**

1. Uniformed employees wear black footwear that is appropriate for their assignment.
  - a. Open toe, sandals, and high heels are not authorized.

**V. Other Attire**

- A. Executive staff may authorize the wearing of other clothing, e.g. polo shirts, vests, etc., displaying the Boulder County sheriff's star, logo, or any wording that identifies the wearer as a Sheriff's employee or a member of a sheriff's division or unit and may set the parameters for when this type of clothing may be worn.

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- B. Civilian clothing is authorized for certain positions not requiring the wearing of a uniform. Division Chiefs have the authority to grant permission for employees to wear civilian clothes based on the employee's position or assignment.
  - 1. Civilian clothing worn for normal duty assignments is to meet, at the least, generally accepted current definitions of the phrase "business casual" apparel.
    - a. Shorts, t-shirts, torn garments, etc., are not acceptable apparel for normal duty assignments but may be worn if approved by an employee's supervisor in order to perform specific work related tasks.
    - b. Civilian clothing worn for normal duty assignments shall not have any visible wording or markings that is, explicitly or by innuendo, sexual, violent or derogatory.

VI. Insignia and Rank

- A. Shoulder patches are centered on the left and right shoulder sleeves, ½"; inch below the shoulder seam.
- B. When authorized for uniform apparel, the Sheriff's Office star cloth badge is centered, 3 ½" inches above the left pocket.
- C. A metal silver nameplate is centered above the right pocket of the Class "A" and "B" shirt with no space showing between the pocket and nameplate. A cloth nameplate must be worn on outerwear.
- D. The Sheriff, Undersheriff, Division Chiefs, and commanders wear metal insignia designating their rank on Class "A" and "B" duty uniform shirts. Cloth insignia is worn on the Class "C" and Class "D" uniform shirts. The appropriate star(s) are centered on the collar, two inches from the leading edge and parallel to the upper edge of the collar.
  - 1. Cloth shoulder board insignia are worn centered on the shoulder of outerwear. If a sweater is worn, rank insignia may be placed on the shirt collar.
- E. Sergeants' chevrons are sewn on all sleeves (except the tactical uniform) one-quarter inch below the lower point of the shoulder patch.

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VII. Decorations and Special Skills Identifiers Pins

- A. Sheriff's Office award decoration ribbons (Class I awards) are authorized on Class "A" and "B" uniforms and are placed on the uniform in the following manner:
1. Centered on and one-quarter inch over the nameplate.
  2. Two or more award pins are placed above the nameplate, side by side (horizontally), in order of precedence, with the highest award nearest the badge.
    - a. Order of precedence: Medal of Valor, Silver Star, Meritorious Service Medal, Life Saving Medal, Purple Heart, and Distinguished Unit Citation.
  3. Special skill identifier pins, as authorized by the Division Chief, are placed one inch above, and centered on the nameplate. Only one qualification pin may be worn.
  4. The longevity pin is placed two inches above, and centered on the nameplate.
  5. An American flag pin, approved by the Division Chief, may be worn in lieu of a skill identifier pin.

VIII. Duty Belt, Accessories, Body Armor, and Supplemental Clothing

- A. The Sheriff's Office provides the duty belt and accessories. The Division Chief designates the style, type, and manufacturer of this equipment.
1. The Division Chief establishes and enforces the criteria for wearing the equipment.
- B. Body armor is issued to deputies in direct enforcement positions.
1. Deputies are required to wear body armor when working in an enforcement capacity.
    - a. Body armor may be worn in an approved external cover with the Class "C" and Class "D" uniform.
    - b. The external body armor cover is authorized for emergency use for all uniform types and over non-uniformed clothing.

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2. Deputies are not authorized to wear body armor in an external manner without the prescribed cover except in emergency situations.
- C. Any visible clothing that is worn under a uniform shirt must be black.
1. All such clothing is the responsibility of the individual.
  2. Black mock turtlenecks or crew-collared undershirts may be worn with Class "B" and "C" uniforms when authorized by the Division Chief.
  3. No visible embroidery, printing, pins, etc. are allowed on these garments.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** STAFF NOTIFICATION OF MAJOR EVENTS

**NUMBER:** 524

**EFFECTIVE:** June 25, 2007

**POLICY:**

It is the policy of the Sheriff's Office that on-duty supervisors are responsible for ensuring that the Sheriff and Executive Staff receives timely notification of major events that occur during each supervisor's tour of duty.

**DEFINITIONS:**

Major events: Events which effect, or potentially effect, the lives and safety of the people in Boulder County, or are likely to produce inquiries from the news media, or that may require additional resources beyond those readily available to on-duty supervisors. Major events include, but are not limited to, the following: Homicides, accidental deaths - including traffic fatalities, kidnapping, non-work release jail escapes, major disturbances in the jail, deaths in the jail, SWAT activations, missing children - under the age of ten - who are still missing one hour after law enforcement notification, prolonged pursuits, large fires, flooding, prolonged search and rescue missions, on-duty injury to deputies or Sheriff's Office staff requiring hospitalization, damage to or failure of county property or equipment which impairs Sheriff's Office operations, or a major event in a Boulder County municipality which significantly effects Sheriff's Office operations.

Executive Staff: The Sheriff, Undersheriff, Division Chiefs and Civilian Directors.

**PROCEDURE:**

On-duty supervisors in the division that is most directly effected by the event are responsible for initiating the notification. Notification is to be made as soon as practical by use of the paging system. If the paging system is not available, notification is to be made by telephone. Notification of less serious events that occur between 2400 hours and 0600 hours may be deferred until after 0600 hours when no immediate response from the Sheriff or Executive Staff is needed.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** Evidence Processing and Handling

**NUMBER:** 525

**EFFECTIVE:** April 19, 2005

**POLICY:**

The Boulder County Sheriff's Office uses specific procedures during the collection, handling, packaging, storage and disposition of property collected which will protect the integrity of evidence, and preserve as much as possible the value of items held for safekeeping or as found property. This shall include procedures limiting access to stored evidence, maintenance of records detailing chain of custody, and a mechanism for the efficient disposal of items.

**DEFINITIONS:**

Abandoned Property: Safekeeping items which go unclaimed (90) ninety-days after written notification to the owner informing them that the item is available for release; found property which goes unclaimed for (90) ninety-days after being received in the Evidence Section; evidence for which ownership is not known which goes unclaimed for (90) ninety-days after release is authorized; evidence for which ownership is known and goes unclaimed (30) thirty-days after written notification to the owner that the item is available for release.

Evidence: Any item of evidentiary value which is collected for potential presentation in court, or which is collected for processing to obtain trace evidence for potential presentation in court. This term also refers to items seized under public nuisance laws for forfeiture purposes.

Found Property: Any item collected that is not related to a known criminal event, and/or for which ownership is not known.

Property Room: A room or rooms within the Boulder County Sheriff's Office's control in which all items of property collected as Evidence, Found Property, or for Safekeeping are stored. This is a secure facility with limited access.

Safekeeping Item: Any item collected that is not related to a known criminal event, and for which ownership is known. This includes but is not limited to property of inmates, which is not suitable for storage at the jail, and items such as guns, which may be collected to prevent future offenses.

**PROCEDURE:**

- I. Evidence Section Chain of Command
  - A. The Evidence Section is a component of the Operations Division and is



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supervised by the Operations Captain and Detective Lieutenant. Evidence technicians staff the Section. Other Office members may be authorized to perform limited clerical and evidence functions in the absence of Evidence technicians as designated by the Detective Lieutenant or Operations Captain. The Evidence technicians hold primary responsibility for the security of the property room and the accuracy of the inventory.

**II. Duties**

- A. The Evidence technician performs the daily functions of the Section which include:
1. Logging of all items received by the Evidence Section. The Evidence technician will conduct an inventory of incoming property to verify the presence of each item listed on the property report. Under normal circumstances, the Evidence technician will not open sealed containers. The Evidence technician will sign the property report acknowledging receipt only after all items are accounted for, and enter the items in the evidence inventory computer system.
    - a. The Evidence technician will notify the submitting officer and the officer's supervisor via phone, e-mail, or in person as soon as possible of any discrepancies between the inventory on the property report and the items submitted. Inventory problems must be resolved before items are logged into the Evidence Section. The submitting officer is responsible for rectifying the problem as soon as possible after being notified of the problem. In the absence of the officer, the supervisor will have this responsibility.
    - b. The Evidence Section will not accept any items that are not properly labeled or sealed. The Evidence technician will notify the submitting officer and the officer's supervisor via phone, e-mail, or in person, of the receipt of improperly labeled or sealed evidence. The officer is responsible for rectifying the problem. In the absence of the officer, the immediate supervisor will have the responsibility.
  2. Assigning storage locations for each item received. This information is logged on the property report and in the evidence computer.
    - a. Most items will be assigned space in the property room.
    - b. Cash, odorless controlled substances and other valuables, will be kept in locked safes within the evidence room.

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- c. Hazardous materials such as explosives will be kept in an off-site facility used by the Office to legally store these items. The Evidence technician will coordinate storage of these items with the Office's Ordnance Disposal Officers.
  - d. Larger items may be stored in locked cages in the basement of the Criminal Justice Center, or other off-site facility, at the discretion of the Evidence technician.
3. Release of Property: The Evidence technician shall coordinate the expedient release of property as appropriate.
- a. Items held for safekeeping shall be released to the listed owner or an agent who is either the legal guardian of the owner, or who has a statement signed by the owner authorizing the agent to take custody of the owner's property. A notarized statement is preferred but not required. This document will be kept in the case file in Records.
  - b. Items held as found property may be released at the Evidence technician's discretion to a person whom the Evidence technician is reasonably satisfied is the rightful owner of the property.
    - 1) Found property will be considered abandoned if an owner cannot be identified or located within (90) ninety-days, or if the owner does not claim it within (90) ninety-days of being notified via certified mail that it is available for release.
    - 2) In the event a member of the general public turns in found property, that person may reclaim the items if the owner cannot be identified or located, or fails to respond to written notification. Officers receiving found property should document from whom the property was received on the property report, and indicate their desire to retrieve the property if unclaimed. In these cases the Evidence technician will arrange to release the property to the finder.
  - c. Items held, as evidence shall only be released after authorization is made by the responsible officer for the case, an Operations Supervisor, or by court order. The releasing officer is responsible for checking with the District Attorney on cases that involve an arrest to ensure there is no future need for the evidence in court for any defendant or appeals.

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- d. The Evidence technician may solicit dispositions of items from the officer responsible for the case as listed in Sheriff's Office computer system.
    - 1) Upon receipt of a disposition from the District Attorney.
    - 2) At periodic intervals.
    - 3) At the Evidence technician's discretion.
  
  - e. When available, a D.A.'s disposition form from the District Attorney will be attached with request for property disposition, and submitted to the responsible officer. If the responsible officer is no longer affiliated with the Boulder County Sheriff's Office, the Detective Lieutenant will assign an officer to determine a disposition.
- B. The Evidence technician also performs periodic and specialized functions, to include:
- 1. Transporting evidentiary items to CBI (Colorado Bureau of Investigation, or other qualified evidence processing laboratory).
    - a. It is the responsibility of the deputy assigned to the case to put in a request to the evidence section for evidence to be taken to CBI. Once an evidence technician receives this request, the property is then signed out by the evidence technician and taken to CBI. If for some reason the evidence technician cannot take the items to CBI, the deputy assigned the case will sign out the evidence and take it to CBI.
  
  - 2. Disposing of items no longer required for a case or for those items for which an owner has not been found.
    - a. An evidence technician will obtain authorization for disposal of qualified items from the assigned deputy prior to seeking authorization from the other appropriate sections of the criminal justice system.
  
    - b. All items meeting destruction criteria will be disposed of in a manner that is in compliance with current laws, regulations, or code governing that destruction.
  
    - c. Proceeds from items that are auctioned are returned to the Sheriff's finance section.

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3. Executing disposition requirements authorizing the conversion, destruction, or sale of property. This includes making trips to the local landfill and/or to infectious waste management agencies that destroy biological waste and controlled substances, as appropriate. The destruction of controlled substances and firearms must be documented and witnessed by a commissioned deputy.
4. Handling photo-processing requests. The Evidence technician will maintain film supplies in the evidence processing room. The technicians handle requests for photos and photo line-ups. Photo negatives and digital images are kept in the property room.
5. Follow-up on cases assigned to an Evidence technician.
6. Trips to Sheriff's Office substations, as needed, for retrieval of digital memory cards designated as evidence.

III. Firearms and Contraband

- A. The Boulder County Sheriff's Office will not release any items to the general public, which are illegal to possess under Colorado Revised Statutes or federal law.
  1. Firearms will not be released to persons prohibited by law from possessing firearms, even if they are the owner. The Evidence technician will obtain photographic identification from any person (except Peace Officers acting in their official capacity) seeking release of firearms. A criminal history query in the CCIC/NCIC and Sheriff's Office computer systems will be conducted to verify that no criminal record exists that would prohibit the possession of a firearm by the person seeking release. If an arrest is located for which a conviction would restrict possession of firearms, the Evidence technician will verify a court disposition prior to release, and release will occur only if it is legal for that person to possess firearms.
    - a. Firearms classified as abandoned property and converted to Sheriff's Office use shall not be sold, traded or otherwise disposed, except by approval of the Sheriff, or Undersheriff acting in the Sheriff's stead.
      - 1) When the law prohibits the owner from possessing firearms, the owner may authorize another person to be his agent and to take custody of the firearms. The designation of the person as the owner's agent shall be documented by way of a notarized statement and is the

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responsibility of the owner.

2) The agent will be subject to the same records check as the owner. The agent will also sign a form acknowledging that he is receiving the firearms for the owner, that he knows it is illegal for the owner to possess firearms, and that he will not provide the firearms to the owner. This form will include a warning that return of firearms to the owner by the agent may constitute a crime on the part of the agent, and that should it be discovered, the agent as well as the owner might be prosecuted.

- b. Illegal items will be destroyed by employees of the Sheriff's Office in a manner that complies with this policy, as soon as practical after any needs in court are fulfilled.
- c. Property seized pursuant to public nuisance laws will be handled as evidence. The responsible officer and the District Attorney's office will coordinate release or conversion of the property.
- d. Documentation of release of items. Any person removing items from the evidence room on either a temporary or permanent basis will sign for the items as required on the property report. The Evidence technician upon return will sign in items, and make appropriate computer entries.

**IV. Accountability and Control**

- A. Access to the property room is restricted to the Evidence technicians, or other employees authorized by the Detective Lieutenant or the Operations Captain, to perform evidence functions. Any time any other employee or person is allowed into the property room, they must sign a log indicating their in and out time and their purpose for entry. At no time will unauthorized persons be left unescorted in the property room. The entry log remains as a permanent record in the Evidence Section.
- B. The Evidence technician are responsible for all items logged into the property room. Technicians are to conduct an inventory audit periodically, or as directed by their direct supervisor. Inventories may also be conducted at the discretion of the Detective Lieutenant, the Operations Captain, or the Sheriff. Any discrepancies in inventory will be noted and resolved as quickly as possible.

**V. Property Custody Procedure**

- A. Any member of the Sheriff's Office is authorized to place items into the Evidence property room when the items are evidence, found property or

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being held for safekeeping.

B. Items are to be inventoried on a Sheriff's Office property report, which must accompany the item(s). This includes photos/digital memory cards turned in for processing. Each item is labeled individually and is packaged separately.

1. All property reports must designate items as Evidence, Found Property, or Safekeeping, and the officer will sign each page, including the date and time. Crime type should be listed on the property report. Owner information is required on the property report for all Safekeeping items, and should be listed for all items for which the owner is known.
2. Items will be placed in a sealed container or properly tagged or marked. Seals are made using red evidence tape, and shall be initialed and dated by the person sealing the container. Items are not considered sealed if they are stapled inside a paper bag. In the event it is not practical to place items in a sealed container due to size or other problems, the item shall be marked, labeled, or tagged.
3. All items entered into evidence shall be labeled with the case number, item number, officer initials or signature, and date. Other information such as type of item may be put on the label. This may be done either on the container, on the item or on a tag attached to the item. The outermost container must be labeled regardless of markings on the item itself.
4. Items shall be placed into the locking evidence bins, or into a locking cage if it is a large item or a hazardous material. In some instances it may be necessary for an employee to contact the Evidence technician to enable items to be placed directly in the property room.

B. Items requiring special handling include:

1. Documents submitted, as evidence shall be placed in a sealed envelope.
2. Latent print cards should be placed in envelopes.
3. Film, or digital memory card, associated with a case will be turned in with a property report. Film/digital memory card, not associated with a case will be turned in with a property report, which is labeled "training, annual report, id photos, etc.
4. Bloody clothing or other wet items needing to be dried should never be sealed in plastic bags. They should be placed in open paper bags, in a secured bin. The Evidence technician will set out the item(s) to dry

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directly within the property room, or other secured drying area, prior to packaging. If the submitting deputy performs this task the Evidence technician must be present when performed in the property room.

5. Safety issues shall be documented. Sharp objects, such as knives or hypodermic needles, will be marked as such and packaged so as to minimize the possibility of accidental injury. Any blood-soaked or blood stained items will be marked as such with a biohazard label.
6. Firearms will always be unloaded and made safe prior to submitting into evidence. The Evidence technician will confirm that all firearms entering evidence are unloaded and safe. If a firearm is placed into evidence and requires future processing for trace evidence, the officer will clearly note this on both the property report and the packaging. The Evidence technician will contact the assigned officer to assist in rechecking the weapon to ensure that any trace evidence is preserved. If practical, the submitting officer may show such a firearm to the Evidence technician prior to sealing the container, thus alleviating the need to open the seal for a safety check. Firearms, which do not require processing for trace evidence, may be tagged rather than sealed in containers at the officer's discretion. Officers will have the Records Section enter serial numbers for firearms that are evidence or found property into the CCIC/NCIC gun file and designated as "impounds".
7. Serial numbers on any item are to be cleared through CCIC/NCIC by the submitting officer prior to placing the items in evidence. Results of the query are documented on the property report. If CCIC/NCIC is not functional, a notation of this fact should be made on the property report and the evidence technician is responsible for clearing the items as soon as practical.
8. The submitting employee is responsible for ensuring that any controlled substances are weighed prior to submission into evidence.
  - a. This can either be net weight or gross weight, the preference being net weight. Net weight is the weight of the substance by itself and gross weight is the weight of the substance including the packaging, wrapping or container.
  - b. The officer must document the weight of controlled substances and whether it is gross or net weight on the property report.
  - c. The officer should also conduct a presumptive test when possible prior to submitting the item into evidence.

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- d. Freshly cut marijuana should be placed in open paper bags or set out to dry within the property room or designated area.
- 9. Money is to be counted by the submitting employee and the amount written on the container and the property report. A second employee shall witness the counting of money when it is believed that the sum will total five hundred dollars, or more.
- 10. Items to be processed for latent prints or other trace evidence should be clearly marked as needing processing to prevent inadvertent contamination.
- 11. Deputies should use the locks with keys that are maintained in the Detectives equipment storage cabinet to secure items or vehicles in the basement vehicle case.
  - a. The key to the lock used for the vehicle cage is to be kept by the officer securing the vehicle, given to the officer who will be conducting the search, or placed in Evidence.
    - 1) If the key is placed in Evidence, it must be tagged.
  - b. The cage should be vacated as soon as possible.
- 12. Large items such as bicycles may be placed next to the cage in the basement. If necessary, they can be secured with the locks and chains that are available, either by attaching to or locking in a cage. Property reports for these items will be placed in the evidence bins with a notation that the items are in the basement. The evidence technician will assign permanent storage space.
- 13. Motor vehicles are not the responsibility of the Evidence Section. They may be secured, pending a search or processing, in the cage in the basement or at an impound lot, but the vehicle itself remains the responsibility of the officer. Motor vehicles will not appear on property inventories; they are subject to the Office's vehicle impound procedures with paperwork handled by the Records Section.
- 14. Breath samples are entered as evidence, however they do not require prior approval for release to the indexed suspect, or his attorney or authorized representative. Breath samples are preserved solely as a sample for the defendant.
- 15. Beer kegs taken, as evidence in criminal cases will be entered as



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safekeeping items. The keg is placed next to the evidence cage in the basement of the Justice Center. The keg is listed on a Property Report and the report is placed in an Evidence room bin. The Evidence technician will arrange for the disposition of the item. The keg is photographed as soon as practical upon disposition of the case and before the keg is released. Kegs will be returned to appropriate local businesses, and compensatory monies received in exchange for the kegs are used by the Office to fund designated volunteer functions within the Office.

By Order of the Sheriff

\_\_\_\_\_  
\_\_\_\_\_  
Joseph K. Pelle, Sheriff

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Date

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**SUBJECT:** RECORDS INSPECTION

**NUMBER:** 526

**EFFECTIVE:** 02/06/2003

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to allow the inspection of records pursuant to 24-72-201 through 206, C.R.S. (Inspection, Copying or Photographing Public Records) and 24-72-301 through 309, C.R.S. (Criminal Justice Records).

It is the policy of the Boulder County Sheriff's Office when differences exist between the Public Records statutes and the Criminal Justice Records statutes that those governing criminal justice records take precedence due to their applicability to criminal justice agencies. Whenever differences in statutes or case law permits discretion in the release of information it will be the intent of the Sheriff's Office to provide the widest scope of release possible to the requester.

It is the policy of the Boulder County Sheriff's Office to request from the Boulder County Attorney's Office opinions on questions of law, related to the keeping, inspection and dissemination of records and records information. Nothing in this policy statement shall preclude the seeking of advice and counsel from other sources when deemed necessary for the protection of the Office and the citizens it serves.

It is the Sheriff's Office position to comply with all statutes governing the keeping, inspection and dissemination of records and records information. The Sheriff's Office establishes procedures for the inspections of records and the dissemination of records information. The Sheriff's Office in establishes reasonable fees for conducting public records searches and checks in accordance with the guidelines of the Colorado Revised Statutes.

**DEFINITIONS:**

Arrest and Criminal Records Information: Information reporting the arrest, indictment or other formal filing of criminal charges against a person; the identity of the criminal justice agency taking such official action relative to an accused person; the name, birth date, last known address, and sex of an accused person; the nature of the charges brought or the offenses alleged against an accused person; and one or more dispositions relating to the charges brought against an accused person. C.R.S. 24-72-302(1).

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Basic Identification Information: The name, birth date, last known address, physical description, sex and fingerprints of any person. C.R.S. 24-72-302(2).

Criminal Justice Agency: Any court with criminal jurisdiction and any agency of the state or of any county, city, governing boards of institutions of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crime; the apprehension, pretrial release, post trial release, prosecution, correctional supervision, rehabilitation, evaluation or treatment of accused persons or criminal offenders; or criminal identification activities or the collection, storage, or dissemination of arrest and criminal records information. C.R.S. 24-72-302(3).

The Colorado Attorney General has deemed any agency of the United States government and any of the states of the United States of America and any agency of a foreign country whose duties are as defined in C.R.S. 24-72-302(3) to be a criminal justice agency.

Criminal Justice Records: All books, papers, cards, photographs, tapes, recordings, or other documentary materials, regardless of form or characteristics, which are made, maintained, or kept by any criminal justice agency in the state for use in the exercise of functions required or authorized by law or administrative rule. C.R.S. 24-72-302(4).

Criminal History: See "Arrest and Criminal Records Information".

C.O.S.I.N.: Computer Operated Sheriff's Information Network.

C.C.I.C./N.C.I.C.: Colorado Crime Information Computer/ National Crime Information Computer. These state wide and nationally based computer systems are interlink through a cooperative agreement between the Colorado Bureau of Investigation (C.B.I.) and the Federal Bureau of Investigation (F.B.I.) to provide criminal activity information.

COSIN Criminal History: Criminal history information within COSIN.

CCIC/NCIC Criminal History: Criminal history information obtained through computer systems of the Colorado Bureau of Investigation, Federal Bureau of Investigation, Department of Revenue Motor Vehicle Division, National Law Enforcement Teletype System, and any other local, state or federal criminal justice agency.

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Custodian: The official custodian or any authorized person having personal custody and control of the criminal justice records in question. C.R.S. 24-72-302(5).

Disposition: A report from the courts not to file criminal charges after arrest, the conclusion of criminal proceedings, including conviction, acquittal, the dismissal, abandonment or indefinite postponement of criminal proceedings; formal diversion from prosecution; sentencing, or correctional supervision, and release from correctional supervision, including terms and conditions thereof; outcome of appellate review of criminal proceeding; or executive clemency. C.R.S. 24-72-302(6).

Official Action: An arrest; indictment; charging by information; disposition; pretrial or post-trial release from custody; judicial determination of mental or physical condition; decision to grant, order or terminate probation, parole or participation in correctional or rehabilitative programs; and any decision to formally discipline, reclassify or relocate any person under criminal sentence. C.R.S. 24-72-302(7).

Official Custodian: Any officer or employee of the state or any agency, institution or political subdivision thereof who is responsible for the maintenance, care and keeping of criminal justice records, regardless of whether such records are in his actual custody or control. C.R.S. 24-72-302(7). For the Boulder County Sheriff's Office the official custodian is the supervisor designated by the Sheriff to act on his behalf in that function. However the Sheriff's Office recognizes that all employees hold custodial responsibilities as directed by the statutes.

Person in Interest: The person who is a subject (see primary subject definition below) of a criminal record or any representative designated by said person by power of attorney or notarized authorization; except that, if the subject of the record is under legal disability, it means and includes his parents or duly appointed legal representative. C.R.S. 24-72-302(10).

Jail Jacket: A Boulder County Sheriff's Office file folder containing documents related to a person's arrest(s) and/or incarceration.

J.M.S.: Jail Management System, a software information retention/tracking system used by the Jail Division in the 1990's.

Primary Subject of a Criminal Record: While not statutorily defined, the Boulder County Sheriff's Office considers suspects, defendants, witnesses, complainants and victims of criminal offenses to be primary subjects. (see person of interest definition above.)

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Sealed Records: Records ordered by the court sealed and removed from all access, and deemed to have never occurred and that no such record exists with respect to such person (sometimes described as an expunged record). Sealed records may be opened and inspected only (except for criminal justice agencies) upon order of the district court. C.R.S 24-72-308.

TIBURON: A Sheriff's Office purchased commercial software system replacing C.O.S.I.N. and J.M.S. systems, which includes but is not limited to, arrest, records, master files, jail files.

Dissemination Levels: C.O.S.I.N. internal control on reports set by BCSO supervisors to control access to specific reports.

- Level 1 - Public Report - open to general inquiry, after internal supervisory review.
- Level 2 - Criminal Justice - open only to Criminal Justice agencies. Some examples would be an ongoing case investigation, information concerning agency security or intelligence information.
- Level 3 - BCSO ONLY - Internal use only. Examples; Report entered by officers but not yet approved by a supervisor, disapproved report awaiting officer correction as to form or content.
- Level 4 - Not used.
- Level 5 - BCSO Supervisors only - as stated. Examples. Such as sensitive internal information concerning specialized planning, etc.

**PROCEDURE:**

**I. INSPECTION SCHEDULE**

- A. Records maintained within the Records Section are available for inspection by the general public at established and posted times or by special supervisory approval.
  - 1. Criminal Justice agency representatives may request and inspect these records within the policies and procedures.
  - 2. The general public, press and all others may request records and may inspect them when reasonably appropriate as to not interfere with the completion of the Record's Sections duties.

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- A. All records approved for inspection are made available for inspection within three weekdays. 24-72-303(3).

Records not within immediate access (storage, micro-media processing, etc.) are made available for inspection as soon as practical. The applicant requesting the records is advised of the circumstances and notified immediately upon availability. 24-72-303(2).

- 4. Fees for searching and duplication are assessed in accordance with C.R.S. and the established procedures of the Staff Services Records and Civil Sections.

- B. Records maintained by other divisions are available for inspection during normal business or as otherwise approved by a supervisor.

- 1. Each division is responsible for scheduling approved inspections within three weekdays of the request. 24-72-303(3). Documents/information not within immediate access (storage, micro-media processing etc.) will be made available for inspection as soon as practical. The applicant requesting the records is advised of the circumstances and notified immediately upon availability. 24-72-303(2).

**II. RIGHTS OF INSPECTION**

- A. All records inspections shall be in accordance with this policy and all other established procedures and laws.
- B. Inspection of any original record is not permitted when there are reasonable grounds to suspect the record may be damaged, destroyed, altered without authorization or removed from the Sheriff's Office without authorization. 24-72-306.
- C. Any division may provide for inspection a true and accurate copy of an original record. A reasonable charge not exceeding the actual costs will be assessed for creation of the duplicate record in accordance with this policy 24-72-306.
- D. Any person denied the right of inspection is provided with an explanation of the grounds for denial. Upon written request by the applicant, the Sheriff's Office provides a written statement citing the

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law or regulation under which access is denied or the general nature of the public interest to be protected by denial. Any written responses are provided to the applicant within three weekdays. 24-72-305. Denial may be based on:

1. Inspection is contrary to any state statute.
  2. Prohibited by rules of the Supreme Court or order of any court.
  3. Disclosure is contrary to the public interest.
  4. Disclosure would interfere or endanger ongoing investigations.
  5. Disclosure of intelligence information.
  6. Disclosure could reveal the security procedures of the Sheriff's Office, any Police Department, District Attorney and/or any criminal justice investigatory files for any other law enforcement purpose.
  7. Report has an internal case dissemination status indicating report is still in process.
- E. Court orders, upon completion of due process supersede the policies and procedures relating to Sheriff's Office records.
- F. Requests that consist of broad and general inspection without reference to specifically identifiable reports will be honored based on limitation of current retrieval technology and resource allocation. All costs, including programmer staff time required conducting the collation of data, computer and equipment usage costs, not to exceed actual costs, would be the responsibility of the requester and require payment in advance.

Access and collation of information such as Uniform Crime Reports and other standard Sheriff's reports will be allowed via the requester's own resources and personnel. Such access shall be scheduled with the records custodian in accordance with 24-72-205.



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- G. Any record normally open for inspection may be closed to inspection, should public interest and law enforcement needs require such action.

**III. RECORDS OPEN FOR PUBLIC INSPECTION**

- A. The following reports are considered open for public inspection unless specific exceptions (i.e. limited by court order) are stated:

- 1. BCSO Arrest reports

- a. The inspection of BCSO arrest reports which may jeopardize the safety of the arrested person, or would compromise security procedures related to a specific arrest are grounds for inspection denial upon approval of the Sheriff, any member of his command staff, or the Records Custodian.
- b. BCSO crime reports, incident reports, property reports, voluntary statements, D.U.I. reports, summonses, rights advisements. (Subject to internal Sheriff's Office dissemination levels and retention schedules.)
- c. Uniform Crime Reports and other Sheriff's Office statistical reports.
- d. Budget information and reports.
- e. Department policies and procedures.
- f. Grants.
- g. Daily field activity reports.
- h. Personnel schedules.
- i. Vehicle/Aviation maintenance reports.
- j. Press releases.
- k. Department property inventory reports.

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- l. Prisoner photographs (mugshots).
- m. Communication tapes (24 months) and communication tracking information.
- n. Animal control reports, licenses, and receipt logs.
- o. Civil process, file folders, and money receipts.
- p. Jail Jackets including fingerprints, photographs, (mugshots), internal jail incident reports, property sheets, hard cards, and all other internal jail documentation held in these files. (Not to include any C.C.I.C./N.C.I.C. printout within the jail jacket.)
- q. COSIN criminal history, including master card listing.
- r. Domestic Violence reports including temporary restraining orders and COSIN indexes.
- s. Inactive warrants information (unless limited by #2D or case dissemination level).
- t. Sex Offender listing (Subject to direction of the C.R.S.)

**IV. RECORDS OPEN ONLY FOR INSPECTION BY PERSON IN INTEREST AND CRIMINAL JUSTICE AGENCIES**

- A. The following reports are open for inspection by persons in interest and representatives of criminal justice agencies only. Requests must be made in person by completing a records request form (including Criminal Justice Agencies), no public telephone inquiries are accepted. Requests can be sent by facsimile, e-mail or web inquiry.
  - 1. Operation I.D. files.
  - 2. Alcohol Recovery Center and Mental Hold records.
  - 3. Active arrest warrants.

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4. Juvenile Records (see section 7).

V. RECORDS OPEN ONLY FOR INSPECTION TO CRIMINAL JUSTICE AGENCIES

- A. The following records are open for inspection only to representatives of criminal justice agencies.
  1. CCIC/NCIC criminal histories.
  2. Field interview cards.
  3. Supplemental reports of cases open for investigation.
  4. Active arrest warrants.
  5. Sex offender registration forms.

VI. RECORDS CLOSED FOR INSPECTION

- A. The following records are closed for inspection unless authorized by the Sheriff, or a member of his Command Staff.
  1. Intelligence files.
  2. Internal Affair reports.
  3. Sheriff's Office employee personnel records.
  4. Computer programming and computer system support documentation.
  5. Programming and classification files.
  6. Work release records pertaining to medical and/or psychological information.
  7. Personal correspondence unless made a part of the record open to inspection.

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8. Personal notes, notebooks, calendars, files, tape recordings and photographs.
9. Certain Sheriff's Office planning documentation.
10. Training records.
11. C.O.S.I.N. Message Switching.
12. Prisoner medical histories shall be released only upon the treated prisoner's authorization or upon court order (including mental health information) C.R.S. 24-72-204(3).

**VII. JUVENILE DELINQUENCY RECORDS**

- A. C.R.S. 19-1-304 (2) (A), states; "Records of law enforcement officers concerning juveniles, including identifying information, shall be identified as juvenile records and shall not be inspected by or disclosed to the public," except as identified by exceptions of specific Colorado Revised Statutes. Information concerning juveniles not charged with a crime or listed as a suspect in a crime, such as a witness, victim (except sexual assault) or complainant is releasable.
- B. Names, addresses or other information concerning the identity of juveniles who are arrested or taken into temporary custody are deleted from reports disseminated to the general public.
- C. Persons of interest and law enforcement agencies may have access to all juvenile records. Requesters are required to provide proof of relationship (such as same address of juvenile, birth certificate, appointment by court as guardian, etc.).
- D. If a petition is filed in the juvenile court alleging that a juvenile between the age of 14 and 18 has committed an offense that would constitute a crime of violence, as defined in C.R.S. 16-11-309, if committed by an adult or whenever charges are filed in district court alleging that a juvenile has committed such an offense, then the arrest and criminal reports for that crime as well as their basic identification information concerning such juvenile shall be made available to the public.

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1. In such cases the requester must provide proof of the filing of said petition in juvenile court or
  2. Provide proof that charges have been filed in district court or
  3. The department has obtained knowledge of #1 or #2 independent of the requester.
- E. The news media has no special access to juvenile records and shall be treated the same as the public in release matters.
- F. Military recruiters have no special access to juvenile records and shall be treated the same as the public in release matters.
- G. Legal actions stemming from a juvenile case remain within the restriction of the children's code even when the juvenile has passed the age of 18 years.
- H. Information on juvenile suspects and/or victims of sexual assault or child abuse/neglect will not be disclosed to the general public. Information identifying the complainant in these cases will not be disclosed to the general public.
- I. Juvenile records concerning dependency, neglect and child abuse are not disclosed to the public in accordance with C.R.S. 19-1-307, except as ordered by the Court.
- J. Child abuse cases in which the suspected child abuse victim dies are releasable to the public in accordance with C.R.S. 19-1-307 (b).

**VIII. INTERNAL PROCEDURES**

- A. The BCSO Records Custodian assigned to the Staff Services Division is mandated by the Sheriff to establish all ongoing procedures for the day-to-day management of records release, and maintain the procedural changes required in response to changes in the application of the law, directed by the Colorado State Legislature.
1. The written operational procedures of the Staff Services Division Records and Civil Sections shall be considered public record and freely viewable. Copies of these procedures can be

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obtained in accordance with the fee structure established within those same procedures.

2. The BCSO Records Section may provide to the public a log containing computerized printouts of arrest, incident and criminal reports, occurring during the next 24 to 72 hours. Any member of the public or media at no cost may access these reports, for viewing during normal business hours.

**RECORDS INSPECTION / POLICY 526**

By order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** ARCHIVING & DESTRUCTION OF DOCUMENTS

**NUMBER:** 527

**EFFECTIVE:** June 28, 2010

**POLICY:**

The Boulder County Sheriff's Office operates in conjunction with the Colorado State Archives, Division of State Archives and Public Records to maintain a lawful records retention system, and maintain an accurate, efficient and manageable retention and retrieval system with consideration for the selection of historical and permanent operational documents, in accordance with the applicable Colorado Revised Statutes. (C.R.S. Article 80, Part 1, State Archives and Public Records, 24-80-101 to 24-80-113)

**DEFINITIONS:**

RECORDS CUSTODIAN: Official custodian (Support Services Division Chief or any authorized employee having personal custody and/or control of criminal justice records in question. C.R.S. 24-72-301 et. seq.

PERMANENT RECORDS CONTROL SCHEDULE AUTHORIZATION: A document approved by and submitted to the Colorado State Archives identifying those documents that require permanent retention in accordance with the C.R.S. and those procedural rules set by the Colorado State Archives. Boulder County Information Technology also maintains copies of document schedules.

NON-PERMANENT RECORDS CONTROL SCHEDULE AUTHORIZATION: A document approved by and submitted to the Colorado State Archives identifying those documents which have a limited retention schedule in accordance with C.R.S. and those procedural rules set by the Colorado State Archives. Boulder County Information Technology also maintains copies of document schedules.

CERTIFICATE OF COMPLIANCE: A document approved and prepared by the Colorado State Archives authorizing and documenting the destruction and method of destruction of permanent (after transfer to an approved alternative medium storage) and non-permanent documents in accordance with the C.R.S. and those procedural rules set by the Colorado State Archives

PURGE SCHEDULE: An internal schedule established by division in coordination with the Sheriff's designated Record Custodian, to identify and collect those non-permanent documents to be destroyed without medium duplication.

MICROFILM: An alternate method of document storage consisting of a film bearing the photographic record on a reduced scale of printed and other graphic matter.

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MICROFICHE: An alternate method of document storage consisting of a sheet of microfilm containing rows of micro-images of pages of printed matter.

OPTICAL DISK: An alternate method of document storage consisting of scanning by laser paper documents onto a computer compact disk (CD) then coupled with personal computer (PC) based retrieval software.

### **PROCEDURE:**

#### **I. Archive/Retention Schedules**

- A. It is the responsibility of the departmental Records Custodian to establish and maintain a permanent and non-permanent Records Control Schedule Authorization for all departmental records, in conjunction with the Colorado State Archives.
- B. Each of these schedules is specific to a division or working subunit of the Sheriff's Office. These schedules identify the specific records involved (known as the "records title" by State Archives), the minimum retention period for each "records title", the reservations or limitations placed on each "records title" and the actions approved for the "records title".
- C. Boulder County Information Technology maintains certificates of destruction of all documents currently listed on the Archive/Retention Schedules.
- D. The Records Custodian prepares a Control Schedule and Certificate of Compliance specific to each division within the Sheriff's Office with special attention to certain sections within divisions, such as, Evidence, Personnel, Emergency Services, Emergency Preparedness, Internal Affairs, Technical Services Group, Training, Domestic Violence, Victim Assistance, Technical Maintenance, Finance, Civil and Records.
- E. Each Division Chief appoints one or more authorized representative(s) from their division to coordinate all archiving, storage and destruction of documents for their areas of control. Divisional and sectional procedures must be developed by these designees to ensure consistent handling of documents prior to destruction and/or preservation.

#### **II. Permanent Storage**

- A. Colorado Revised Statutes require that any document of administrative, policy, legal, fiscal, historical or research of enduring value be permanently retained by an acceptable method approved by the State Archives. Broadly interpreted, a potential exists for a majority of Sheriff's



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Office documents to be of a permanent nature. In conjunction the Sheriff's Office's Records Custodian and the State Archives has established a listing/schedule of these identified permanent documents.

1. The master copies of these schedules are maintained in the Support Services Division of the Sheriff's Office and reside with the Support Services supervisors assigned to the Records section. Boulder County Information Technology also maintains copies of schedules.
  
  2. The following B.S.O. documents have been established as having a permanent retention classification:
    - a. Arrest Reports.
    - b. Criminal Reports including all associated case documents.
    - c. Incident Reports.
    - d. Annual, Departmental and Office of the Sheriff Reports.
    - e. Policy and Procedures. This includes a master copy of the final policy or procedure governing a subject or practice, for each time period that a policy or procedure was in effect prior to modification or redraft.
    - f. Computer generated Jail Lists.
    - g. Computer generated Book and Release Lists.
    - h. Jail Disciplinary Hearing Reports.
    - i. Court Disposition information provided by the Court of Record.
    - j. Jail Division Hard Cards containing summary information.
    - k. Annual Civil Section Statistics Reports.
    - l. Expungement / Sealed Records Files.
    - m. Civil Case Reports.
    - n. Case/Crime/Complaint Report Logs. (Month and Year.)
    - o. Annual Warrants Section Statistics Reports.
    - p. Firearms Training Records.
    - s. Film Negatives.
    - t. Emergency Services Contracts.
    - u. Historical, Administrative, Policy, Legal, Fiscal, and/or
    - v. Research of enduring value.
- C. It is the responsibility of the Records Custodian to coordinate storage, and/or alternate methods of archiving these documents with the assigned divisional representatives and State Archives. Methods of storage are to be consistent with budgetary allocations, physical storage capacity and legal requirements. Documents converted to an alternative method of archives are to be maintained in the Records Section of the Sheriff's Office. Boulder County Information Technology maintains an electronic list

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of all documents stored offsite. Copies are sent to the Records Custodian quarterly, or as needed.

- D. The Records Custodian meets periodically with the divisional representatives to review and modify any archives schedules and procedures. The Records Custodian briefs the Support Services Division Chief of any changes or modification and of the necessary projected resources to necessary to continue the task of proper archiving and destruction for the next year.

III. Non-Permanent Storage

- A. Each divisional representative, in conjunction with the Records Custodian, is responsible for establishing a purge schedule based on that specific division's non-permanent records control schedule authorization. The purge schedule includes a method of collection of those documents due for destruction.
- B. The representative, in conjunction with the Records Custodian, arranges for the transfer of those documents identified for destruction which are not already in central storage and which are still within the control of the specific division. This transfer occurs at least once annually.
- C. The Records Custodian arranges for the overall disposal and transport of the identified documents authorized for destruction on an annual or needed basis. The methods of destruction that may be utilized, include, but are not limited to: shredding, paper recycle, landfill and/or pulp mill.
- D. The Records Custodian is responsible for completing the "Certificate of Compliance" for each series or year's worth of documents destroyed. Boulder County Information Technology sends the Certificate to the Records Custodian on an annual basis.

By Order of the Sheriff.

\_\_\_\_\_  
Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** RESERVE UNIT ORGANIZATION/OPERATION

**NUMBER:** 602

**EFFECTIVE:** 02/03/2004

**POLICY:**

The Sheriff of Boulder County, recognizing the need for qualified, trained supplemental personnel resources, has established a volunteer Reserve Deputy unit. This is consistent with the desire and philosophy of the Sheriff to involve the community in the functions of the Sheriff's Office where practical.

The unit is composed of volunteers who, having met the criteria for selection, have been appointed and commissioned as Reserve Deputy Sheriffs or non-commissioned volunteers, consistent with the Sheriff's statutory authority to make such appointments.

**DEFINITIONS:**

Reserve Unit: A group of no more than 50 volunteers, who have been selected, organized and trained to provide support for the operations of the Sheriff's Office. The unit is divided into three squads: Volunteers, Jail Reserves, and Operations Reserves, according to their specialized training and assignments. The Captain of the Operations Division has oversight of the Reserve Unit.

Reserve Deputy: A member of the Reserve Unit, appointed and commissioned by the Sheriff, and authorized to perform law enforcement and public safety duties pursuant to Colorado Revised Statute 16-2.5-110.

Reserve Unit Liaison: A full-time commissioned deputy, appointed by the Operations Division Captain, to act as the principal contact between the Sheriff's Office and the Reserve Unit. An assistant Reserve Unit Liaison may be appointed as necessary.

Reserve Captain: A Reserve Deputy appointed by the Sheriff to act as the supervisor and principal administrator of the Reserve Unit. The Reserve Captain does not wear any indication of rank and their authority is recognized only within the Reserve Unit.

Reserve Lieutenant: A Reserve Deputy selected to oversee the operation of one of the three squads: the Field Operations squad, the Jail squad, or the Volunteer squad. The Reserve Captain will appoint the Reserve Lieutenants to a one-year term. The appointment will be reviewed annually and may be extended at the discretion of the Reserve Captain. Reserve Lieutenants do not wear any indication of rank and their authority is recognized only within the Reserve Unit.

Reserve Unit Staff: The Reserve Unit Staff consists of the Reserve Captain, the Liaison deputy, and up to three Lieutenants. The Reserve Unit Staff meets on a regular basis to oversee and review the operations of the Unit.

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Volunteer: A non-commissioned member for the Reserve Unit, appointed by the Sheriff, to perform non-enforcement tasks and to provide support services. Reserve Volunteers will receive training commensurate to the tasks and functions, which they are called upon to perform.

Recruit Reserve Deputy: A member of the Unit who has been appointed and commissioned by the Sheriff as a Reserve Deputy, but who has not yet completed the prescribed training regimen necessary for the designation as a Reserve Deputy, in either a Jail or Operations capacity.

Reserve Deputy: A member of the Reserve Unit who has been appointed and commissioned by the Sheriff, and who has completed the prescribed training regimen for the respective squad assignment. A Reserve Deputy is considered to be capable of performing most assignments under direct supervision, and a limited number of narrowly defined, task-specific functions without direct supervision. Reserve Deputies are eligible to perform limited extra-duty assignments for compensation provided that they are under direct supervision.

Supervision: As used in this policy, “supervision” or “direct supervision” is defined as acting under the direction of a full time deputy, supervisor, or full time officer of another agency (as may periodically occur at special events), and includes supervision by personal direction, telephone, radio, or other means of immediate two-way communications, pursuant to C.R.S.

16-2.5-110 (6) (a).

**PROCEDURES:**

**I. Reserve Unit Structure:**

- A. The Reserve Unit is composed of three squads: The Jail Reserves, the Operations Reserves, and the Volunteers, with a total membership not to exceed 50 personnel. An appointed Reserve Lieutenant oversees the operations of each squad. The Reserve Captain, assisted by the Reserve unit Liaison, supervises the functioning of the entire Reserve Unit.
- B. A prospective Volunteer must meet established selection criteria to include an interview with Reserve Staff, background check, and criminal history check to be considered for appointment. In keeping with our community ties, preference in appointment will be given to those who reside or work in Boulder County.
- C. A prospective Reserve Deputy must meet all of the selection criteria required for full-time as a Deputy 1 to be considered for appointment. In keeping with our community ties, preference in appointment will be given to those that reside or work in Boulder County. Individuals with prior law enforcement or Reserve Unit experience may be appointed at the discretion of the Sheriff. A waiver by the Sheriff will suffice in lieu of testing.
- D. Reserve Deputies are ranked, according to their level of training and proficiency, as either a Recruit Reserve Deputy or Reserve Deputy.

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- E. The Recruit Reserve Deputy is a member of the unit who has been appointed and commissioned by the Sheriff as a Reserve Deputy but who has not yet completed the prescribed training (to include academy and field training programs.) Once the training has been successfully completed, the Recruit Reserve Deputy is promoted to Reserve Deputy status. Recruits are used sparingly in performing law enforcement and public safety functions, and only under direct supervision.

Recruit Reserve Deputies in the Operations squad are qualified to perform the following activities under direct supervision:

1. Conduct jail module searches and shakedowns
2. Conduct crime scene searches
3. Staff surveillances
4. Accompany full time training Deputies on ride-alongs in a trainee capacity

Recruit Reserve Deputies in the Jail squad will be engaged in completing the Jail FTO curriculum and will not be allowed to work independently. Jail Recruit Reserve Deputies will not participate in firearms training.

- F. A Reserve Deputy is a member of the Reserve Unit who has been appointed and commissioned by the Sheriff, and has satisfactorily completed the prescribed training. For Jail Reserves this includes a 60-hour basic Jail orientation-training course, while they pursue the completion of the Jail FTO program. For Operations Reserves this includes a P.O.S.T. peace officer certification academy and minimum 336-hour field-training program. Reserve deputies must demonstrate continued proficiency and attend annual in-service training in order to retain this status. In-service training will be conducted in conjunction with monthly business meetings. Attendance at monthly in-service classes is mandatory. The Reserve Liaison may issue an excused-absence waiver prior to missing the class. The Reserve Liaison may require any missed class to be made up by the individual attending a comparable in-service class with full time deputies.

Reserve Deputies in the Operations squad are qualified to perform the following activities under direct supervision:

1. Act as a "Second Officer" to full-time Deputies.
2. Staff DUI checkpoints
3. Staff surveillances
4. Conduct crime scene searches
5. Provide crime scene security
6. Provide special event security
7. Conduct jail module searches and shakedowns with Jail staff
8. Provide traffic and crowd control
9. Conduct traffic enforcement surveys
10. Provide election security
11. Participate in jail Workender program supervision
12. Conduct crime prevention patrols with another Reserve Deputy

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13. Perform jail home-detention client compliance checks with another Reserve Deputy
  14. Serve civil process
  15. Perform any other defined, task specific event, as directed by a supervisor
- G. Reserve deputies will not be expected or permitted to undertake general patrol functions. They will be permitted the use of marked patrol vehicles as required to complete their assigned tasks. Occasionally, circumstances will dictate that they take immediate action to preserve public safety, to intervene in criminal activity occurring within their presence, or to take an offender into custody. In those circumstances, Reserve Deputies will take whatever enforcement action is necessary to stop the harm that is occurring or to apprehend an offender. They will then notify a supervisor and request the assistance of a full-time deputy in resolving the situation. Reserve deputies are discouraged from making routine traffic contacts; they should initiate traffic contacts only when it is necessary to render aid or to intervene in an immediate threat to public safety.
- H. Reserves Deputies in the Jail squad are qualified to perform the following functions under direct supervision:
1. Work in Master Control
  2. Work in Visitation
  3. Work in a limited capacity as a Rover
- I. Upon completion of modules 1 & 2 of the FTO curriculum, Module 3 - (Jail Emergencies, security, Module Operations), Module 4 - (Module operations, security), and Module 5 - (Jail Emergencies) Components, they may work under the direct supervision of an FTO, in:
1. Building C, Work Release Module.
  2. General Population Module.
  3. Intake Module.

II. Chain of Command:

- A. For the purposes of day-to-day Sheriff's Office operations, Reserve Deputies are deemed to be Deputy 1 equivalent. They report to and act at the direction of Sheriff's Office supervisors. Reserve Unit Staff members wear no indication of rank and have no command authority outside of the Reserve Unit. For Reserve Unit related business, Reserve Deputies report to their individual squad Lieutenants and the Reserve Captain.
- B. Volunteers work under the direction of their assigned full time deputy or Sheriff's Office employee. Otherwise on matters pertaining to Reserve Unit business, Volunteers report to their squad Lieutenant and Reserve Captain

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III. Budget and Expenditures:

- A. The Captain of the Operations Division must approve all expenditures of Sheriff's Office or County funds, relating to the operation of the Reserve Unit. The Reserve Unit may raise funds and keep a separate account to supplement Sheriff's Office expenditures or to cover Reserve Unit expenses not normally covered by the Sheriff's Office. The Captain of the Operations Division must approve all fundraisers, grants, and contributions. The Reserve Captain will be responsible for oversight of any separate Reserve funds and accounts. All expenditures of Reserve funds require the approval of the Reserve Unit Staff.

IV. Property, Equipment and Uniforms:

- A. The Captain of the Operations Division or his designee will maintain records of all Sheriff's Office property assigned to the Reserve Unit as well as records of all property privately held by the Reserve Unit.
- B. The Sheriff's Office issues each Reserve Deputy a badge, a Sheriff's Office I.D. card, a building access card, a uniform name-plate, pager, ballistic vest and, a complete uniform. In addition, Reserve Deputies assigned to the Operations squad may be issued additional equipment as deemed necessary for their assignment. The Reserve uniform is differentiated from that of a full time deputy in that the badges are gold-colored, as is the piping on the uniform shoulder patch. All equipment uniforms are to be returned to the Sheriff's Office promptly upon resignation or termination.
- C. The Sheriff's Office issues each Reserve Volunteer a Sheriff's Office I.D. card, access card, and polo shirt (which serves as an informal "uniform" at public events). The I.D. card and access card are to be returned to the Sheriff's Office promptly upon resignation or termination.
- D. Reserve Deputies may avail themselves of additional equipment owned by Reserve Unit and or Sheriff's Office such as portable radios, flashlights, and helmets - (as available) while on duty. The individual Reserve Deputy is responsible for providing appropriate footwear, duty belt, accessories and firearm as prescribed by Sheriff's Office policy. Reserve Deputies are required to wear ballistic vest while working street enforcement functions.
- E. Reserve Unit Staff members are assigned a portable radio, pagers, and respective chargers.

V. Obligations And Commitments:

- A. Each Reserve Deputy or Volunteer will commit a minimum of 20 hours of voluntary service to the Sheriff's Office each month including meetings and training time. Reserve Staff may make exceptions to this obligation. Reserve Deputies and Volunteers will attend all scheduled Reserve business meeting and in-service training sessions. Reserve

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Deputies assigned to the Operations Division, and all Jail Reserve Deputies who are so qualified will attend all Sheriff's Office training and qualification shoots so as to maintain firearms proficiency.

- B. Reserves and Volunteers may apply to Reserve Staff for an Administrative Leave of Absence for up to six months for medical or personal reasons. If the individual does not return to active status by the end of the maximum allowed absence, the individual will be administratively terminated from the Reserve Unit. Reserves are not required to attend monthly shoots while on administrative leave.
- C. Reserve Deputies and Volunteers are bound by all Sheriff's Office policies and procedures and are subject to the same disciplinary sanctions.

VI. Compensation:

- A. Although the service rendered by Reserve Deputies is largely voluntary, there are periodic occasions of emergency or special need where Reserve Deputies may be called upon to work special and extra-duty assignments for compensation. In order to be eligible for these assignments, the Reserve must be in good standing and current on their voluntary time obligations.
- B. Reserve deputies are only eligible to work extra-duty event when the staffing allows for them to be supervised by another full-time deputy (i.e. no solo extra-duty assignments)
- C. Unless otherwise noted, Reserves will be compensated at the hourly rate for a Deputy 1.
- D. Reserve Deputies or Volunteers who are injured during the course of their on-duty activities with the Sheriff's Office are covered under the County's Workman's Compensation and long-term disability plans.

VII. Carrying Concealed Weapons:

- A. Pursuant to C.R.S. 16-2.5-101 all duly appointed P.O.S.T. Certified Reserve Deputies are deemed by the Sheriff to have the authority to carry firearms, concealed or otherwise at all times in accordance with the Boulder County Sheriff's Office Firearms Policy. Once a Recruit Reserve Deputy has attained Reserve Deputy status, they may apply to the Operations Division Captain for authorization to carry concealed weapons off-duty and have their Sheriff's Office I.D. card marked accordingly. If desired, non P.O.S.T. Certified Reserves and Volunteers must apply for a C.C.W. permit as regular citizens.

By Order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date



**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** PUBLIC INFORMATION

**NUMBER:** 603

**EFFECTIVE:** February 26, 2010

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to establish and maintain a cooperative and responsive climate in which the news media and the public may obtain information in a legal and timely manner. News releases are public information and are to be made available to any person or organization upon request.

Employees are not authorized to comment on behalf of the Sheriff's Office concerning personnel or Internal Affairs matters without specific authorization from the Sheriff.

The principles of the Incident Command System apply to the public information function.

**PROCEDURE:**

- I. Public Information Officer (PIO)
  - A. The employee who is in charge of an incident is responsible for the public information function for that incident. On an incident where only one employee is involved, that employee is responsible for completing a news release, if required, and with speaking to the media if warranted. If the media calls when that particular employee is not available, it is the responsibility of an on-duty supervisor of the involved Division to respond to the inquiry.
  - B. When more than one employee is involved, public information duties are the responsibility of the supervisor in charge. The supervisor may designate an individual to act as a PIO with, or without, other incident responsibilities. If there are insufficient resources available to fill the PIO role due to the scope of the incident, the supervisor or incident commander may request that a designated departmental PIO be contacted by Communications and directed to assume PIO duties.
  - C. If employees in Records or Communications receive media inquiries during an event and no PIO has been designated, they are to notify the appropriate deputy, supervisor or incident commander. In the interim, they may provide the reporter with the time of the call, the location, the nature of the event, and the agencies that are involved. The supervisor or incident commander is responsible for providing any additional information that was requested, either personally, or by designating another employee to fulfill the PIO function.

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- D. The Jail and Operations Division are to have a designated a PIO. The names of the designated PIOs are to be provided to Communications. The PIOs are typically command level deputies and are reachable via pager and cell phone.
  - E. The Sheriff or Undersheriff will act as spokespersons for matters related to department policy decisions, budget, personnel matters, internal affairs investigations, or major events at the Sheriff's discretion.
  - F. On weekends and outside of normal business hours (i.e. after 4:30 p.m. and prior to 8:00 a.m.) Communications dispatchers should direct routine media inquiries to the on-duty Patrol Section shift supervisor. If the shift supervisor requires assistance with a media inquiry, they may contact the designated Divisional PIO. Events or inquiries related to Jail operations should be directed to the on-duty Jail supervisor
  - G. The PIO prepares a written media release and disseminates it internally to the Sheriff's Executive staff via e-mail. In many instances, the nature of the event may dictate a wider internal dissemination, which also may be accomplished via e-mail.
  - H. The PIO disseminates the media release externally by faxing a copy to Communications, by faxing a copy to the "Media" fax routing code, by posting a copy to the Sheriff's Office web-site via the "NewsManager" system, and by providing a copy to the Records Section for posting on the press board.
    - 1. The Records Section supervisor is responsible for maintaining and updating the "Media" fax routing code.
  - I. Media releases detailing on-going major events should be updated frequently so as to provide current information to the public and media.
- II. Media releases:
- A. Media releases will be issued by the Sheriff's Office on matters of public interest including but not limited to:
    - Homicide.
    - Accidental death.
    - Suicides in public place.
    - Armed robbery.
    - Major or multiple burglaries.
    - A significant arrest.

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- Aircraft crashes.
  - A search and rescue event.
  - Any structure fire with significant damage or injury.
  - Any large wild land fires.
  - Any wild land fire resulting in injury or damage to structures.
  - A significant act of bravery on the part of deputies or citizens.
  - A significant disturbance in the jail.
  - Escape from custody other than a walk-away from the Jail work-release or work-crew program.
  - Death in the jail.
1. Employees are encouraged to issue media releases on significant employee accomplishments, promotions, awards, the introduction of new programs, or any other matter of public interest that portrays the Office in a favorable light.
- B. Media releases are to be written in a standardized memorandum format that includes the date of the release, the nature of the event, any related case numbers, the author's name and phone number, and a descriptive narrative. A copy of the approved format for media releases may be found on the Sheriff's Office web site, [www.bouldersheriff.org](http://www.bouldersheriff.org), under "Media Releases". A supervisor should review the release prior to it being publicly posted.
- C. The following are guidelines governing the content of media releases:
1. Unless such information would be detrimental to the investigation, the release should contain a brief description of the event including, location and time, other agencies assisting, property loss, injuries sustained, or damages resulting from the incident.
  2. The identities of victims of sexual assault and juveniles, where protected by law, are not to be released. The identity of persons who have died may only be released with permission of the Coroner's Office.
  3. Other victims and witnesses are identified by name, age, and city of residence. If a victim has sustained critical injuries and/or is not expected to survive, they should not be identified until such time as the next of kin has been notified. Descriptions of injuries sustained by victims (e.g. in a car accident or search and rescue incident) should be limited to broad terms (e.g. "The victim sustained head and neck injuries" or "the victim was transported to the hospital in critical condition").

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4. Information about unidentified suspects including a physical description and vehicle description should be included when available and the information will not hinder the investigation.
5. The identification of fugitive suspect(s) for whom arrest warrant(s) have been issued should be included.
6. A suspect should not be identified unless there is probable cause for an arrest and the investigator or investigative supervisor has approved the release of the name(s).
7. Specific information about a crime, which may be known only to the perpetrator, should not be released.
8. A media release should avoid speculation or conjecture. It should never contain misleading or false information.
9. Information that may be released after the arrest of a suspect includes:
  - a. Time and place of arrest.
  - b. Defendant's name, age, residence, employment, past local adult criminal history information.
  - c. The charge(s) for which the arrest was made.
  - d. Facts and circumstances relating to the arrest, such as resistance, pursuit, or the use of a weapon.
  - e. Identity of the agency responsible for the arrest.
  - f. Scheduled dates for various steps of the judicial process.
  - g. Pretrial release or detention arrangements, including amount of bond and place of detention.
10. Typically, the names of deputies involved in an event (e.g. arresting deputies, deputies responding to a search and rescue call, etc) are not included in a release unless circumstances require it (e.g. identifying the detective who is pursuing the investigation so that citizen may contact him or her with additional information, or identifying a deputy who is receiving an award, etc).
11. Information not to be released after the arrest of a suspect(s) and prior to disposition of the case:

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- a. Comments about the character or reputation of the defendant.
- b. Information about the existence or content of a confession, admission, or statement by the defendant.
- c. The refusal of the defendant to make a statement.
- d. The refusal of the defendant to submit to tests or examination.
- f. Information that the defendant directed investigators to the scene of a weapon or other evidence.
- g. Opinions about the credibility of testimony, or other merits of the case or quality of evidence gathered.
- h. Opinions regarding the guilt or innocence of the defendant(s)
- i. Information regarding the defendant's mental state or medical condition

12. Media Access

- a. Employees are to permit reasonable access to the scene of an incident to news media personnel, except when such access might compromise personal safety, contaminate or disturb evidence, or unnecessarily endanger lives or property.
- D. Sheriff's employees may not grant access to the news media to enter upon private property without consent of the property owner or owner's agent.
- E. Sheriff's employees are not to offer comment to the media on another agency's case or incident; rather, the employee is to politely refer the reporter to the appropriate agency.

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- F. The Records Section, in conjunction with the Divisional PIO, coordinates the dissemination of mug photographs and all related criminal justice records. The dissemination of audio recordings (e.g. dispatch tapes) is coordinated by Communications in conjunction with the Divisional PIO.
  
- G. The Sheriff or Undersheriff coordinates the dissemination of personnel information.

By order of the Sheriff,

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Joseph K. Pelle, Sheriff

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Date

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURES MANUAL**

**SUBJECT:** CHAPLAINCY PROGRAM

**NUMBER:** 604

**EFFECTIVE:** June 29, 2004

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to provide for the emotional support and psychological well being of its employees and volunteers. To that end, and in conjunction with other programs sponsored by the Sheriff's Office and Boulder County, the Sheriff has instituted a Chaplaincy program.

It is the purpose of the Chaplaincy program to provide emotional support, counseling, moral and ethical guidance, and a confidential "willing ear" to Sheriff's employees and volunteers. Further, the Chaplains are considered to be a resource in responding to major events, critical incidents, and other situations in which their skills as mediators, or status as respected members of the community may be of assistance to the Sheriff's Office.

**DEFINITIONS:**

Chaplain: An ecclesiastically certified minister, priest, or rabbi, who has volunteered his/her services to the Sheriff's Office, and who has been appointed to the position of "Sheriff's Chaplain" by the Sheriff.

**PROCEDURE:**

- I. Structure:
  - A. The Chaplaincy program is a component of the Sheriff's Reserve and Volunteer Unit.
  - B. The Reserve Unit's liaison officer will serve as the primary point of contact between the Sheriff and the member Chaplains
  - C. The Sheriff may appoint members of the clergy, who meet the stated qualifications, to serve as a Chaplain for the Sheriff's Office. A Chaplain serves at the pleasure of the Sheriff as a volunteer and the term of an appointment coincides with the term of the Sheriff, to be renewed, as the Sheriff sees fit.
    1. Chaplains are required to follow Sheriff's Office policies and procedures while acting in the capacity of a Chaplain for the Sheriff's Office

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II. Duties and Responsibilities:

- A. The primary function of the Chaplain(s) is to provide for the emotional support of Sheriff's employees and volunteers by serving as an available, trained counselor and willing, respectful confidant. Chaplains provide an outlet for employees and volunteers to vent frustrations, discuss personal issues, and obtain professional, qualified advice or direction.
  - 1. Conversations with a Chaplain are considered privileged communication unless the employee or volunteer discloses information making a threat against the health and safety of any person.
- B. Chaplains are to make professional referrals in cases where specialized help is needed or the scope of the problem exceeds the Chaplain's skills, training, or ability. Chaplains should make themselves familiar with Boulder County's medical, psychiatric, and other community resources.
- C. In making themselves available to Sheriff's Office personnel, Chaplains may not actively proselytize or advocate the benefits of one religious belief or denomination over another, except in discussions of comparative religion or at the invitation of an employee or volunteer while engaged in a private discussion.
- D. Chaplains may assist with the notification to next-of-kin of any Sheriff's employee or volunteer who has been injured or killed in the line-of-duty.
- E. Chaplains may visit sick and injured employees and volunteers during the period of their recuperation.
- F. Chaplains may be called upon to offer invocations at Sheriff's Office functions and, upon invitation, may attend and/or officiate at employee funerals and weddings.
- G. Chaplains serve as a liaison between the Sheriff's Office and other clergy and other community leaders, and will assist in promoting positive public relations with the community
- H. Chaplains may be called upon by the Victim Advocates to assist with crisis situations involving victims and witnesses.
- I. Chaplains actively involve themselves in the operations of the Sheriff's Office by participating in ride-alongs, "sit-alongs" (in Communications and the Jail), briefings, training sessions, and staff meetings, building employee confidence



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and making of themselves a recognized, trusted, and respected resource to Sheriff's personnel.

- J. Chaplains will take no law enforcement action (unless as a citizen directed to do so by a deputy pursuant to statute) or represent themselves as a law enforcement officer.

III. Selection and Appointment:

- A. A candidate for appointment as a Chaplain must be an ecclesiastically certified minister, priest, or rabbi, endorsed for law enforcement chaplaincy by a recognized religious denomination. The candidate must have a minimum of five years' experience in ministry, demonstrating a broad base of experience, emotional stability, and personal flexibility.

1. The candidate should be a respected member of the community, with strong ties to Boulder County. The candidate must demonstrate high spiritual and moral standards.
2. The candidate must demonstrate compassion, understanding, and love for others. The candidate should be able to relate well to people. The candidate must demonstrate good judgment, common sense, tact, and be able to maintain confidences.
3. The candidate must have a valid Colorado driver's license and provide his or her own transportation.
4. The candidate must be willing to respond to emergency call-outs when requested and available.
5. The candidate must submit a written volunteer application. The Sheriff's Personnel Section will review the application. Personal background, criminal history, and driving history investigations will be conducted. Felony convictions and/or any conviction for a crime of moral turpitude are a bar to appointment. Any arrests will be closely scrutinized.
6. A series of interviews may be conducted to determine the suitability of the applicant. These interviews may include: an integrity/character interview conducted by someone from the Sheriff's Personnel section; an interview by a panel selected or approved by the Sheriff; and/or, an interview by the Sheriff.

- B. Following the completion of the application process and interview(s), a recommendation will be made to the Sheriff regarding the candidate's suitability for appointment. The Sheriff makes the final decision regarding

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appointment.

IV. Training:

- A. Following (or prior to) appointment, Chaplains should participate in a basic orientation program (eg. a Sheriff's Office Citizen's Academy or similarly structured program) so as to gain a rudimentary familiarity with the Sheriff's Office and its personnel.
- B. Chaplains are encouraged to attend the monthly Reserve Unit business and training meeting and any other training meetings deemed appropriate and necessary by the members of the Chaplaincy program.
- C. Chaplains are encouraged to attend Critical Incident Stress Management (CISM) training if they have not already done so through the course of their professional training.
- D. The Sheriff's Office will enroll the Chaplain as a member of the International Conference of Police Chaplains (ICPC). Chaplains may choose to pursue basic certification as a law enforcement Chaplain through the ICPC.

V. Uniform and Equipment

- A. Each appointed Chaplain will receive a Sheriff's Office identification card, magnetic access card(s), a pager, an embroidered shirt identifying them as a Chaplain assigned to the Reserve Unit, and a windbreaker jacket that will serve to identify them as a Sheriff's Office Chaplain.
- B. Chaplains participating in ride-along with deputies are encouraged to wear a ballistic vest. The vests are not permanently assigned and may be obtained from the supply of surplus vests maintained by the Sheriff's Reserves and Cadets.
- C. A limited number of cellular phones from the Reserve Unit are available for use on a "per shift" basis.
- D. Chaplains riding along on the night shift should equip themselves with a reliable flashlight.
- E. Chaplains may be equipped, at their request, with an approved pepper spray, so long as they have received the requisite training.

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By Order of the Sheriff

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Joseph K. Pelle, Sheriff

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\_\_\_\_\_  
Date

**BOULDER COUNTY SHERIFF'S OFFICE  
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**SUBJECT:** PEER SUPPORT TEAM

**NUMBER:** 605

**EFFECTIVE:** March 28, 2012

**POLICY:**

It is the policy of the Boulder County Sheriff's Office to provide a system and process to aid Sheriff's personnel in coping with, and recovering from, the emotional impact of events and actions they may experience or witness in the course of delivering public safety services, and/or from other stressors inherent to their duties, that may affect their personal or professional life. Therefore, the Sheriff's Office maintains a team of employees trained in peer support and available to provide support through one-on-one counseling sessions as well as assist in the facilitation of critical incident debriefings for affected employees and their immediate families.

Peer Support Team interactions fall under the supervision of a licensed mental health professional and are subject to the confidentiality guidelines as detailed in Colorado Revised Statutes 13-90-107(m) and this policy.

**DEFINITIONS:**

Peer Support Team (PST): Agency employees operating under the general direction of an agency approved psychologist/clinical supervisor.

Clinical Supervisor: A licensed mental health professional approved by the Sheriff's Office. The Clinical Supervisor is primarily responsible for overseeing the case work of PST members. The Supervisor works with the Coordinator to insure that the members are appropriately trained and that their PST interactions are appropriate, effective and in compliance with applicable policies, guidance and training.

Team Coordinator: The Coordinator is responsible for the administration, supervision and oversight of the team. The coordinator's primary focus is on the team's structure, scheduling, acting as the liaison for the team with the Sheriff and Undersheriff and Clinical Supervisor, insuring team members receive appropriate training and comply with applicable policies and guidelines in providing PST services.

Assistant Team Coordinator: The Assistant Team Coordinator performs the Team Coordinator's role and duties in his or her absence and other administrative tasks as delegated by the Team Coordinator.

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**PROCEDURE:**

I. Organization and Administration

- A. The Peer Support Team, herein referred to as PST, is comprised of Sheriff's Office employees and operates under the general direction of the PST Clinical Supervisor. The day-to-day administration and supervision of the team is the responsibility of the Team Coordinator and Assistant Team Coordinators.
  - 1. When the Team Coordinator is unavailable to administer the team, one of the Assistant Team Coordinators assumes responsibility for team coordination.
  - 2. In the event of the absence of both Assistant Team Coordinators, an acting coordinator is designated by the Team Coordinator.

II. Selection of the PST Overhead Structure

- A. The Sheriff or designee(s) selects the PST Clinical Supervisor.
- B. The Sheriff or designee(s) selects the PST Coordinator.
- C. The PST Coordinator designates the assistant PST Coordinators.
  - 1. When solicited, employees submit a letter of application stating their interest and qualifications, to the Sheriff or Sheriff's designee, or to the PST Coordinator, depending on the position for which they are applying.
- D. Applications to become a member of the PST are submitted in writing to the PST Coordinator.
  - 1. The PST Coordinator may consult with current PST members for input before an applicant is appointed to the team.
  - 2. The PST Team Coordinator submits a list of qualified applicants to the Sheriff or designee and the Clinical Supervisor for final approval and appointment to the PST.
- E. The selection process for any of the above positions may involve a process that includes, but is not limited to, interviews by a panel as determined by the Sheriff, Sheriff's designee, or Coordinator.

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III. Confidentiality

- A. Issues discussed during peer support are confidential within the parameters specified by law, department policy, and professional supervision. Safeguarding acquired information is a primary obligation of team members. Subject to the limitations of law, information received in confidence is not to be revealed without the express consent of the person involved. Express consent to reveal information constitutes a waiver of confidentiality. In cases where express consent is granted, only the information authorized to be released will be provided, and only to those specifically authorized to receive the information.
1. Express consent is not recognized until the employee signs a Waiver of Confidentiality form detailing the type of information to be released and naming the individuals or group(s), i.e. PST, etc., who are to receive the information. (Attachment, Waiver of Confidentiality).
    - a. The original signed waiver form is mailed to the Clinical Supervisor as soon as practical. A copy of the signed form is given to the employee.
  2. The identity of an employee receiving PST service is to be known only to the PST Clinical Supervisor and the PST member providing the service, unless the employee waives this level of confidentiality, or the circumstances fall under one of the exceptions described in III – C.
  3. All conversations, written or electronic communications, or any other information exchange that takes place between the PST member and the employee, as a direct result of the member providing PST services to this employee, are confidential and are known only by the PST member and PST Clinical Supervisor unless the employee waives this level of confidentiality, or the circumstances fall under one of the exceptions described under III – C.
  4. Sheriff's Office supervisors are not to request or direct that a PST member identify an employee who is receiving, or has received, PST services, or specific information related to the delivery of PST services to any employee, past or present, unless authorized by the Sheriff or Undersheriff.

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- B. The peer support team member testimony confidentiality privilege is specified in CRS 13-90-107(m), who may not testify without consent, enacted into law in 2005. Peer support team member confidentiality applies only to individual interactions. There is no confidentiality protection for peer support team member's in-group settings.
1. Team members must advise all persons with whom they interact in a peer support role of the limitations of peer support team member confidentiality an acknowledgement of their understanding of the limitations of confidentiality. (Attachment, Limitations of Confidentiality).
- C. There are several other circumstances wherein information obtained by PST members is not confidential. Information received by or provided to a PST member is not confidential when:
1. A law enforcement or firefighter peer support team member was a witness or a party to an incident which prompted the delivery of peer support services;
  2. Information received by PST member is indicative of actual or suspected child abuse, as described in section 19-3-102, C.R.S.;
  3. The person receiving peer support is a clear and immediate danger to themselves or others due to alcohol or other substance intoxication or abuse, as described in sections 25-1-310 and 25-1-1106, C.R.S.;
  4. There is reasonable cause to believe that the person receiving peer support has a mental illness and, due to the mental illness, is an imminent threat to themselves or others or is gravely disabled as defined in section 27-10-102. C.R.S.; or
  5. There is information indicative of any criminal conduct (C.R.S. 13-90-107(m)).
  6. PST members are subject to all other disclosures mandated by law.
    - a. Information communicated in PST interactions is not subject to disclosure in an administrative investigation.
- D. Peace Officer members of the PST are required to take action, including arrest, when in the course of providing PST services they receive information that an incidence of domestic violence has occurred and where there is probable cause to believe that a crime has been committed (C.R.S. 18-6-803.6).

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- E. Traumatic incident debriefings and other group interactions conducted under the facilitation of the PST Clinical Supervisor are not confidential by law, however all persons attending will be asked to agree to keep discussions that occur during a debriefing confidential as a condition of their attendance and participation.
  - 1. Participants in debriefings and other group interactions are obligated to respect the confidentiality of information obtained from others. The limits of confidentiality in debriefings and other group interactions are explained at the start of the interactions.
- F. Violation of this confidentiality policy may result in the initiation of disciplinary action in accordance with the Sheriff's Office disciplinary policy, or removal from the team.

IV. Accessing PST

- A. The PST is available on a 24-hour call-out basis. Members are accessible by pager. Team members respond to incidents where assistance may be needed under guidelines established by the Team Coordinator and Clinical Supervisor.
  - 1. PST members are to contact the Team Coordinator prior to responding unless the callout was initiated by the Coordinator. If this is not possible, responding PST members are to notify the Team Coordinator as soon as practical.
- B. PST members may respond to any traumatic incident, significant event, or as requested by any supervisor or any employee.
  - 1. The PST collaborates with Sheriff's Office Chaplains, Victim Advocates, the Employee Assistance Program or other approved crisis intervention/counseling agency when appropriate.
  - 2. On-scene supervisors ensure that responding team members are not used to assist with the incident investigation.
  - 3. In the event that an employee involved in a traumatic incident requests a particular PST member, the requested PST member's supervisor makes every effort to release the PST member from assignment so that he or she is available to provide support to the requesting employee.



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- C. The supervisor of a PST member who is assigned to a support role that is on-going or projected to require a significant time commitment by the PST member ensures that the member's normal work load is sufficiently reduced to accommodate the PST assignment.
- D. PST support is available to an employee who is subject of an Internal Affairs investigation, or a supervisory inquiry, and who wishes assistance in dealing with emotions related to the inquiry/investigation. However, the PST member working with the employee is conscientious about insuring that the affected employee does not delve into specifics about his or her conduct that is the focus of the investigation/inquiry.

V. Incident Debriefings

- A. After a traumatic incident or event occurs, the Sheriff or designee consults with the PST Supervisor and/or Coordinator and authorizes an incident debriefing when consensus is reached that a debriefing is an appropriate support intervention.
- B. Once the Sheriff authorizes a debriefing the Clinical Supervisor and/or PST Coordinator arranges for a debriefing. Under normal circumstances the debriefing occurs within 72 hours after the incident
  - 1. PST team members may be designated to notify personnel who are required to attend the debriefing.
    - a. Employees so notified must attend unless excused by their Division Chief.
    - b. When a debriefing causes a conflict of interest for any team member, that member is excused from participation in the debriefing or related PST interaction.
  - 4. Employees not required attending, but who feel their attendance may be beneficial to them, may participate with approval of their Division Chief and the debriefing facilitator.
  - 5. Employees who attend the debriefing are compensated for their attendance when eligible for compensation in accordance with Sheriff's policy 302.

VI. PST Meetings

- A. The Peer Support Team meets at least monthly for clinical advisement, on-going training, and team-building and more frequently, if needed, as determined by a consensus of the Coordinators and Clinical Supervisor.

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Peer Support Team members are required to attend at least eight (8) monthly meetings each year, or two-thirds of all meetings held. If a team member is unable to attend a scheduled meeting, he or she must:

1. Notify the Team Coordinator or an Assistant Team Coordinator in advance of the meeting, or contact the Team Coordinator or an Assistant Team coordinator as soon as practical after the scheduled meeting, and
  2. Obtain a copy of any training materials presented at the meeting, and,
  3. Contact the Clinical Supervisor as soon possible to provide information regarding any new PST interactions the member was involved with since the member's last contact with the Supervisor.
- B. The Team Coordinator is responsible for addressing excessive absences individually with the affected PST member.
- C. Periodic meetings between the Coordinator, Assistant Coordinator(s) and/or Clinical Supervisor are held at least quarterly, or as frequently as needed at the discretion of the Coordinator.

VII. Compensation

- A. Peer Support Team members do not maintain a paid "on-call" status and are not eligible for on-call compensation. Peer Support Team members who are called out or otherwise function in their PST capacity during off-duty hours are compensated as specified in Sheriff's Office policy.

By Order of the Sheriff,

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Joseph K. Pelle

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Date