

Standard Operating Procedures  
for the  
Louisville Metro Police Department



Steve Conrad  
Chief of Police

# Standard Operating Procedures for the Louisville Metro Police Department

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## *Louisville Metro Police Department*

To All Personnel:

The purpose of the Standard Operating Procedures is to explain the organization, policies, and procedures of the Louisville Metro Police Department. Policies are broadly stated principles and values intended to guide members in the performance of their duties in conformity with department objectives. Procedures are methods of performing police activities to achieve an objective. Procedures may be general or specific in nature. Each member shall be familiar with the Standard Operating Procedures Manual and adhere to its directives.

These procedures do not and cannot address every situation that a member may encounter in the performance of his/her law enforcement duties. If a member encounters a situation that is not covered by policy, procedure or training, the member shall be expected to exercise sound judgment and act in accordance with the Department's Mission Statement and Core Values. There may be times when it is necessary for a member to take action that may not fully comply with a stated policy or procedure. In such situations, the member shall be required to justify the deviation from stated policy or procedure and those actions shall be subject to strict review.

Adherence to these procedures shall ensure the Department's mission to provide professional services, fairly and ethically at all times, to all people, in order to prevent crime, control crime, and promote community involvement on all levels.

Steve Conrad  
Chief of Police

# *Our Mission Statement*

It is the mission of the Louisville Metro Police Department to deliver professional, effective services, fairly and ethically, at all times, to all people, in order to prevent crime, control crime, and enhance the overall quality of life for citizens and visitors. We will encourage and promote community involvement on all levels to achieve these ends.

## *Values*

### ***Making the Community our Primary Focus***

We are committed to a police-community partnership in providing the delivery of police services. We shall accept a leadership role in developing relationships with the citizens of our community that foster mutual trust and open communications.

### ***Ethical Behavior and Accountability***

We shall perform our duties with an unwavering commitment to integrity, professionalism and dependability. We will be accountable to those we serve for our decisions and actions.

### ***Trustworthy***

We embrace honesty and openness with the community as vital to securing the public's trust. Without reservation, we will adhere to a code of conduct that promotes truthfulness and straightforwardness.

### ***Respect for All People***

We manifest commitment to justice, equal treatment of individuals, tolerance for and acceptance of diversity by demonstrating respect for human dignity and rights.

### ***Objectivity***

We are committed to the fair and impartial enforcement of all laws. We value treating all persons equitably and without bias, with the highest regard for individual and constitutional rights.

## *Law Enforcement Code of Ethics*

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

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 1.1
	Effective Date: 02/18/03 Revised Date: 12/15/04
	Accreditation Standards: CALEA: 2.1.1, 2.1.2, 41.1.1 KACP: 1.2, 17.10, 19.5
Chapter: Departmental Organization	
Subject: Jurisdiction	

## 1.1 JURISDICTION (KACP 1.2)

### 1.1.1 GEOGRAPHIC JURISDICTION

The jurisdiction of the Louisville Metro Police Department (LMPD) is contained within the geographical boundaries of Jefferson County, Kentucky, as currently incorporated (CALEA 2.1.1).

The LMPD has the primary responsibility of providing all police services within Jefferson County, Kentucky. The department provides full law enforcement emergency services to the citizens that it serves 24 hours a day, 365 days a year (CALEA 41.1.1a, KACP 17.10). Officers are authorized to enforce all applicable laws and ordinances within the boundaries of Jefferson County.

### 1.1.2 JURISDICTION EXCEPTIONS

Exceptions to 1.1.1 include:

- Incidents occurring within the jurisdiction of the Louisville Metro Department of Corrections (LMDC). Officers shall assist when requested by competent authority (KACP 19.5)
- Airplane crashes
- Violations of federal laws whereby federal law enforcement authorities have decided, or are obligated, to exercise jurisdiction

### 1.1.3 CONCURRENT STATE JURISDICTION (CALEA 2.1.2)

An officer may assist another Kentucky law enforcement agency in any matter within the other agency's jurisdiction when officially requested. If practical, the request shall be forwarded to the Chief's Office for approval. Once officially requested, the officer shall have full arrest powers in the county where he/she is assisting.

### 1.1.4 CONCURRENT FEDERAL JURISDICTION (CALEA 2.1.2)

Real property that is leased by the federal government within the geographic jurisdiction of the LMPD is subject to concurrent jurisdiction by the department and federal officers. Real property that is owned by the federal government within the department's jurisdiction is subject to exclusive jurisdiction by federal authorities. An officer should verify the controlling jurisdiction prior to taking official action.

### 1.1.5 JURISDICTIONAL CONFLICTS

When a police department of another government within Jefferson County refuses, or is unable, to respond to a police-related matter, the department shall respond, take appropriate action and forward any documentation to the appropriate agency.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.2
	Effective Date: 02/18/04 Prv. Rev. Date: 07/10/10 Revised Date: 09/10/12
	Accreditation Standards: CALEA 3.1.2
Chapter: Departmental Organization	
Subject: Contractual Agreements	

## 1.2 CONTRACTUAL AGREEMENTS

### 1.2.1 CONTRACTUAL (INTERLOCAL) AGREEMENTS

Each contractual agreement between the Louisville Metro Police Department (LMPD) and another government shall be based on a need for service. The Legal Advisor and the Chief of Police, or his/her designee, shall review each contractual agreement. The Legal Advisor shall retain copies of the contractual agreements. Copies of the Small Cities Program Standard Operating Procedures (SOPs) shall be maintained in the Eighth Division.

### 1.2.2 SCHEDULING

The commander of the Eighth Division shall designate a commanding officer to act as the Program Administrator. The Program Administrator shall be responsible for scheduling personnel assignments in accordance with contractual agreements. Any officer wishing to volunteer for this program should contact the Program Administrator, via email.

### 1.2.3 OFFICER RESPONSIBILITY FOR CONTRACTUAL AGREEMENT DETAIL

Officers working the detail are responsible for all calls for service, within the city to which they are assigned, and shall remain within the boundaries of that city, unless exigent circumstances arise (e.g. 10-30, officer in trouble, officer needs help, etc.). Officers shall perform their duties in accordance with the requirements of the contract, the Small Cities Program SOPs and the department's SOPs. Officers may enforce state laws and Metro Government Ordinances, but shall not enforce ordinances of lesser jurisdictions, unless expressly authorized by the Chief of Police, or his/her designee. All officers are required to sign an accountability roster to indicate that they have read and understood the procedures regarding small cities. The rosters shall be maintained in the Eighth Division.

### 1.2.4 OFFICER RIGHTS (CALEA 3.1.2)

The employment rights of officers assigned under a contract for law enforcement services shall not be abridged. Participation in a contracted law enforcement service shall not penalize the officer in any way, nor shall such assignment threaten his/her employment rights, promotional opportunities, training opportunities or benefits.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.3
	Effective Date: 02/18/04 Prv. Rev. Date: 12/15/04 Revised Date: 03/08/10
	Accreditation Standards: CALEA: 11.1.2, 11.2.2, 21.2.1, 21.2.2 KACP: 3.1, 3.2
Chapter: Departmental Organization	
Subject: Structure and Organization	

## 1.3 STRUCTURE AND ORGANIZATION

### 1.3.1 ORGANIZATIONAL STRUCTURE/CHART (KACP 3.1)

The Louisville Metro Police Department (LMPD) utilizes the chain of command principle in which subordinate supervisors report to their bureau/division/section/unit commanders, who in turn, report directly to the Chief of Police. Each organizational component shall be under the direct command of only one (1) supervisor (CALEA 11.2.2). The organizational chart describes the structure of the department and shows the relationship of components within the entire organization. The organizational chart shall be periodically reviewed and updated, as needed (CALEA 11.1.2).

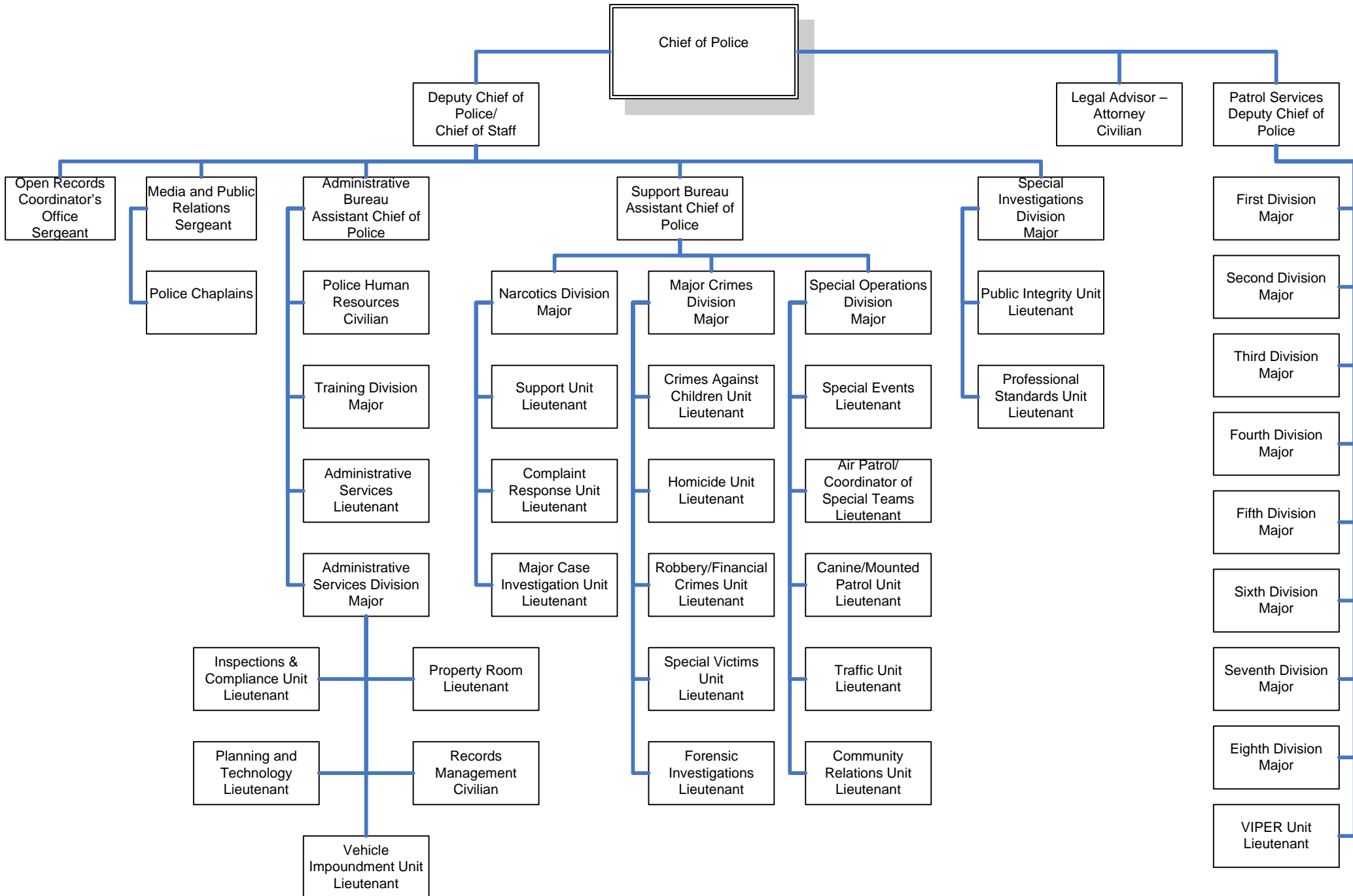
### 1.3.2 JOB CLASSIFICATIONS AND DELINEATION OF DUTIES AND RESPONSIBILITIES

The following are available to all personnel through the Louisville Metro Human Resources (HR) Department, Police Merit Board and Civil Service Board:

- Job descriptions (CALEA 21.2.2, KACP 3.2)
- Classification plans (CALEA 21.2.1a-d)



# Louisville Metro Police Department Organizational Chart



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.4
	Effective Date: 02/18/04 Prv. Rev. Date: 01/24/11 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 12.1.1, 12.1.2, 17.1.1 KACP: 2.1, 4.1, 8.1, 8.3
Chapter: Departmental Organization	
Subject: Chief of Police	

## 1.4 CHIEF OF POLICE

### 1.4.1 RESPONSIBILITIES

The Chief of Police shall be appointed by the Louisville Metro Mayor and shall report directly to him/her, or his/her designee.

The Chief of Police is empowered as the highest authority in the department. Per Louisville Metro Ordinance 36.02, the Chief of Police has the ultimate control over all aspects of departmental operations and command authority over all bureaus, divisions, sections, units, squads, groups, teams or any other components of the department (CALEA 11.1.1, 12.1.1, KACP 4.1). Additionally, the Chief of Police shall be responsible for all fiscal matters of the department (CALEA 17.1.1, KACP 8.1, 8.3).

The Chief of Police shall directly supervise the following personnel:

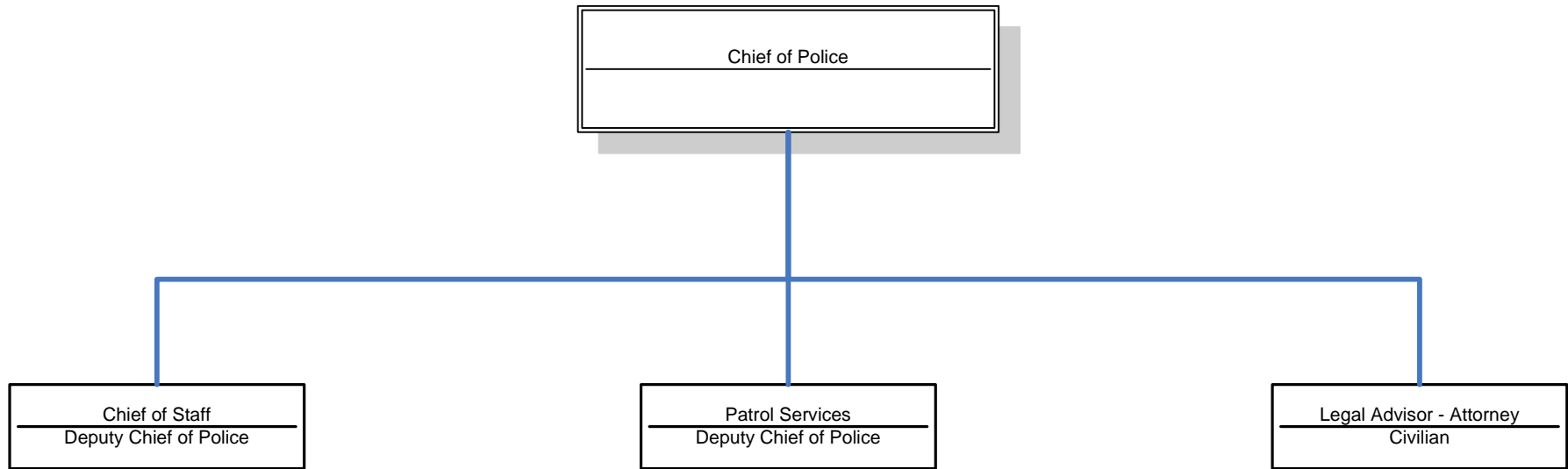
- Deputy Chief of Police/Chief of Staff (refer to SOP 1.5)
- Deputy Chief of Police/Patrol Services (refer to SOP 1.6)
- Legal Advisor

In the event of an extended absence, the Chief of Police shall designate, in writing, an "acting authority" (CALEA 12.1.2a).

### 1.4.2 LEGAL ADVISOR (KACP 2.1)

The Legal Advisor shall provide general legal advice to the department and act as a liaison between the department and the Jefferson County Attorney's Office.

# Louisville Metro Police Department Chief's Office Organizational Chart



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.5
	Effective Date: 02/18/04 Prv. Rev. Date: 04/10/11 Revised Date: 05/10/12
	Accreditation Standards: CALEA: 11.1.1, 12.1.2, 12.2.1 KACP: 3.3, 4.2
Chapter: Departmental Organization	
Subject: Chief of Staff	

## 1.5 CHIEF OF STAFF

### 1.5.1 DEPUTY CHIEF OF POLICE/CHIEF OF STAFF (Colonel)

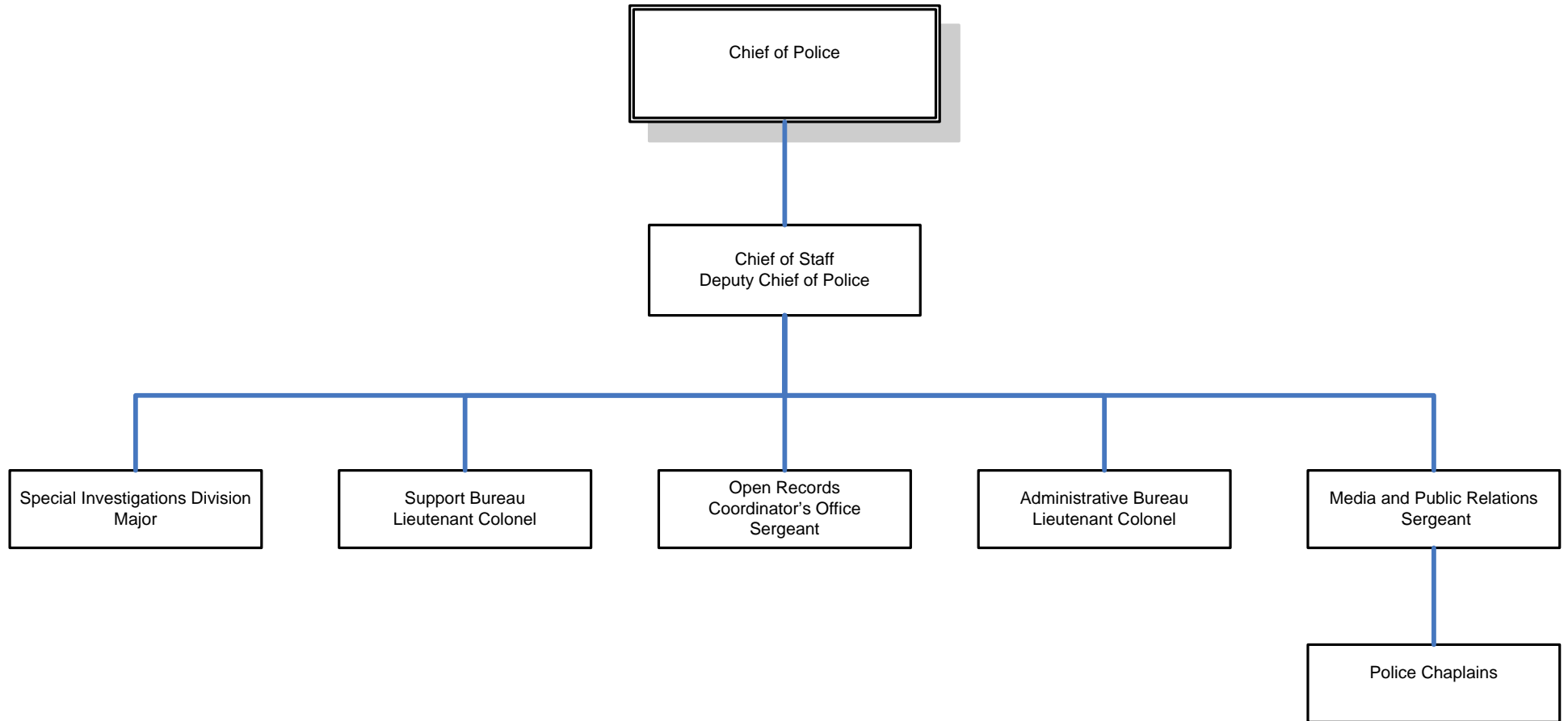
The Deputy Chief of Police/Chief of Staff is appointed by, and shall report directly to, the Chief of Police. When mandated by the Chief of Police, the Deputy Chief of Police/Chief of Staff shall assume all responsibilities as the department's chief executive officer (CEO) (CALEA 12.1.2a, 12.2.1c, KACP 4.2).

The Deputy Chief of Police/Chief of Staff shall coordinate the activities of the following (CALEA 11.1.1, KACP 3.3):

- Administrative Bureau
- Support Bureau
- Special Investigations Division (SID)
- Media and Public Relations Office
- Open Records Coordinator's Office

# Louisville Metro Police Department

## Chief of Staff Organizational Chart



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.6
	Effective Date: 02/18/04 Prv. Rev. Date: 01/24/11 Revised Date: 09/29/12
	Accreditation Standards: CALEA: 11.1.1, 12.1.2 KACP: 3.3, 4.2
Chapter: Departmental Organization	
Subject: Patrol Services	

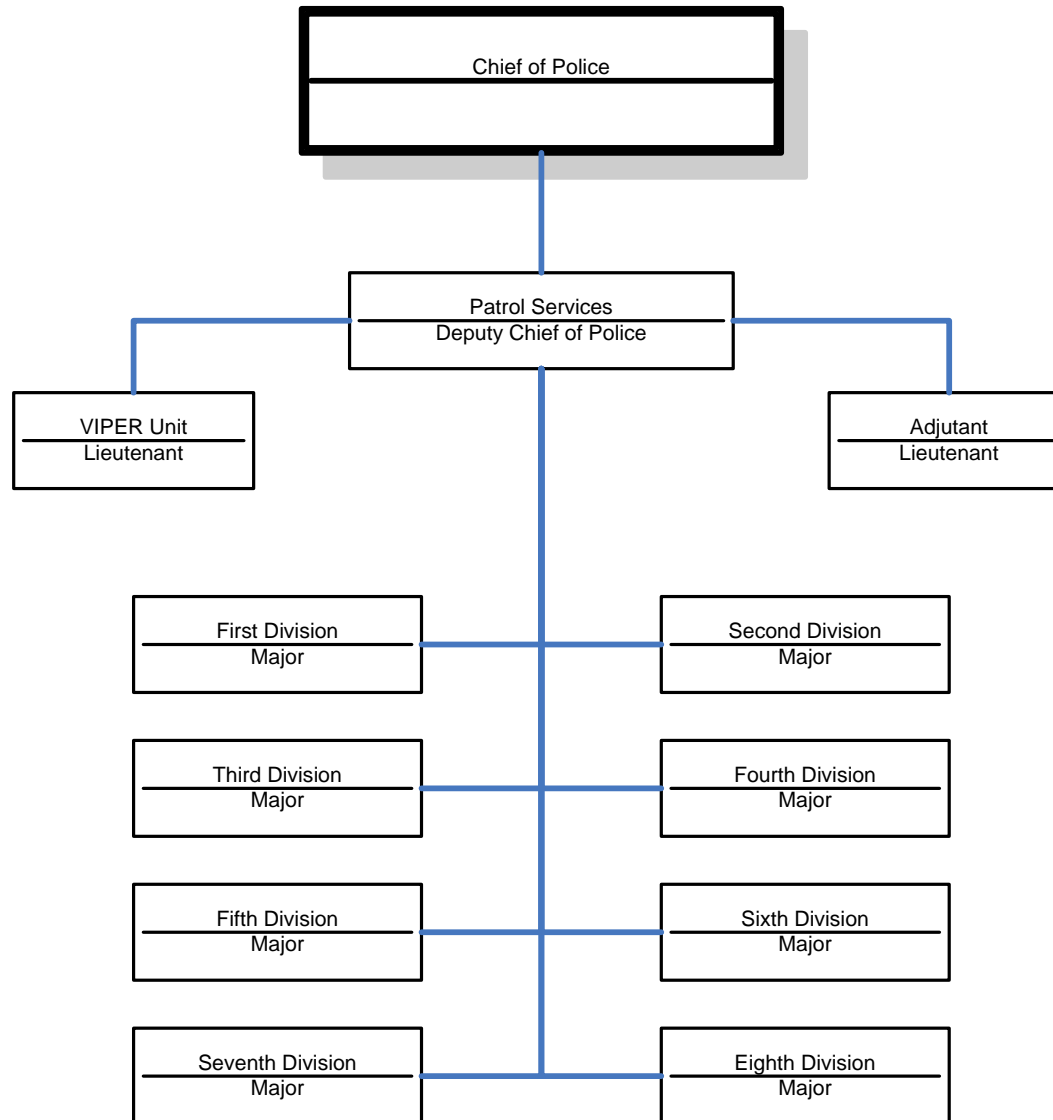
## 1.6 PATROL SERVICES

### 1.6.1 DEPUTY CHIEF OF POLICE/PATROL SERVICES (Colonel)

The Deputy Chief of Police/Patrol Services is appointed by, and shall report directly to, the Chief of Police. When mandated by the Chief of Police, the Deputy Chief of Police/Patrol Services shall assume all responsibilities as the department's Chief Executive Officer (CEO) (CALEA 12.1.2a, KACP 4.2).

The Deputy Chief of Police/Patrol Services shall coordinate the activities of the patrol divisions and the Violent Incident Prevention, Enforcement and Response (VIPER) Unit (CALEA 11.1.1, KACP 3.3).

# Louisville Metro Police Department Patrol Services Organizational Chart



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.7
	Effective Date: 02/18/04 Prv. Rev. Date: 03/10/13 Revised Date: 07/08/13
	Accreditation Standards: CALEA: 1.1.3, 11.1.1, 12.1.2, 22.2.7, 41.1.4 KACP: 3.3, 4.2, 13.1, 19.6, 19.7, 22.1, 22.2
Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7 SUPPORT BUREAU

### 1.7.1 ASSISTANT CHIEF OF POLICE/SUPPORT BUREAU (Lieutenant Colonel)

The Assistant Chief of Police/Support Bureau is appointed by the Chief of Police and shall report to the Deputy Chief/Chief of Staff. When mandated by the Chief of Police, the Assistant Chief of Police/Support Bureau shall assume all responsibilities as the department's Chief Executive Officer (CEO) (CALEA 12.1.2a, KACP 4.2).

The Assistant Chief of Police/Support Bureau shall coordinate the activities of the following divisions/sections/units/squads (CALEA 11.1.1, KACP 3.3):

- Major Crimes Division
- Special Operations Division
- Narcotics Division

### 1.7.2 COMMANDER OF MAJOR CRIMES DIVISION (Major)

The Major Crimes Division Commander is appointed by the Chief of Police and shall report directly to the Assistant Chief of Police/Support Bureau.

The Major Crimes Division Commander shall be responsible for planning the department's response to unusual criminal activities and coordinating the activities of the following personnel (CALEA 11.1.1, KACP 3.3):

#### ADMINISTRATIVE ASSISTANT (Sergeant)

The administrative sergeant's responsibilities include, but are not limited to, maintaining the daily operational status of the Major Crimes Division. The administrative sergeant oversees special projects for the division and reports directly to the division commander.

#### CRIMES AGAINST CHILDREN UNIT (CACU)

The Crimes Against Children Unit (CACU) is divided into three (3) squads:

- **Sexual Abuse Squad:** Investigates all sexual abuse cases involving juveniles, except when the victim is 16 or 17 years of age and the perpetrator is not a caretaker.
- **Physical Abuse Squad:** Investigates all reported cases of child abuse in which the victim is a juvenile and a parent or other caretaker inflicts the injury.
- **Internet Crimes Against Children Squad:** Investigates crimes perpetrated against juveniles, involving the use of a computer or other electronic means.



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Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.2 COMMANDER OF MAJOR CRIMES DIVISION (CONTINUED)

### HOMICIDE UNIT

The Homicide Unit is divided into three (3) squads:

- **Homicide Squad:** Investigates homicides, critical assaults, serious assaults against police officers, suicides, suspicious deaths, kidnappings for ransom or missing persons suspected of being victims of violent crimes, who cannot be located. This unit also investigates train vs. pedestrian accidents when the pedestrian is killed or death is imminent.
- **Cold Case Squad:** Investigates unsolved homicide cases that are at least two (2) years old or are considered "cold" by the homicide commander, or his/her designee.
- **Missing Persons Squad:** Investigates all missing person reports with the exception of kidnappings for ransom or the victims of suspected violent crimes, who cannot be located.

### ROBBERY/FINANCIAL CRIMES UNIT

The Robbery/Financial Crimes (RFC) Unit is divided into two (2) squads:

- The **Robbery Squad** shall:
  - Investigate all first degree robberies of retail businesses, operating from a permanent structure, when the intent of a suspect is to commit a robbery in order to obtain money or property from the business. The Robbery Squad also investigates first degree robberies of employees making bank drops or deposits, when a suspect commits the robbery in order to obtain the money being deposited from the business.
  - Investigate first and second degree robberies of financial institutions (e.g. banks and credit unions), pharmacies, armored cars or armored car couriers in the performance of their duties.
  - Investigate, upon direction from the Major Crimes Division Commander, first degree street robberies that involve the same perpetrator(s) and span multiple divisions.

The Robbery Squad does not investigate robberies of delivery drivers not occurring on the premises of the business or incidents that begin as shoplifting, theft or another crime.

- The **Financial Crimes Squad** shall investigate crimes involving forged or counterfeit checks, possession of forgery devices, identity thefts, consumer fraud, business fraud, embezzlement and pigeon drops.

### SPECIAL VICTIMS UNIT

The Special Victims Unit (SVU) is divided into three (3) squads:

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Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.2 COMMANDER OF MAJOR CRIMES DIVISION (CONTINUED)

- **Domestic Violence Squad:** Contains centralized Domestic Violence Squad detectives whose primary responsibility is to investigate felony domestic violence assaults. Patrol division domestic violence detectives also report to the commander of the SVU. Their primary responsibility is to follow-up on misdemeanor domestic violence assaults where beat officers have not made an immediate arrest.
- **Sex Crimes Squad:** Investigates all felony sexual assaults involving adult victims and all felony sexual assaults involving victims 16 years of age or older, where the perpetrator is not serving as a caretaker for the victim.
- **Crimes Against Seniors Squad:** Investigates abuse, neglect and financial exploitation of persons who are 60 years of age and older or at-risk adults who are being victimized primarily because of their age.

## FORENSIC INVESTIGATIONS

Forensic Investigations consist of the following support personnel:

- **Crime Scene Unit (CSU):** Assists officers or Police Report Technicians (PRTs) at crime scenes by photographing, preserving, collecting, processing, packaging and transporting evidence.
- **Latent Print Squad:** Assists officers and CSU technicians with the photographing, preserving, analyzing and processing of latent fingerprint evidence. The Latent Print Squad also evaluates latent evidence for entry into the Integrated Automated Fingerprint Identification System (IAFIS) and the Automated Fingerprint Identification System (AFIS) maintained by the Kentucky State Police (KSP).
- **Video Forensics and Analysis Squad (VFAS):** Provides support for all departmental members, which include conducting forensic video analysis of surveillance video seized from crime scenes and the videotaping of major crime scenes. They are also responsible for taping training exercises, special events and other activities as deemed necessary by the Chief of Police.
- **Polygraph Squad:** Provides support to investigative units by conducting polygraph investigations and also conducts pre-employment polygraph examinations (KACP 13.1).
- **Photo Lab:** Processes all film and digital images taken by the department and surrounding law enforcement agencies. Their other duties include producing photo identification cards for departmental members and photographing special events as assigned by the Chief of Police (CALEA 22.2.7b).
- **Transcribers:** Produce written documents from audio recordings of dictated investigative letters, interviews and telephone recordings.
- **Foreign Language Transcribers:** Produce written documents of foreign language translations from audio recordings of interviews, telephone recordings and investigative letters.

## KENTUCKY REGIONAL COMPUTER FORENSICS LABORATORY (KRCFL)

The Kentucky Regional Computer Forensics Laboratory (KRCFL) provides high quality digital forensic services and assistance to any law enforcement agency with jurisdiction in the state of Kentucky, including the seizure and examination of computers, computer systems, computer media and cell phones. The KRCFL also assists in writing and executing search warrants involving digital evidence.

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Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.3 COMMANDER OF SPECIAL OPERATIONS DIVISION (Major)

The Special Operations Division Commander is appointed by the Chief of Police and shall report directly to the Assistant Chief of Police/Support Bureau.

The Special Operations Division Commander shall coordinate the activities of the following sections/units (CALEA 11.1.1, KACP 3.3):

### COMMUNITY RELATIONS UNIT

- **Volunteers in Police Service (VIPS):** Provides volunteer civilian support to any unit within the department during non-enforcement operations and provides on-site assistance during major events.
- **Citizens Police Academy (CPA):** Provides education to the public, both at the adult and youth levels, regarding police-related services. Adult graduates of the Citizens Police Academy may apply for membership to the Citizens Police Academy Alumni Association.
- **Police Athletic League (PAL):** Provides organized, educational and sports-related activities for youths.
- **Explorers:** Provides opportunities for area youths to learn about law enforcement through classroom presentations and practical exercises.
- **Louisville Law and Order:** Provides a partnership with WAVE 3 TV, to publicize crime so that information can be obtained from the community.
- **Specialty Vehicles:** Schedules the department's show vehicles including the 574-LMPD Crime Tip Car (Mustang), the Crime Buster Car (Crown Victoria) and the static helicopter display.
- **Neighborhood Watch:** Coordinates neighborhood watches around the Louisville Metro area.

### TRAFFIC UNIT

The Traffic Unit responds to, and investigates, collisions involving fatalities, life-threatening injuries or collisions on the interstates (KACP 22.1). The Traffic Unit also approves accident reports entered into the Kentucky Open Portal Solution (KYOPS) eCrash system (KACP 22.2).

### SPECIAL EVENTS SECTION

The Special Events Section shall facilitate the planning and implementation of major public events. The Special Events Section reviews all permits filed with Metro Government and determines the amount of assistance that the department may provide.

### SPECIALTY TEAMS/UNITS SECTION

The Specialty Teams Section shall coordinate the implementation of the following specialty teams and units:

- **Air Unit:** Provides aerial surveillance, search and apprehension duties and rescue services.
- **River Patrol Unit:** Provides waterborne services on the Ohio River and its tributaries.

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Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.3 COMMANDER OF SPECIAL OPERATIONS DIVISION (CONTINUED)

- **Canine Unit:** Responds to situations calling for trained police dogs, which include building and area searches, evidence/property recovery, the tracking and apprehension of suspects and searches for narcotics and hazardous devices (CALEA 41.1.4a).
- **Mounted Patrol Unit:** Provides patrol support by addressing quality of life issues, assisting in crowd control at public events and maintaining increased visibility in targeted areas (CALEA 41.1.4a).
- **Special Weapons and Tactics (SWAT) Team:** Responds to confrontations with hostage takers, barricaded suspects or other incidents that may involve a threat to human life, where specialized training or equipment could be utilized. The SWAT Team also assists with the execution of high-risk search warrants (KACP 19.6e).
- **Hostage Negotiating Team (HNT):** Negotiates the surrender of hostage takers or barricaded suspects and the safe release of hostages, through effective implementation of the negotiation process (KACP 19.7e).
- **Dive Team:** Provides for the recovery of property, injured persons and corpses, within the waters of the department's jurisdiction.
- **Joint Emergency Services Unit (Joint ESU):** Responds to incidents, involving human biological vectors and hazardous material situations, that require a police presence.
- **Bomb Squad:** Provides the identification, recovery, transportation and disposal of explosives and suspected explosive devices.
- **Dignitary Protection Team (DPT):** Escorts and provides protection for government officials and dignitaries.
- **Honor Guard:** Represents the department at ceremonious occasions that include funerals, parades, award ceremonies and other functions as deemed necessary by the Chief of Police.
- **Peer Support Team (PST):** Assists departmental members who have been involved in critical incidents, such as police-related shootings or serious injuries.
- **Special Response Team (SRT):** Responds to situations that involve, or might involve, civil disturbances, weapons of mass destruction, natural disasters and other major events.

## 1.7.4 COMMANDER OF NARCOTICS DIVISION (Major)

The Narcotics Division Commander is appointed by the Chief of Police and shall report directly to the Assistant Chief of Police/Support Bureau.

The Narcotics Division is divided into three (3) operational units, each under the command of a lieutenant, as follows (CALEA 11.1.1, KACP 3.3):

The **Support Unit** shall perform the listed functions:

- **Asset Forfeiture:** Tracks and controls all property seized by the Narcotics Division by assisting detectives in determining the basis for a criminal or civil seizure/forfeiture action.
- **Evidence Handling Team:** Processes and controls all evidence relating to controlled substances seized by members of the Louisville Metro Police Department (LMPD) and the Narcotics Division.

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Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.4 COMMANDER OF NARCOTICS DIVISION (CONTINUED)

- **Technical Operations Team (TOT):** Provides operational support of all specialized investigative equipment and provides specialized equipment and expertise in matters regarding electronic surveillance.
- **Task Force Officers:** Works with various federal law enforcement agencies, as assigned.
- **Homeland Security:** Coordinates departmental compliance with national preparedness goals, as directed by the Office of Homeland Security. Homeland Security shall also act as the departmental liaison with the Joint Terrorism Task Force (JTTF) and the Kentucky Intelligence Fusion Center (KIFC).
- **Auto Theft Investigations:** Investigates impounded vehicles to determine if they are stolen and/or may have stolen property contained in, or on, them. Auto Theft Investigations provides technical and investigative support for auto theft investigations. Auto Theft Investigations provides assistance to personnel of the LMPD and other agencies, as requested, on issues of motor vehicle identification and stolen property.
- **Pawn Investigations Squad:** Conducts physical examinations of pawn shops/secondhand dealers, inspects the records of pawn shops/secondhand dealers to ensure compliance with applicable state statutes and local ordinances and assists members with issues associated with pawn shops/secondhand dealers or property from pawn shops.
- **Metal Theft Investigations:** Conducts inspections of metal salvage and scrap dealers to ensure compliance with applicable state statutes and local ordinances and assists members with issues surrounding metal/salvage locations and their role in ongoing investigations.

Personnel assigned to this unit may be used to perform various functions within the Support Unit and/or the Narcotics Division.

The **Complaint Response Unit** is divided into two (2) squads:

- **Narcotics Complaint Squad:** Handles narcotics complaints, mid-level drug investigations and investigations outside of the scope of patrol division flex platoons.
- **Script Squad:** Conducts investigations pertaining to all complaints related to forged, altered or otherwise fraudulent prescriptions.

Personnel assigned to this unit may be used to perform various functions with the Support Unit and/or the Narcotics Division.

The **Major Case Investigation Unit** shall perform the listed functions:

- The **Major Case Squad** shall:
  - Conduct short term and long term narcotic and weapon violation investigations.
  - Investigate organized criminal enterprises involved in criminal activity to include narcotics, weapons or suspected criminal gang activity.
  - Investigate human trafficking and vice-related crimes (e.g. gambling, handbooks, escort services, prostitution).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.7
	Effective Date: 02/18/04 Prv. Rev. Date: 03/10/13 Revised Date: 07/08/13
	Accreditation Standards: CALEA: 1.1.3, 11.1.1, 12.1.2, 22.2.7, 41.1.4 KACP: 3.3, 4.2, 13.1, 19.6, 19.7, 22.1, 22.2
Chapter: Departmental Organization	
Subject: Support Bureau	

## 1.7.4 COMMANDER OF NARCOTICS DIVISION (CONTINUED)

- Enforce controlled prescription substance offenses involving the use or sale of prescription medications.
- The **Airport Interdiction Team** shall be responsible for enforcing controlled substance violations that occur through interstate and international commerce.

The Major Case lieutenant coordinates the registration and record maintenance related to informants used by departmental members.

Personnel assigned to this unit may be used to perform various functions with the Support Unit and/or the Narcotics Division.

### ADMINISTRATIVE ASSISTANT (Sergeant)

The administrative sergeant conducts the administrative functions of the Narcotics Division. He/she assists division commanders in the proper disposition of required reports, inspections, payroll, court, equipment and budgeting.

## 1.7.5 DRUG COURT OFFICER

The Drug Court Officer (DCO) shall function as a liaison between the LMPD and the Jefferson County Drug Court staff. The DCO shall report directly to the Support Bureau lieutenant. He/she shall attend Drug Court proceedings, as needed, as well as Drug Court and court staff meetings. If the DCO is unable to attend any Drug Court or court staff meeting, he/she shall communicate any issues to the respective staff prior to that meeting.

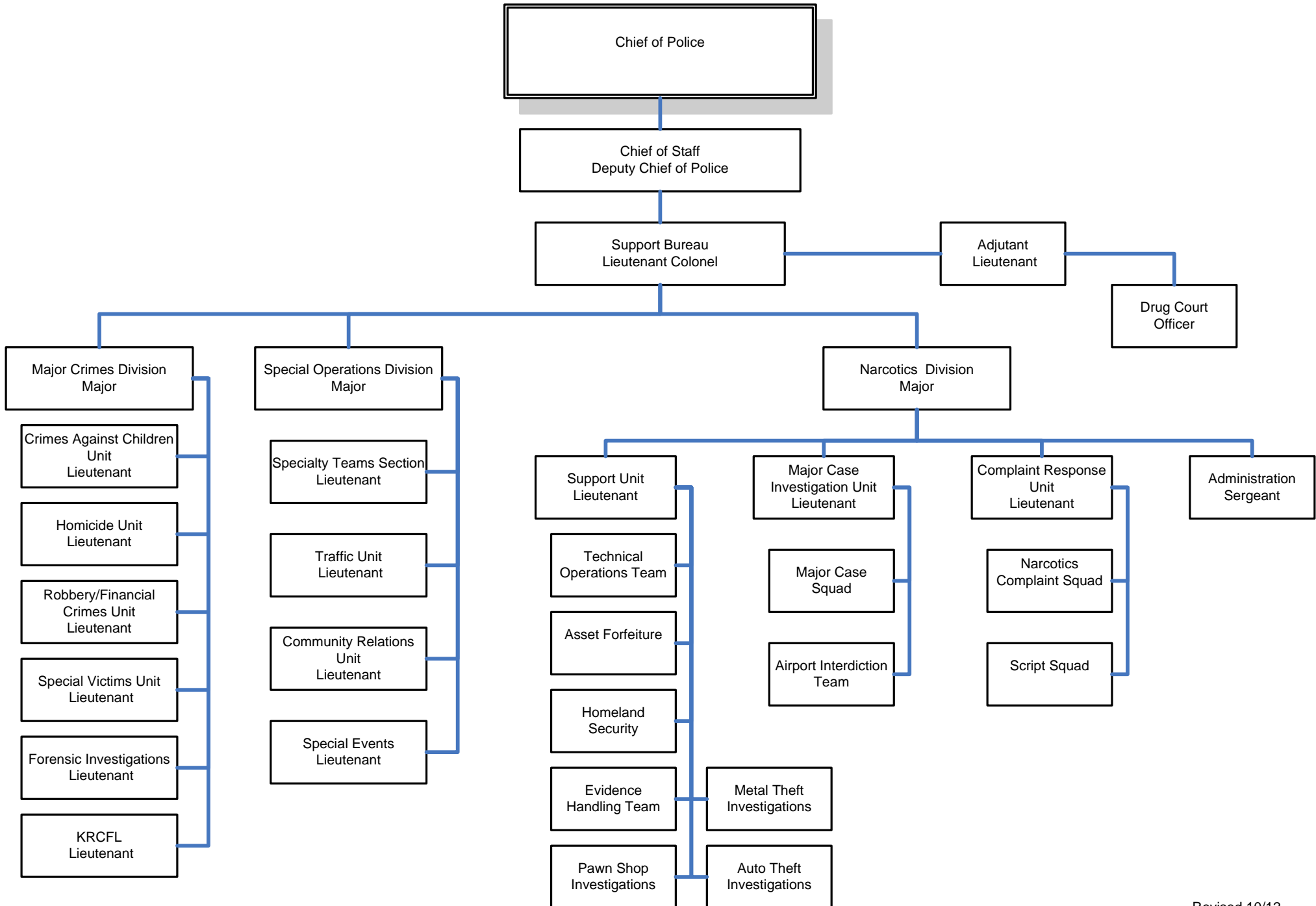
The DCO shall (CALEA 1.1.3):

- Assist the Drug Court staff in assessing participants for the program.
- Maintain participant information in the I/Leads Records Management System (RMS).
- Maintain participant Consent to Search forms.
- Monitor Drug Court participants for compliance with curfew checks, portable breathalyzer test (PBT) checks, home visits and work verifications. These will be documented in the Drug Court Management Information System (MIS) for tracking.
- Assist the Drug Court staff with home visits and work verifications, when necessary.
- Be responsible for coordinating the apprehension of all Drug Court absconders.
- Train officers and recruits on the purpose and benefits of the Drug Court Program.

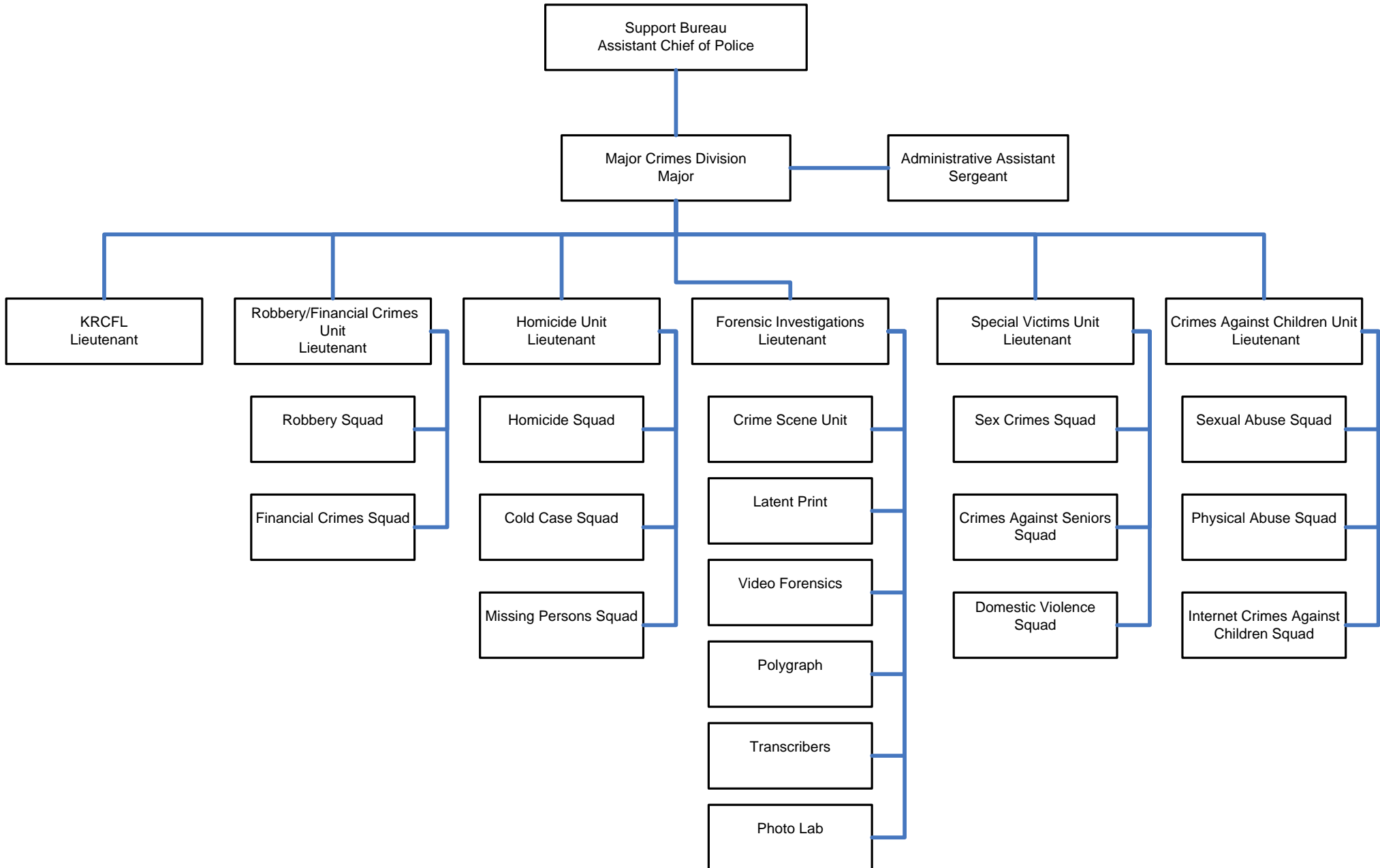
The DCO shall attend Drug Court conferences and additional training on Drug Court-related issues to maintain the highest standards according to Drug Court policy and procedures.

# Louisville Metro Police Department

## Support Bureau Organizational Chart

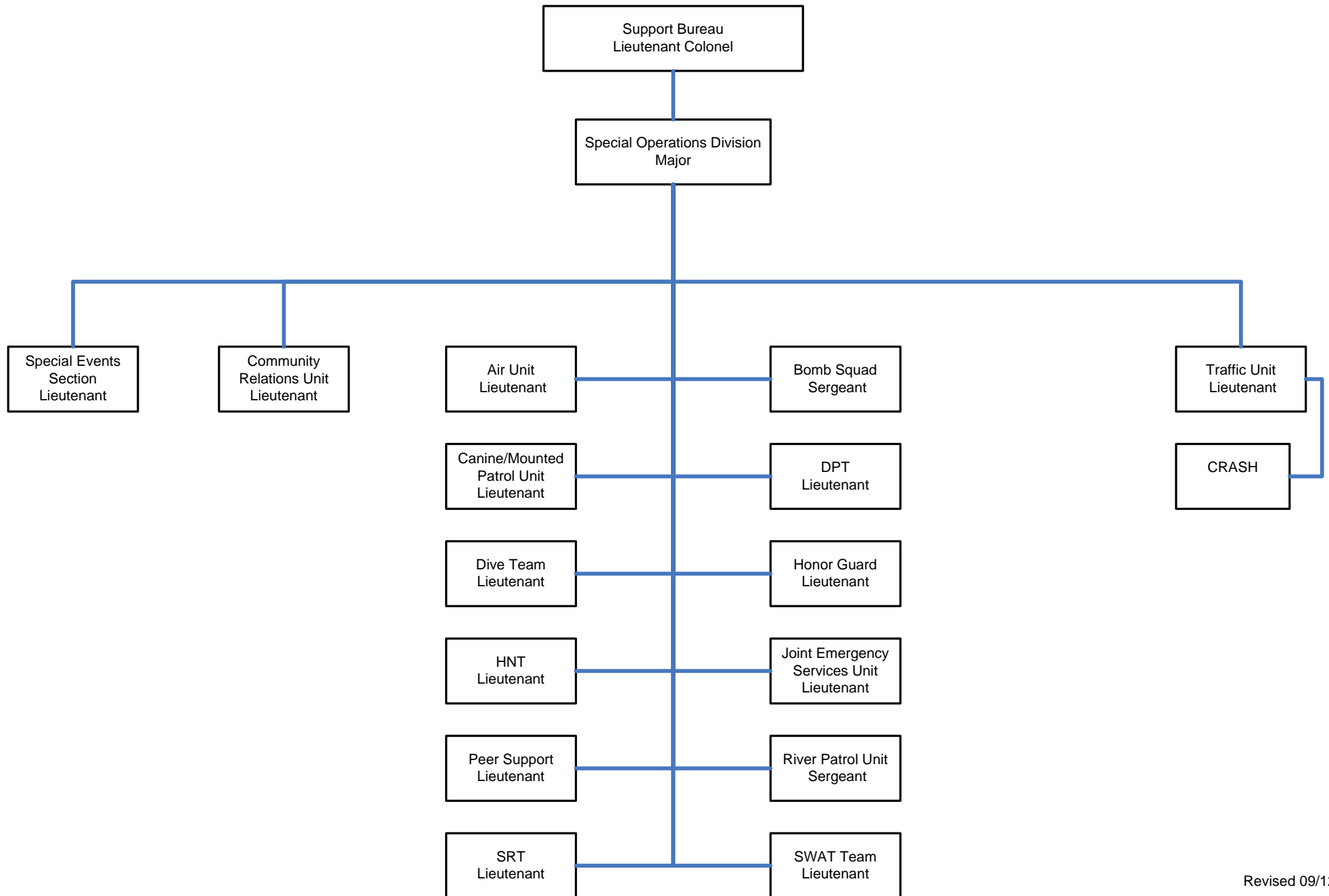


# Louisville Metro Police Department Major Crimes Division Organizational Chart





# Louisville Metro Police Department Special Operations Division Organizational Chart



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8 ADMINISTRATIVE BUREAU

### 1.8.1 ASSISTANT CHIEF OF POLICE/ADMINISTRATIVE BUREAU (Lieutenant Colonel)

The Assistant Chief of Police/Administrative Bureau is appointed by the Chief of Police and shall report to the Deputy Chief of Police/Chief of Staff. When mandated by the Chief of Police, the Assistant Chief of Police/Administrative Bureau shall assume all responsibilities as the department's chief executive officer (CEO) (CALEA 12.1.2a, KACP 4.2).

The Assistant Chief of Police/Administrative Bureau shall coordinate the activities of the (CALEA 11.1.1, KACP 3.3):

- Police Human Resources (HR)
- Training Division
- Administrative Services
- Administrative Services Division

### 1.8.2 POLICE HUMAN RESOURCES (Civilian Director) (KACP 26.2)

Police HR is responsible for maintaining records of past and current departmental members (includes all sworn and civilian personnel). They handle administrative needs with regards to computing payroll, preparing reports and hiring/terminating members.

### 1.8.3 TRAINING DIVISION (Major)

The Training Division is responsible for coordinating recruitment and training, and for maintaining all training records for the department (refer to SOP 1.10) (CALEA 31.1.1).

### 1.8.4 ADMINISTRATIVE SERVICES (Lieutenant)

The Administrative Services Lieutenant is responsible for the following:

- **Court Liaison Office (CLO):** Acts as a liaison between the Louisville Metro Police Department (LMPD) and external criminal justice system agencies that interact within the court system.
- **Fleet Coordination:** Works with Metro Public Works and Assets Fleet Services to manage, operate, repair and replace departmental vehicles.
- **Accident Review Board (ARB):** Reviews all vehicular collisions and other incidents resulting in damage to a departmental vehicle, while under the control or in the possession of a departmental member, sworn or civilian.

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8.5 ADMINISTRATIVE SERVICES DIVISION (Major)

The Administrative Services Division Commander is appointed by the Chief of Police and shall report directly to the Assistant Chief of Police/Administrative Bureau. The Administrative Services Division Commander shall act as the departmental liaison with the Louisville Metro Emergency Management Agency (EMA) and shall be responsible for the following units/services:

### INSPECTIONS AND COMPLIANCE UNIT (Lieutenant)

The Inspections and Compliance Unit (ICU) is responsible for inspectional service duties, which include tracking departmental inventory, conducting staff and field inspections and assisting in the reinstatement of officers after extended absences from duty (CALEA 17.5.1, 53.2.1a). The ICU shall conduct inspections at the direction of the Administrative Services Division Commander.

The ICU shall assist the LMPD Accreditation Manager with accreditation inspections and compliance, as directed by the Administrative Services Division Commander.

The ICU shall coordinate with Metro Archives for the expungement of juvenile files (refer to SOP 10.9.3). The ICU shall also have oversight of all secondary employment (refer to SOP 2.4.8).

### RECORDS MANAGEMENT (Civilian Director) (KACP 5.1, 22.4d)

The Records Management Director is responsible for maintaining the integrity, compilation, security and retention of data for the department (KACP 26.1). Records Management is comprised of the following units:

- **Data Information Center:** Validates police reports for accuracy prior to data entry and enters paper police reports into the I/Leads Records Management System (RMS) (KACP 22.2). The Data Information Center validates and approves all electronic reports that have been submitted by officers and approved by sergeants to ensure compliance for the National Incident Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Uniform Offense Report (UOR). If an officer enters an accident report into the Kentucky Open Portal Solution (KYOPS) eCrash system, the report shall be sent to the Traffic Unit for approval and then be automatically imported into the I/Leads RMS. If an officer takes a paper accident report, the report shall be sent to the Data Information Center. The Data Information Center shall scan and enter the report into the KYOPS eCrash system and the report will automatically be imported into the I/Leads RMS.
- **Public Service Counter:** Provides customer service to the public, law enforcement officers, other governmental agencies and private businesses over the phone, via the service window in the lobby of LMPD Headquarters, through the mail and faxed requests. The Public Service Counter provides copies of incident (crime) reports from the I/Leads RMS; accident reports from the Kentucky State Police (KSP) Collision Report and Analysis for Safer Highways (CRASH) and/or the KYOPS; and arrest and background checks from the Louisville Metro Department of Corrections (LMDC) Inmate Management System (IMS) program. Open records requests for daily bulk CRASH reports are processed for the

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8.5 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

media, pursuant to Kentucky Revised Statute (KRS) 189.635. The Public Service Counter processes expungement orders, as mandated by the courts, and works in conjunction with Metro Archives to ensure that applicable records retention schedules are followed. The Public Service Counter is responsible for accepting payments for reimbursement by departmental members for personal cell phone usage, gym membership and service weapon purchases by LMPD officers.

- **LMPD Service Center:** Includes two (2) primary services, the 574-LMPD Crime Tip Line and Telephone Reporting. Through the 574-LMPD Crime Tip Line, the LMPD Service Center receives anonymous tips by phone or online, which allows the community to become more involved in helping the department solve crimes. The service of telephone reporting allows incident reports to be taken, by phone, from the public for various crimes, in lieu of sending an officer to the scene. The LMPD Service Center checks all vehicles through the National Crime Information Center (NCIC) that are repossessed by private companies to ensure that the vehicles are not stolen and enters the information into the I/Leads RMS. The LMPD Service Center also checks all vehicles for the Vehicle Impoundment Unit (VIU) that are going to be auctioned to ensure these vehicles are not stolen.
- **False Alarm Reduction Unit:** The False Alarm Reduction Unit is responsible for the implementation and oversight of the false alarm ordinance. The False Alarm Reduction Unit acts as a liaison and mediator between the department, the Department of Codes & Regulations, the Department of Budget and Finance, alarm businesses, alarm technicians and the alarm users.

### PROPERTY ROOM (Lieutenant)

The Property Room is responsible for the storing, classification, retrieval and disposal of seized, found or recovered property and forwarded evidence under the protective custody of the LMPD. The Property Room ensures the integrity of all property or evidence (KACP 27.2). Their other duties include maintaining and issuing a limited supply of certain police equipment.

### VEHICLE IMPOUNDMENT UNIT (VIU) (Lieutenant)

The VIU is responsible for the impoundment of vehicles that are in violation of traffic regulations, blocking streets/rights of way, abandoned in public areas, trespassing on private property or participating in illegal dumping (refer to SOP 7.9). The VIU is also responsible for providing towing and impoundment services for vehicles identified as nuisances by the Department of Codes & Regulations and clearing streets after vehicular accidents. The unit stores vehicles involved in fatal accidents, arson investigations and other criminal activity. The VIU collects all towing and storage charges and releases vehicles on-site. Unclaimed vehicles are disposed of at public auctions, pursuant to state law.

### PLANNING AND TECHNOLOGY (Lieutenant)

The Planning and Technology Lieutenant is responsible for the Research and Development (R&D) Unit, the Crime Information Center (CIC) and Technical Services. The Planning and Technology Lieutenant also acts as the departmental liaison with Metro Technology Services (MTS) and MetroSafe.

# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8.5 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

### Research and Development (R&D) Unit (Civilian Supervisor) (CALEA 15.1.1)

The R&D Supervisor reports to the Planning and Technology Lieutenant. The R&D Supervisor shall receive specialized Accreditation Manager training within one (1) year of appointment to the position (CALEA 33.5.4). The R&D Supervisor is responsible for maintaining and monitoring the departmental accreditation standards for the Kentucky Association of Chiefs of Police (KACP) accreditation program and the Commission on Accreditation for Law Enforcement Agencies (CALEA), Inc. (CALEA 11.4.3).

The R&D Supervisor oversees the following:

- Conducting research in areas affecting policy development
- Completing and/or conducting surveys
- Maintaining the department's Standard Operating Procedures (SOPs) and forms (KACP 4.6a)
- Completing special projects assigned by the command staff
- Developing and publishing the department's Annual Report (KACP 5.1, 6.1a-d)
- Publishing the department's newsletter
- Maintaining the department's website
- Creating maps for special events and for use in court
- Maintaining department-wide performance measures and compiling monthly and quarterly executive summary reports of these performance measures
- Maintaining the Forms folder, the Policy and Procedures folder and the SOP Searchable on the network (CALEA 11.4.2)
- Complying with KACP and CALEA standards as they relate to policy
- Maintaining compliance for accreditation standards
- Performing other duties as instructed by the Chief's Office

The R&D Unit shall review all proposed or revised policies, procedures, rules and regulations prior to dissemination, to ensure that they do not conflict with other existing agency directives or applicable law(s) (CALEA 12.2.1i).

The R&D Unit shall be responsible for the procedures of formatting, indexing, purging, writing, revising and dissemination of correspondence as follows: (refer to SOP 3.4.1) (CALEA 12.2.1e, 12.2.2a, KACP 4.6a)

- The R&D Supervisor shall review the correspondence. When the review is completed, the correspondence shall be sent, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau.
- Once all comments/suggestions have been made, the final draft shall be submitted to the Chief of Police, or his/her designee, for approval and, once approved, disseminated to all division/section/unit personnel (CALEA 12.2.1c, KACP 4.6b).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8.5 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

- Unique identifying numbers shall be issued for each particular correspondence to be sent out. In addition, the R&D Unit shall specify the manner in which the particular correspondence is cross indexed. A numerical list of all current correspondence shall be included in the index.

### Crime Information Center (CIC) (Sergeant) (CALEA 15.1.1, KACP 5.1)

The CIC Commander reports to the Planning and Technology Lieutenant. The CIC provides the department with various crime statistics that are used for tactical planning and the deployment of resources. The main purpose of this unit is the collection, analysis and dissemination of timely and useful information. The CIC shall provide officers and detectives with actionable intelligence to assist them in their efforts. The identification of crime patterns and trends supports tactical operations and strategic planning operations. The CIC shall also be responsible for reporting the UCR numbers to the state (refer to SOP 3.5) (KACP 26.5).

Information is collected from a variety of sources, including computer databases, allied agencies and internal personnel (CALEA 15.3.1a). An Intelligence Liaison Officer from each division shall facilitate the information flow between his/her division and the CIC. Dissemination to the affected personnel or departmental area takes the form of daily, monthly and annual reports, which include, but are not limited to (CALEA 15.3.1b, KACP 6.1e):

- Computer Aided Dispatch (CAD) reports
- CompStat reports
- Calls for service reports
- Special reports and area analysis
- Crime pattern bulletins
- Division Annual Report
- Uniform Crime Reports (UCR) (KACP 26.5)
- Daily patrol
- Crime mapping
- Specific requests for records
- Intelligence Bulletins
- Special reports as designated by the Chief of Police

The CIC provides the weekly, multi-media postings of Louisville's Most Wanted, showcasing suspects wanted for felony crimes in the Louisville area.

The CIC shall facilitate weekly CompStat meetings with the Chief of Police and command staff to ensure that crime patterns or trends are identified and discussed (CALEA 15.3.1c). The CIC applies quality control measures to the I/Leads RMS, including programming and applying error reports to identify suspected flaws in the data.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.8
	Effective Date: 02/18/04 Prv. Rev. Date: 11/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 11.1.1, 11.4.2, 11.4.3, 12.1.2, 12.2.1, 12.2.2, 15.1.1, 15.3.1, 17.2.1, 17.2.2, 17.5.1, 31.1.1, 33.5.4, 53.2.1 KACP: 3.3, 4.2, 4.6, 5.1, 6.1, 8.2, 8.3, 8.5, 8.6, 22.2, 22.4, 26.1, 26.2, 26.5, 27.2
Chapter: Departmental Organization	
Subject: Administrative Bureau	

## 1.8.5 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

### Technical Services (Sergeant)

The Technical Services Sergeant assists the Planning and Technology Lieutenant as a liaison with MTS, MetroSafe and other Metro Government entities, as needed. The Technical Services Sergeant assists in planning the LMPD's technical needs, special projects and coordination of the maintenance of the LMPD's technical systems. The Technical Services Sergeant oversees the following:

- **Telephone Services:** Responsible for landlines, cell phones and pagers. Telephone Services coordinates and works with vendors, distributes invoices, records payments made and monitors the return of invoices.
- **Administrative Clerks:** Provide customer service to the public, via the front desk at LMPD Headquarters, and review handwritten citations for errors/omissions and process these citations for court.

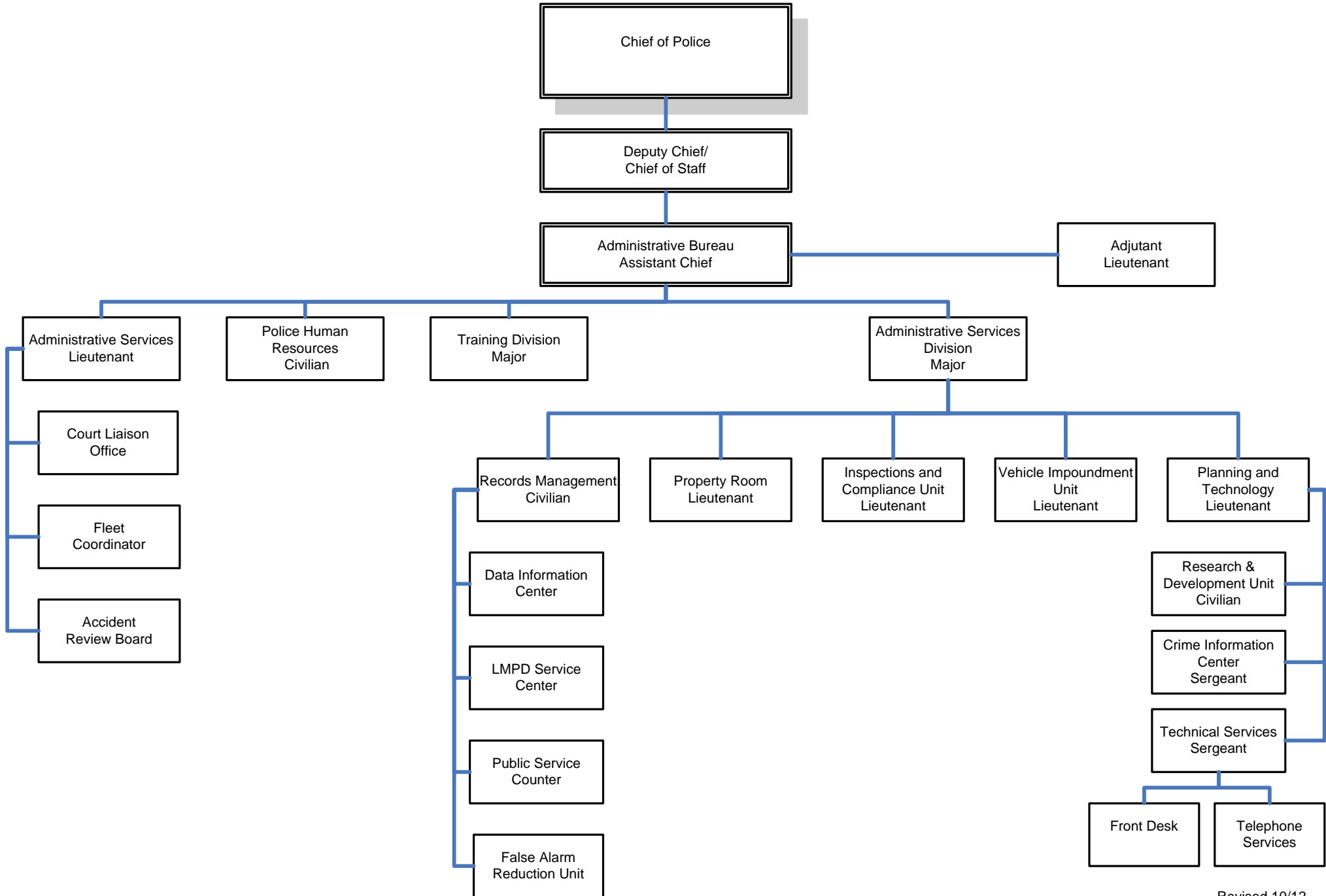
### DEPARTMENTAL HEALTH AND SAFETY OFFICERS

Departmental Health and Safety Officers report to the Administrative Services Division Commander and assist LMPD members when they are involved in a bloodborne, chemical or airborne exposure. This includes assisting with paperwork and ensuring that the proper lab work is done regarding the source subject and the member. These officers shall be on call for exposure incidents involving LMPD members on a rotating basis.

## 1.8.6 BUSINESS ADMINISTRATOR (Civilian) (CALEA 17.2.1, KACP 8.2)

The Business Administrator acts as the departmental liaison with the Office of Management and Budget (OMB) and reports to the Louisville Metro Chief Financial Officer. The Business Administrator is responsible for the department's fiscal management functions and the internal monitoring and auditing of the department's internal budget (KACP 8.5). The Business Administrator shall also be responsible for collecting, safeguarding and dispersing cash by maintaining an allotment system, preparing financial statements and conducting internal audits of information provided by the custodians, personnel or position appointed by the commander of the division/section/unit, of petty cash or investigative funds (refer to SOP 8.37) (KACP 8.6a-d). The Business Administrator receives written recommendations from the supervisors of the different departmental areas, based on operational and activity analysis, for use in formulating the department's budget (CALEA 17.2.2, KACP 8.3).

# Louisville Metro Police Department Administrative Bureau Organizational Chart





# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.9
	Effective Date: 02/18/04 Prv. Rev. Date: 01/09/12 Revised Date: 09/29/12
	Accreditation Standards: CALEA: 11.1.1, 61.2.1, 61.2.2 KACP: 3.3, 23.1
Chapter: Departmental Organization	
Subject: Special Investigations Division	

## 1.9 SPECIAL INVESTIGATIONS DIVISION

### 1.9.1 COMMANDER OF SPECIAL INVESTIGATIONS DIVISION (Major)

The Special Investigations Division (SID) Commander of the Louisville Metro Police Department (LMPD) is appointed by the Chief of Police and reports directly to the Deputy Chief of Police/Chief of Staff.

The SID Commander shall coordinate the activities of the following units (CALEA 11.1.1, KACP 3.3):

- Public Integrity Unit (PIU)
- Professional Standards Unit (PSU)

The SID Commander assists in officer reinstatement when the officer is returning from certain types of leaves (refer to SOP 2.5, SOP 2.11 and SOP 8.12).

### 1.9.2 PUBLIC INTEGRITY UNIT

The Public Integrity Unit (PIU) is responsible for conducting all criminal investigations of departmental members, unless an investigation has already been initiated by another law enforcement agency. The PIU is responsible for monitoring criminal investigations of departmental members initiated by another law enforcement agency. The PIU shall be notified when a departmental member or Louisville Metro employee has been charged with a crime or is alleged to have committed a crime.

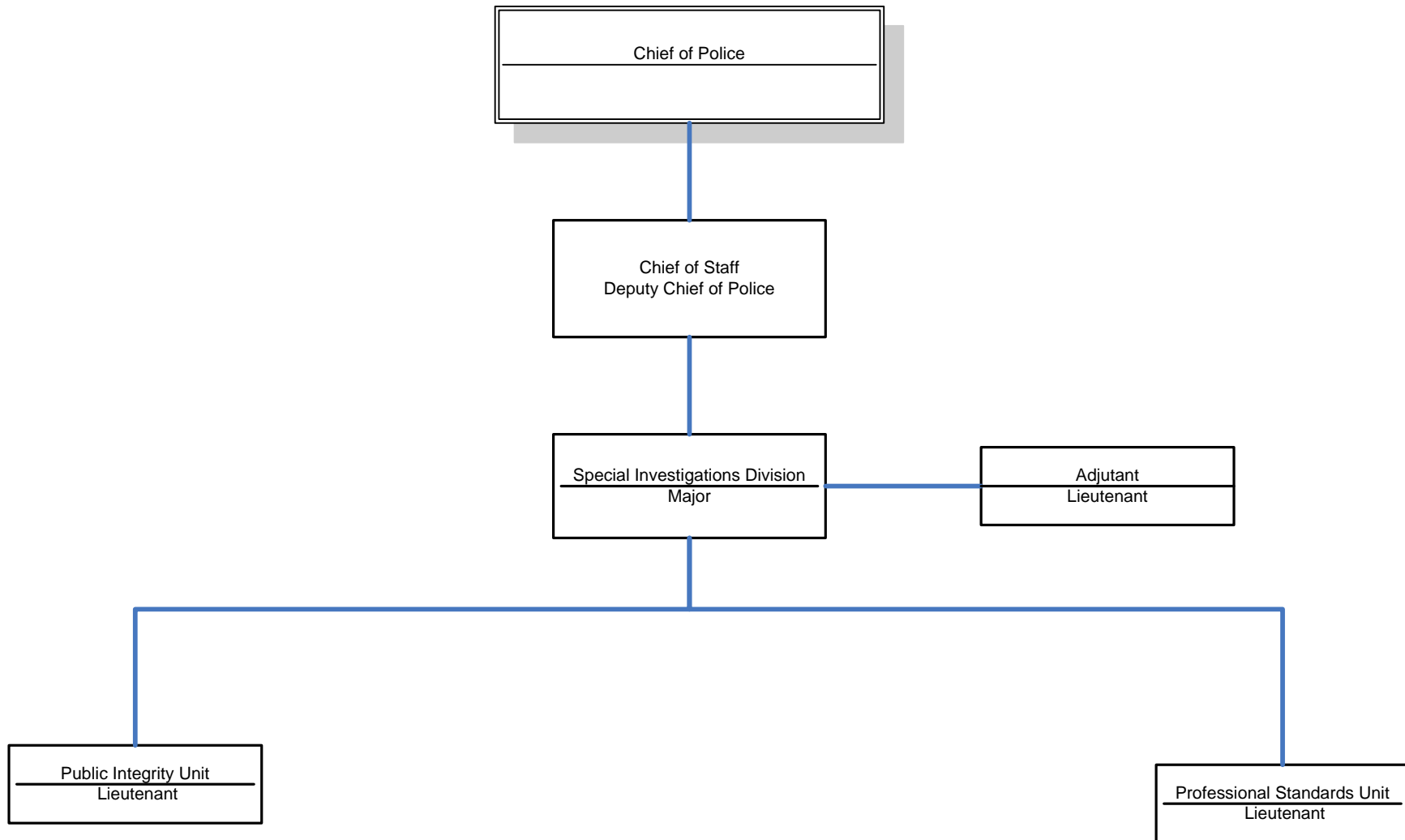
The PIU investigates the following:

- All incidents involving the discharge of firearms by an officer or against an officer, regardless of injuries
- Felony assaults with deadly weapons or dangerous instruments resulting in death or serious physical injury against departmental members while in the performance of their official duties
- In-custody deaths
- Fatal and life-threatening injury collisions resulting from pursuits and any fatal collision involving Metro Government-owned vehicles (CALEA 61.2.1a, 61.2.2a, d, KACP 23.1a)
- Any Louisville Metro employee suspected of committing a felony

### 1.9.3 PROFESSIONAL STANDARDS UNIT

The Professional Standards Unit (PSU) is responsible for conducting internal, administrative investigations of departmental members and administering the department's drug testing program and the Personnel Early Warning System (PEWS) IAPro software program (refer to SOP 2.28). A record of all disciplinary actions issued by the Chief of Police shall be maintained by the PSU (refer to SOP 2.11).

# Louisville Metro Police Department Special Investigations Division Organizational Chart



# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 1.10
	Effective Date: 02/18/04 Prv. Rev. Date: 06/10/12 Revised Date: 11/10/12
	<b>Accreditation Standards:</b> <b>CALEA:</b> 1.1.2, 1.3.11, 12.2.2, 31.1.1, 32.2.10, 33.1.2-33.1.7, 33.2.1-33.2.2, 33.3.1, 33.4.1-33.4.3, 33.5.1-33.5.4, 33.6.1-33.6.2, 33.7.1-33.7.2, 33.8.1-33.8.3 <b>KACP:</b> 1.10, 4.6, 14.1, 14.2, 14.3, 14.4, 16.4, 19.6, 19.7
Chapter: Departmental Organization	
Subject: Training	

## 1.10 TRAINING

### 1.10.1 COMMANDER OF THE TRAINING DIVISION (Major)

The Training Division Commander is appointed by the Chief of Police and shall report directly to the Assistant Chief of Police/Administrative Bureau. The responsibility of the Training Division includes:

- Coordinating all sworn recruitment for the department (refer to SOP 2.27) (CALEA 31.1.1).
- Maintaining and updating all personnel training records of the department (CALEA 33.1.6).
- Coordinating the following training programs for the department:
  - Basic training.
  - In-service training.
  - Firearms qualifications.
  - Remedial training (CALEA 33.1.5).
  - Department mandated re-certification classes.
  - State mandated re-certification classes.
  - Career development courses.
  - Legal updates.
  - Law enforcement seminars.
  - Kentucky Law Enforcement Council (KLEC) compliance.
  - Police Training Officer (PTO)/Police Training Sergeant (PTS) Programs
  - Veterans Affairs (VA) Program

### 1.10.2 SWORN MEMBER TRAINING REQUIREMENTS

Each officer, having responsibility for the enforcement of criminal laws in general, shall graduate from a basic training program certified by the KLEC, prior to the exercise of such authority. Officers grandfathered by 503 Kentucky Administrative Regulations (KAR) 1:110, who were hired prior to July 1, 1972, shall be considered to meet the basic requirements of the basic training program required above (CALEA 33.4.1, KACP 14.1). The basic training curriculum shall encompass those duties, skills, responsibilities and actions that are job-related and shall include tests/evaluations to measure the officer's competency in these areas (CALEA 33.4.2a-b).

Upon graduation from the basic training program, sworn members shall be placed on a probationary period of at least one (1) year before the member is granted permanent status. The probationary period allows for the observation of the member's performance and to assist the member in his/her new position. The probationary period may be extended up to six (6) additional months based upon just cause determined by the Chief of Police (CALEA 32.2.10).

# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 1.10
	Effective Date: 02/18/04 Prv. Rev. Date: 06/10/12 Revised Date: 11/10/12
Chapter: Departmental Organization	Accreditation Standards:
Subject: Training	CALEA: 1.1.2, 1.3.11, 12.2.2, 31.1.1, 32.2.10, 33.1.2-33.1.7, 33.2.1-33.2.2, 33.3.1, 33.4.1-33.4.3, 33.5.1-33.5.4, 33.6.1-33.6.2, 33.7.1-33.7.2, 33.8.1-33.8.3 KACP: 1.10, 4.6, 14.1, 14.2, 14.3, 14.4, 16.4, 19.6, 19.7

## 1.10.2 SWORN MEMBER TRAINING REQUIREMENTS (CONTINUED)

Every sworn member assigned to a detective position, including flex platoons, shall successfully complete at least 40 hours of investigative training that has been approved by the KLEC, prior to, or as soon as practical after, being assigned to the position. When members are chosen for a detective position, his/her division commander, or his/her designee, shall contact the Training Division Commander and request that the member be assigned to an approved investigative training class at the earliest available opportunity (CALEA 33.6.1a, 33.8.2).

Every sworn member promoted to sergeant shall successfully complete at least 40 hours of supervisory training that has been approved by the KLEC prior to, or within one (1) year of, such appointment or promotion (CALEA 33.6.1a, 33.8.2, KACP 14.2).

Every sworn member promoted to lieutenant or above shall successfully complete at least 40 hours of management training which has been approved by the KLEC prior to, or within one (1) year of, such appointment or promotion (CALEA 33.6.1a, 33.8.2, KACP 14.3).

Every sworn member having responsibility for the enforcement of criminal laws in general shall complete at least 40 hours of certified in-service training annually (KACP 14.4). This training shall include relevant local, state and federal legal updates which have recently been passed/enacted and annual updates on departmental use of force policies (CALEA 33.5.1, 33.6.1b). Sworn members shall also qualify with departmentally-authorized firearms, twice annually, coordinated by the Firearms Training Center and the Training Division (refer to SOP 4.13). One (1) session shall be held in low light conditions (KACP 1.10a). Firearms qualifications shall be properly documented for the member's file and shall be monitored by a certified firearms instructor (CALEA 1.3.11a-b, KACP 1.10b). Members who fail to qualify with their authorized firearm(s) shall be subject to remedial training and successful requalification before they can resume their law enforcement duties (CALEA 1.3.11c).

## 1.10.3 CIVILIAN MEMBER TRAINING REQUIREMENTS

Newly hired civilian members shall be placed on a probationary period of at least six (6) months, but no longer than one (1) year, before the member is granted permanent status. Crime Scene Unit (CSU) technicians shall be placed on a probationary period of at least one (1) year before the technician is granted permanent status. The probationary period allows for the observation of the member's performance and to assist the member in his/her new position. The probationary period may be extended at the discretion of Louisville Metro Civil Service.

Civilian members shall receive information on the following, upon appointment to their positions (CALEA 33.7.1a-c):

- The department's mission, goals, policies and procedures
- Working conditions and regulations

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## 1.10.3 CIVILIAN MEMBER TRAINING REQUIREMENTS (CONTINUED)

- Employee's responsibilities and rights

The following civilian positions require pre-service and/or in-service training (CALEA 33.7.2):

- Traffic Guards (refer to SOP 8.41)
- Police Report Technicians (PRTs) (refer to SOP 8.38)
- Crime Scene Unit (CSU) technicians

## 1.10.4 POST ACADEMY TRAINING

After graduating from the basic academy, the probationary officer (PO) begins the 24-week Police Training Officer (PTO) Program (CALEA 33.4.3a). This program pairs a newly sworn officer with at least four (4) certified sworn officers for the purposes of advising and evaluating the PO's skills, knowledge, abilities and performance. POs are supervised and evaluated to ensure that their performance is in compliance with departmental policies/procedures and applicable laws (refer to SOP 2.21.5) (KACP 16.4).

Upon the successful completion of the PTO Program, the PO begins the 28-week Solo phase of training. In this phase, the PO operates as a patrol officer independent of a PTO. However, the PO is still considered an officer in the training process and can be placed back with a PTO or Police Training Evaluator (PTE) in order to identify and/or address specific issues and to receive remedial training (CALEA 33.1.5).

## 1.10.5 TRAINING DIVISION/ACADEMY REQUIREMENTS

The department shall maintain a training academy facility to offer basic and/or other forms of departmental training (e.g. remedial, in-service, career development, etc.) for its members. The facility shall include, but not be limited to, the following (CALEA 33.2.2a-d):

- Classroom space consistent with the curriculum/subjects being taught
- Office space for administrators, instructors and staff
- Physical training areas (e.g. gym)
- Library

The Training Division shall maintain unit policies and procedures regarding the administration and operation of the academy facility. These policies and procedures shall include, but not be limited to, the following (CALEA 33.2.1a-d):

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## 1.10.5 TRAINING DIVISION/ACADEMY REQUIREMENTS (CONTINUED)

- A statement of the academy's mission, goals and responsibilities
- Procedures relating to organization and staffing
- Administrative procedures
- Operating procedures

Training Division personnel shall distribute an orientation handbook to all new recruits at the time their recruit training begins (CALEA 33.2.1e).

The Training Division shall retain instructors who are KLEC certified. These instructors shall receive training, including, but not limited to, the following areas (CALEA 33.3.1a-e):

- Lesson plan development
- Performance objective development
- Instructional techniques
- Testing and evaluation techniques
- Resource availability and use

The Training Division shall retain lesson plans for all training courses conducted by the department, which include the following information (CALEA 33.1.4a-d):

- A statement of performance and job-related objectives for each course
- The content of the training and specification of the appropriate instructional techniques
- The process for lesson plan approval
- The identification of any tests used in the training process

The Training Division shall maintain records of all departmental training classes, including the following information (CALEA 33.1.7a-c):

- The date(s) of training
- Course content (e.g. lesson plans)
- The names of members attending
- The performance of members as measured by evaluations/tests, if applicable

## 1.10.6 REMEDIAL TRAINING (CALEA 33.1.5)

A member's performance may require remedial training in certain areas, including firearms qualifications. Supervisors shall coordinate remedial training with the Training Division. The following forms of remedial training are offered by the Training Division:

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## 1.10.6 REMEDIAL TRAINING (CONTINUED)

- Remedial training for firearms
- Remedial driver's training
- Specialized remedial training at the request of the supervisor or officer (e.g. search and seizure, use of force, interview techniques, etc.)

If members fail to successfully complete mandated remedial training, disciplinary action, including, but not limited to, termination may result.

## 1.10.7 SPECIALIZED TRAINING

The following squads/teams require their members to successfully complete specialized training on a monthly or bi-monthly basis (CALEA 33.6.1a):

- Bomb Squad
- Dive Team
- Dignitary Protection Team (DPT)
- Hostage Negotiation Team (HNT) (KACP 19.7c)
- Special Response Team (SRT)
- Special Weapons and Tactics (SWAT) Team

SWAT Team members shall regularly engage in training and readiness exercises (CALEA 33.6.2, KACP 19.6c). These exercises are in addition to the initial training that a member must successfully complete before becoming a SWAT Team member.

The commander of each specialized squad/team shall be responsible for coordinating and mandating the regular training required for his/her squad/team. The commander of each specialized squad/team shall be responsible for coordinating any retraining that is needed by members under his/her command (CALEA 33.6.1b). The commander of the specialized squad/team shall be responsible for forwarding a roster of any training attendees to the Training Division for the member's file.

## 1.10.8 CAREER DEVELOPMENT

The Training Division shall administer career development courses for the purposes of enhancing the member's knowledge and performance within the department (CALEA 33.8.3). Training Division personnel conducting career development courses receive classroom training on the techniques and skills needed to effectively administer career development courses based on KLEC requirements (CALEA 33.8.1).

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## 1.10.8 CAREER DEVELOPMENT (CONTINUED)

Career development courses are offered in several areas, including, but not limited to:

- Patrol
- Investigations
- Management

## 1.10.9 ATTENDANCE

Members shall be punctual in reporting to departmentally elected and mandated training programs. Attendance exceptions shall be granted on a case by case basis. If a member is unable to attend training due to court requirements or a personal emergency, he/she shall advise his/her commanding officer and the Training Division as soon as possible. Training does not automatically excuse a member from appearing in court (refer to SOP 8.2.6) and court does not automatically excuse a member from attending training (CALEA 33.1.2). If a member misses more than ten (10) percent of a training class, he/she shall be required to enroll in another training class.

Members shall provide the Training Division with copies of any certifications received in an outside training class in order to update the member's training record at the Training Division (CALEA 33.1.6).

## 1.10.10 TRAINING REIMBURSEMENT

Members may be reimbursed for certain charges incurred as a result of out-of-town travel for training (refer to SOP 2.18) (CALEA 33.1.3).

## 1.10.11 SHIFT BRIEFING TRAINING (CALEA 33.5.2)

The department briefs officers of important relevant information at roll-calls and through other forms of correspondence (e.g. interoffice mail, email, etc.). All policy updates and numbered correspondence shall be distributed to members, via email (CALEA 12.2.2a). Members shall acknowledge that they have read and understood all policies, General Orders, Special Orders and General Memorandums using the VigilEnt Policy Tracking Software. If members do not have computer access, they shall acknowledge that they have read and understood all policies, General Orders, Special Orders and General Memorandums by signing an accountability roster (CALEA 12.2.2c, KACP 4.6d). Members shall be responsible for reading all correspondence requiring acknowledgement within ten (10) calendar days of the date of issuance or be subject to disciplinary action. Each division/section/unit shall be responsible for running monthly compliance reports for its members in the VigilEnt Policy Tracking Software for accountability purposes (refer to SOP 3.4).



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## 1.10.11 SHIFT BRIEFING TRAINING (CONTINUED)

In certain situations, the Training Division shall distribute videos, or other forms of electronic media, for the member to view and acknowledge compliance by signing an accountability roster. Commanding officers shall ensure that the accountability roster is forwarded to the Training Division in order to update the member's training record.

## 1.10.12 ETHICS TRAINING

All members shall receive initial training on departmental ethical standards of conduct and the Training Division shall also ensure that members receive additional ethics training at least every two (2) years (CALEA 1.1.2).

## 1.10.13 ACCREDITATION

All personnel shall receive information on departmental accreditation processes. This information may be in the form of an email or memorandum. The departmental accreditation processes include:

- Kentucky Association of Chiefs of Police (KACP)
- Commission on Accreditation for Law Enforcement Agencies (CALEA)

Departmental members shall receive information on the departmental accreditation processes as follows (CALEA 33.5.3a-c):

- Within 30 days after their employment begins or within 30 days after completing basic training
- During the self-assessment phase associated with achieving initial accreditation
- Prior to an on-site assessment

The Research and Development (R&D) Unit supervisor shall also act as the departmental accreditation manager and shall receive specialized accreditation manager training within one (1) year of being appointed to the position (CALEA 33.5.4).

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## 1.11 PATROL DIVISION ORGANIZATION

### 1.11.1 CONFIGURATION

The jurisdictional boundaries of the department are divided into eight (8) patrol divisions. Division responsibilities include the protection of life and property of the citizens, enforcement of the laws of the Commonwealth of Kentucky and the ordinances of Louisville Metro and the prevention of criminal activities through the constant patrol of designated beats (CALEA 11.1.1, KACP 3.2, 3.3).

### 1.11.2 PATROL DIVISION STRUCTURE AND ASSIGNMENTS (KACP 17.5)

**Division Commander (Major):** The division commander is appointed by the Chief of Police and reports directly to the Deputy Chief of Police/Patrol Services. The division commander, with the approval of the Deputy Chief of Police/Patrol Services, may alter the command structure and job description within his/her division, as needed.

**Platoon Lieutenant:** Responsibilities include, but are not limited to, reducing crime and improving quality of life issues through coordinating units under his/her immediate control. The platoon lieutenant reports directly to the division commander.

**Administrative Sergeant:** Responsibilities include, but are not limited to, maintaining the daily operational status of the division. The administrative sergeant reports directly to the division commander and oversees special projects for the division.

**Division Specific-Purpose Sergeant:** Assigned by the division commander to address unique division needs.

**Platoon Sergeant:** The platoon sergeant reports directly to a designated platoon lieutenant. Responsibilities include, but are not limited to, direct supervision over the uniformed patrol officers assigned to his/her shift whose duties are as follows:

- **Uniformed Patrol Officer:** Responsibilities include patrolling a designated beat within his/her assigned division and performing duties or tasks assigned by his/her designated commanding officers. The duties of uniformed patrol officers include, but are not limited to, the following:
  - Interacting with residents, business members and others on their beat to promote a cooperative relationship in order to reduce crime and resolve other quality-of-life issues.
  - Preventing and discovering crimes committed on their beat.
  - Arresting, and assisting in the prosecution of, individuals involved in criminal activity.
  - Enforcing motor vehicle and parking regulations.
  - Investigating and completing reports involving motor vehicle accidents.
  - Conducting preliminary investigations and completing reports on criminal offenses.
  - Assisting division detectives and flex platoons, when requested.
  - Serving criminal warrants.
  - Performing any other activity as directed by the division commander.

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## 1.11.2 PATROL DIVISION STRUCTURE AND ASSIGNMENTS (CONTINUED)

**Flex Platoon Sergeant:** Performs duties under direction of the platoon lieutenants, at the discretion of the division commander. The flex platoon sergeant oversees the operation of a flex platoon, whose personnel are responsible for the following:

- **Flex Officer:** Performs various duties or tasks as assigned by his/her commanding officer, while working flexible shifts, at the discretion of the division commander. These assignments may be either in uniform or plainclothes, depending on the nature of the task or the needs of the division. Off-days and hours may change, as needed, to achieve specific law enforcement objectives. The duties of a flex platoon officer include, but are not limited to, the following:
  - Detecting, investigating and arresting individuals involved in street corner or neighborhood drug activity within the division.
  - Coordinating with the Narcotics Division in investigations involving major drug activities that extend beyond the resources or boundaries of the division.
  - Conducting robbery, burglary, theft or other specifically targeted crime reduction details within the division.
  - Investigating alcohol-related complaints.
  - Supplementing patrol platoons, when needed.
  - Debriefing suspects and sharing pertinent intelligence with other units.
  - Performing any other activity as directed by the division commander.

**Detective Squad Sergeant:** Oversees the operation of the detective squad, including the domestic violence detective(s). The detective squad sergeant coordinates the investigation of crimes committed in the division generated through incident reports. The detective sergeant reports directly to the appropriate platoon lieutenant. The detective squad sergeant directs personnel, whose duties are as follows:

- **Detective:** Plainclothes officer who is experienced or trained to perform specialized duties or tasks assigned by his/her commanding officer. These duties shall include the follow-up, investigation and disposition of crimes reported within his/her assigned division at the discretion of the division commander.

**Probationary Officer:** Follows the directions of his/her assigned police training officer (PTO) and commanding officers.

**Cadet:** Performs the duties or tasks assigned by his/her designated commanding officer.

## 1.11.3 ADDITIONAL ASSIGNMENTS

Division commanders, with the approval of the Deputy Chief of Police/Patrol Services, may assign officers to other duties within the division. All squads/units shall report to a designated commanding officer. All personnel assigned to these special duties may be temporarily used to supplement the patrol platoons, as needed. Such assignments may include, but are not limited to:

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## 1.11.3 ADDITIONAL ASSIGNMENTS (CONTINUED)

- **Division Resource Officers:** Uniformed assignment responsible for quality-of-life issues and the coordination of division-level community-oriented policing initiatives. Other responsibilities include attending monthly meetings and organizing special projects, as directed by the division commander.
- **Warrant Officers:** Uniformed assignment with responsibilities that include managing the division's warrant activity. Additional duties require the serving of warrants, with priority going to felony and domestic violence (DV) warrants.
- **Traffic Enforcement Officers:** Uniformed assignment with responsibilities that include handling traffic and speeding complaints for the division.
- **Bike Officers:** Uniformed assignment responsible for saturated patrol, as directed by the platoon lieutenant.
- **Division Gang Coordinator:** An officer or detective responsible for collecting gang data generated in the division and forwarding it to the Narcotics Division.
- **Housing Authority Liaison Officer:** Uniformed assignment responsible for enforcing Housing Authority rules and regulations, responding to citizen complaints in subsidized housing areas and the attendance of community meetings.
- **School Resource Officers:** Uniformed assignment with responsibilities that include providing on-site support and security for select Jefferson County public middle and high schools.
- **Intelligence Liaison Officer:** An officer responsible for relaying intelligence information from the division to the Crime Information Center (CIC).

## 1.11.4 ASSIGNMENT PROCEDURES

All platoon, shift and specialized unit assignments shall be made in accordance with the current collective bargaining agreement between Louisville/Jefferson County Metro Government and the River City Fraternal Order of Police (FOP) Lodge #614 (KACP 9.1, 17.2).

## 1.11.5 SHIFT SCHEDULES

Each division shall utilize shift schedules that best meet the needs of the division and the department. The division commanders shall determine the effectiveness of each schedule within their respective divisions. Shift hours and off-day rotations are at the discretion of the division commanders, and are subject to approval by the Deputy Chief of Police/Patrol Services (KACP 17.2, 17.3).

## 1.11.6 VIOLENT INCIDENT PREVENTION, ENFORCEMENT AND RESPONSE UNIT

The Violent Incident Prevention, Enforcement and Response (VIPER) Unit addresses violent crime in Louisville Metro by focusing on hot spots of violent criminal activity, identifying and arresting the worst offenders and addressing gang activity that the VIPER Unit encounters. The VIPER Unit is also responsible for identifying and apprehending fugitives who are known violent offenders.

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## 1.11.6 VIOLENT INCIDENT PREVENTION, ENFORCEMENT AND RESPONSE UNIT (CONTINUED)

The VIPER Unit lieutenant reports directly to the Deputy Chief of Police/Patrol Services.

## 1.11.7 POLICE REPORT TECHNICIANS

Some divisions may utilize civilian Police Report Technicians (PRTs) to work during peak hours to respond to minor incidents which do not require an officer. PRTs take incident reports, photograph incident scenes, interview witnesses, maintain database records and collect relevant evidence in certain circumstances. PRTs are under the supervision of the commander of their assigned division.

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## 1.12 COMMAND AUTHORITY

### 1.12.1 OATH OF OFFICE

All sworn members shall take, and abide by, an oath of office administered by the Louisville Metro Mayor, or his/her designee. This oath shall include, but is not limited to, the member's pledge to uphold the Constitution of the United States, the Constitution of the Commonwealth of Kentucky, the Kentucky Revised Statutes (KRS) and the ordinances of the Louisville Metro Government (CALEA 1.1.1, KACP 1.1).

### 1.12.2 CHAIN OF COMMAND

The chain of command is the clear line of authority, from the Chief of Police to every member, that facilitates effective decision-making and organizational communication. Members shall utilize, recognize and respect the chain of command in all official actions, as designated in the order of rank. In certain instances, the chain of command may be bypassed. In doing so, a member must be prepared to justify the departure from normal procedure.

### 1.12.3 ORDER OF RANK

The order of rank of sworn members of the department shall be as follows (CALEA 11.1.1, 12.1.2d, KACP 4.2):

1. Chief of Police
2. Deputy Chief of Police (Colonel)
3. Assistant Chief of Police (Lieutenant Colonel)
4. Major
5. Captain
6. Lieutenant
7. Sergeant
8. Officer/Detective

Sworn members of the department shall have the authority to make full custody arrests (CALEA 1.2.1). The department also recognizes the following members with limited enforcement powers. In accordance with KRS 67A.075, these members are not fully commissioned as peace officers and shall not be assigned duties requiring sworn officer status (CALEA 1.2.1, KACP 7.2a-c):

- Traffic Guard: Under general supervision, performs traffic guard work. Responsibilities include providing safety for schoolchildren crossing streets at intersections and directing both vehicular and pedestrian traffic (CALEA 61.3.5).
- Traffic Control Officer II: Under general supervision, performs specific patrol work. Responsibilities include taking accident reports and enforcing moving and non-moving vehicular violations by issuing citations to violators.

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## 1.12.4 UNITY OF COMMAND (KACP 4.3)

Each member is accountable to only one (1) supervisor at any given time (CALEA 11.2.1). Each member shall be responsible, or accountable to, his/her regular immediate supervisor, except when working on a special assignment, incident or temporarily assigned to another unit. In such cases, the member shall be accountable to the first-line supervisor in charge of the assignment or incident. Similarly, each organizational component shall be under the direct command of only one (1) supervisor, as shown on the departmental organizational charts.

At times, a commanding officer may be required to give a lawful order to a member, or component, that is outside of his/her normal chain of command. In such cases, the rank will be respected and the order shall be obeyed.

## 1.12.5 SPAN OF CONTROL

To achieve effective direction, coordination and control, the number of members under the immediate control of a supervisor shall not be excessive. The exact number of personnel supervised by any one (1) supervisor shall be dependent on the nature of the job being performed, the complexity of the task, the size of the area to be supervised, the experience level of the members and other factors that may influence the work environment. Each supervisor shall continually review the number of personnel under his/her command to ensure that appropriate limits are not exceeded.

## 1.12.6 OFFICER IN CHARGE (KACP 4.3)

The Louisville Metro Police Department (LMPD) shall utilize the Incident Command System (ICS) (refer to SOP 8.36). The officer in charge of any non-planned event shall be the first officer to arrive on the scene. This officer shall serve as the Incident Commander (IC), until relieved on-scene by a higher ranking officer or detective (CALEA 46.2.1a). The commanding officer or detective shall specifically advise the officer that he/she is being relieved.

When two (2) officers of equal rank arrive simultaneously at a scene and a conflict exists as to who is in charge, the officer in charge shall be the one with the most seniority in rank.

When specialty unit investigators are requested, they may serve in an investigative/support capacity or assume command, depending on the requirements of the incident.

## 1.12.7 COMMAND OF JOINT OPERATIONS

When two (2) or more components within the department are engaged in a joint operation, the person in charge shall be clearly identified to all participants at the beginning of the operation (CALEA 12.1.2c, KACP 4.3).

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## 1.12.8 RESPONSIBILITY, AUTHORITY AND DELEGATION (KACP 4.3)

The department is an organization with assignment of responsibility and accountability throughout the rank structure. The command structure, which is set forth by the Chief of Police, establishes authority for members commensurate with their responsibilities (CALEA 11.3.1a). Commanding officers shall:

- Accept the responsibilities of their rank and are required to thoroughly familiarize themselves with the responsibilities of their assigned command or function.
- Delegate authority and responsibilities, but be held strictly accountable for this delegation (CALEA 11.3.1b).
- Set an example of sobriety, dignity, courtesy, discretion, skill, diligence and the observance of proper discipline.

## 1.12.9 PERFORMANCE OF MEMBERS

To achieve effective direction, coordination and control, supervisors are accountable for the performance of members under their immediate supervision (CALEA 11.3.2, KACP 4.4). This directive applies to each level of supervision within the agency.

## 1.12.10 CONFLICTING ORDERS OR DIRECTIVES

Members receiving conflicting orders shall advise the person issuing the conflicting order of the previous instructions. The responsibility for countermanding the first order rests with the person issuing the second order. If a conflict remains, the last order given shall be the one obeyed (CALEA 12.1.3, KACP 4.5).

## 1.12.11 UNLAWFUL ORDERS

Supervisors shall not knowingly issue an order which is in violation of any law, ordinance or departmental rule. No member shall be required to obey an unlawful order. The responsibility to refuse to obey an unlawful order rests with the individual member and shall require justification. Members receiving an unlawful or unjust order shall report this fact, in writing, to the Chief of Police, through the appropriate chain of command, as soon as possible (CALEA 12.1.3, KACP 4.5). If the supervisor who issued the order is within the member's direct chain of command, the member shall forward the information beginning at the next higher level.

## 1.12.12 STAFF MEETINGS

The Chief of Police may conduct periodic problem-oriented staff meetings. The meetings shall be attended by each bureau and/or division commander and any project manager deemed necessary. In the event that a bureau or division commander cannot attend, he/she may select a designee, who should be briefed prior to the meeting (CALEA 12.1.4).



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 1.12
	Effective Date: 04/12/04 Prv. Rev. Date: 01/24/11 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 1.1.1, 1.2.1, 11.1.1, 11.2.1, 11.3.1, 11.3.2, 12.1.2, 12.1.3, 12.1.4, 46.2.1, 61.3.5 KACP: 1.1, 4.2, 4.3, 4.4, 4.5, 7.2
Chapter: Departmental Organization	
Subject: Command Authority	

## 1.12.13 SUCCESION OF COMMAND

Under normal circumstances, the Chief of Police shall appoint an Acting Chief in his/her absence. In situations where the Chief of Police is unexpectedly absent from office or becomes disabled and/or physically or mentally unfit for office, an Acting Chief shall be appointed by the Louisville Metro Mayor, or his/her designee (CALEA 12.1.2b).

However, in an emergency, the Chief of Police's succession shall be as follows:

- Deputy Chief of Police/Chief of Staff
- Deputy Chief of Police/Patrol Services Commander
- Assistant Chief of Police/Support Bureau
- Assistant Chief of Police/Administrative Bureau
- First Division Commander
- Second Division Commander
- Third Division Commander
- Fourth Division Commander
- Fifth Division Commander
- Sixth Division Commander
- Seventh Division Commander
- Eighth Division Commander

The successor shall have all of the authority normally assigned to the Chief of Police for the response to the emergency and for day-to-day operations within the department until such time as the Mayor makes an official appointment.

## 1.12.14 ACTING POSITIONS

The necessity of filling an acting position shall be determined by the division/section/unit commander. Whenever possible, the officer assuming an acting position should be designated by the commanding officer who he/she is replacing. The division commander must approve appointments to the rank of acting captain. Acting positions above the rank of captain are at the discretion of the Chief of Police.

An officer may be selected as an acting supervisor only one (1) rank or grade above his/her current position. Any member placed temporarily in a position of higher authority shall exercise that authority, perform the duties of the position and be held accountable as if he/she were permanently appointed. He/she shall not interfere with, or countermand, any order issued by the member whose position he/she temporarily occupies, except when necessity demands. If such an occasion arises, he/she shall make a report, in writing, to his/her immediate supervisor. Any member may decline being placed temporarily in a position of higher authority.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.1
	Effective Date: 04/28/03
	Accreditation Standards: CALEA: 25.1.1 KACP: 11.1, 11.2
Chapter: Personnel	
Subject: Grievances	

## 2.1 GRIEVANCES

### 2.1.1 GRIEVANCE PROCEDURE (CALEA 25.1.1a-e, KACP 11.1a-e, 11.2a-c)

Grievance procedures shall adhere to contractual agreements for members covered under those agreements. All other members are subject to the grievance procedures outlined in the Metro Government Personnel Policies Manual.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.2
	Effective Date: 01/02/04 Prv Rev Date : 02/10/12 Revised Date : 04/08/13
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Leave of Absence	

## 2.2 LEAVE OF ABSENCE

### 2.2.1 TYPES OF LEAVE

There are many different types of leave. Some types of leave are implemented for departmental reasons, such as administrative leave (refer to SOP 2.5) (KACP 10.2a). Other types are implemented upon the request of the member and with subsequent departmental approval. A leave of absence may be paid or unpaid depending on the type of leave and on the individual member's situation.

### 2.2.2 DEFINITIONS

**Adoption Leave:** Leave taken for the adoption of a child.

**Extended Sick Leave** (KACP 10.2c): Approved time-off from work, due to sickness or injury, for five (5) or more consecutive days.

**Family Medical Leave** (CALEA 22.2.1e, KACP 10.2c): Under the Family Medical Leave Act (FMLA), members who have worked for at least 12 months (whether consecutive or not) and for at least 1,250 hours within the previous 12-month period may take up to 12 weeks of leave (paid or unpaid) during a 12-month period for one (1) or more of the following reasons:

- To care for a newborn child of the member;
- The placement of a minor-age child with the member for adoption or foster care;
- To care for the spouse, minor-age child or parent of the member with a serious health condition;
- As a result of a serious health condition that makes the member unable to perform the functions of his/her position.
- Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation; and
- Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty, while on active duty.

Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during a single 12-month period.

**Jury Duty:** Service on a jury during a legal proceeding. A jury is a group selected according to law and sworn to inquire into, or determine the facts concerning, a case or accusation submitted to them and to render a verdict to a court.

**Leave of Absence:** Any approved paid or unpaid extended absence from duty.

**Maternity Leave:** Leave taken for childbirth (refer to SOP 2.14.1).

**Military Leave:** Activation by the military in excess of annual training.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.2
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Chapter: Personnel	
Subject: Leave of Absence	

## 2.2.2 DEFINITIONS (CONTINUED)

**Paternity Leave:** Leave taken for the care of a newborn, children and mother (refer to SOP 2.14.2).

## 2.2.3 PROCEDURES (KACP 10.2c)

When a member is off for five (5) or more consecutive working days for any reason other than vacation, worker's compensation or suspension, he/she shall submit a leave of absence request, in memorandum form, through the appropriate chain of command, to the Chief of Police. The member shall also obtain and complete a Family Medical Leave Act (FMLA) Certification - Serious Health Condition of Employee form, if applicable, from Police Human Resources (HR) stating:

- The reason for the leave
- The beginning and ending dates

Medical leaves must have the medical portion completed by the treating physician.

Police HR shall review each application and make a determination as to which type of leave is most appropriate under the circumstances. They shall notify the member as to whether or not the request for leave is approved and if the leave, or any portions of the leave, may be paid or unpaid.

Members on extended sick leave are required to report, via the Application for Medical Leave of Absence form, on their status, in writing, to the Chief of Police, every 30 days, including a medical certification of their diagnosis and prognosis and the medical necessity for the continued use of sick leave.

The continued approval of such extended leave for sickness shall be contingent on the member's situation, his/her physician's prognosis regarding the member's potential for returning to full duty and Metro Government's ability to accommodate a member who may not be able to return to full duty.

In all situations when family medical leave is requested or otherwise appears appropriate, Police HR shall forward a copy of the leave application, and any related documentation, to Metro HR. Metro HR shall be responsible for notifying the member as to whether the leave shall be considered a part of the member's family medical leave.

Approved family medical leave shall run concurrent with the member's sick leave. A member on family medical leave is required to use all applicable paid leave (e.g. sick, vacation, compensatory time and personal days) before the family medical leave is unpaid (KACP 10.2d).

If the leave is foreseeable, a member requesting family medical leave or sick leave must give at least 30 days notice to the Louisville Metro Police Department (LMPD) before the leave is to begin; otherwise, the member must give as much notice to the LMPD as possible, either on the same or next business day. When the leave is not foreseeable, the member shall provide notice to the LMPD as soon as practicable under the facts and circumstances for his/her case. In the absence of unusual circumstances, members shall comply with the LMPD's usual and customary notice and procedural requirements when requesting leave.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.2
	Effective Date: 01/02/04 Prv Rev Date : 02/10/12 Revised Date : 04/08/13
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Leave of Absence	

## 2.2.3 PROCEDURES (CONTINUED)

For intermittent leave covered by the FMLA, the member must complete the Application for Medical Leave of Absence form on his/her status every 90 days, including a medical certification of his/her diagnosis and prognosis and the medical necessity for the continued use of sick leave.

A member who is summoned for jury duty, and as a result will be required to be absent from work, shall provide reasonable documentation to his/her immediate supervisor, no later than the member's next tour of duty after the summons is received, prior to the leave being approved. The member shall be compensated for the actual time required for service as a juror at his/her regular rate of pay. This compensation shall be in addition to any money received from the court for serving as a juror. A member summoned for jury duty shall have his/her work schedule altered, if necessary, so that he/she is placed on a Monday through Friday day work assignment for the duration of jury duty. If a member is released from jury duty before the completion of the work day, he/she is required to report to his/her day work assignment. Similarly, if the member is released from jury duty for the entire day, he/she is required to report to his/her day work assignment. The member's commanding officer shall coordinate with the division's commander to determine what type of day work assignment the member shall perform. The member may request to take appropriate leave time for any time that he/she is excused from jury duty, whether it is for a portion of or for the entire day. This leave must be approved by the member's supervisor prior to the start of jury duty. The member shall call his/her supervisor to advise the supervisor of his/her time of dismissal from jury duty, so that the supervisor may update AgencyWeb with the appropriate leave codes. A member who fails to report to work, and has not requested and been approved for leave time, shall be considered absent without leave (AWOL).

## 2.2.4 UNPAID LEAVE

If the leave of absence involves unpaid leave and the member is sworn:

- Police HR shall complete a Notification of Suspension or Limitation of Police Powers form, documenting the return of all departmental property, and forward it to the appropriate division commander to be served.
- All of the departmental property, except for the badge, departmental ID and departmentally-issued weapon, if any, shall be turned in as directed on the memorandum.
- The badge, departmental ID and departmentally-issued weapon shall be turned in to the appropriate bureau/division commander.
- Items turned in to the Property Room shall be boxed and held for the member's return.

Should the Chief of Police deny a request for a leave of absence without pay, the matter shall be referred to the Louisville Metro Police Merit Board.

## 2.2.5 RETURN TO DUTY – LEAVE OF ABSENCE

A member returning to duty after an unpaid leave of absence for any reason must report to Police HR one (1) week in advance of returning to duty. This allows the member to be placed back on the payroll immediately upon returning to work.

# Louisville Metro Police Department

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	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Leave of Absence	

## 2.2.5 RETURN TO DUTY – LEAVE OF ABSENCE (CONTINUED)

A sworn member returning to duty following any type of leave, during which his/her police powers were limited or removed, shall report to Police HR upon his/her return to duty, where the member shall be given a Notification of Restoration of Police Powers form (LMPD #03-02-0151).

If the officer has been on any type of leave in excess of 180 days and is able to return to full duty:

1. The Assistant Chief of Police/Administrative Bureau shall notify Police HR.
2. Police HR shall complete and sign a Return to Duty Clearance form (LMPD # 05-02-0140).
3. Upon completion of the Return to Duty Clearance form, Police HR shall ensure that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
4. Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.
5. The officer's full police powers shall then be restored.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

A member returning to duty after any paid leave of absence that has not lasted longer than 180 days and during which the officer's police powers were not limited or removed shall report for duty to his/her division/section/unit commander at the end of the leave period.

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 2.3
	Effective Date: 05/12/03 Prv. Rev. Date: 01/07/13 Revised Date: 04/08/13
	Accreditation Standards:
Chapter: Personnel	
Subject: Civil Suits	

## 2.3 CIVIL SUITS

### 2.3.1 POLICY

Members of the Louisville Metro Police Department (LMPD) shall not give any written or recorded statement based on their official investigation in a civil case, unless subpoenaed to do so for depositions or official hearings. This does not prohibit giving oral unrecorded answers to questions from attorneys or other persons properly interested in seeking basic information. Members are under no obligation to give statements, regarding civil cases, unless subpoenaed. Testimony in civil suits shall be compensated pursuant to current court pay guidelines. Members shall not receive financial reimbursement from private sources.

### 2.3.2 SUBJECT OF ACTION

Members who are sued as a result of their scope of employment, whether on or off-duty, shall:

- Immediately notify the Chief of Police and the Legal Advisor, via email.
- Send a written letter, within 24 hours of receipt of service, to the Chief of Police asking for legal representation.
- Hand deliver all documents served on him/her to the Legal Advisor's Office, before the end of his/her tour of duty.

The email and letter shall list the name(s) of the person(s) who filed the civil suit, the court in which the civil suit was filed (e.g. Jefferson County Circuit Court, U.S. District Court), the case number and the date that the member was served.

Members who are served with a protective order (e.g. Emergency Protective Order (EPO), Domestic Violence Order (DVO) or out-of-state Order of Protection) shall:

- Immediately notify his/her division/section/unit commander.
- Immediately notify the Chief of Police and the Special Investigations Division (SID) Commander, via email.
- Provide the Chief of Police and the SID Commander with a copy of the order and the date scheduled for the hearing.
- Report the results of all hearings to the Chief of Police and the SID Commander.
- Produce copies of all documents, related to any hearing, to the Chief of Police.

The SID Commander shall consult with the Legal Advisor to determine whether or not the protective order requires the member to surrender the possession of his/her firearm.

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 2.3
	Effective Date: 05/12/03 Prv. Rev. Date: 01/07/13 Revised Date: 04/08/13
	Accreditation Standards:
Chapter: Personnel	
Subject: Civil Suits	

### 2.3.3 OFFICIAL ACTION

Unless enforcing an EPO or DVO, members shall not become officially involved in the enforcement of civil actions.

### 2.3.4 LITIGATION HOLD REQUIREMENTS

Members shall immediately notify the Chief of Police and Legal Advisor, via email, if they receive any correspondence regarding the following:

- Pending litigation against the department
- Any governmental investigation
- Audit

The Legal Advisor's Office shall be responsible for notifying all applicable persons of the pending litigation, governmental investigation or audit. The Legal Advisor's Office shall send an email notification to "Litigation Holds," located within the department's email distribution list. The recipients shall be responsible for placing a hold on all applicable evidence and records to the case. This is to ensure that all applicable evidence and records are retained and not purged or destroyed pursuant to federal, state and local records retention schedules. The litigation hold overrides any records retention schedule that may have otherwise called for the transfer, disposal or destruction of the relevant evidence or records until the hold has been released. Transient records (including telephone voicemail messages), duplicate records, electronic versions of printed records and other records where there is no duty to retain under records retention schedules shall be retained once a litigation hold has been issued. A litigation hold shall immediately suspend the deletion and/or destruction of any evidence or records regarding the plaintiff by the department or its members.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.4
	Effective Date: 07/12/03 Prv. Rev. Date: 01/25/13 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 11.4.5, 22.3.4, 22.3.5, 26.1.1 KACP: 10.2, 10.3, 12.1
Chapter: Personnel	
Subject: Secondary Employment	

## 2.4 SECONDARY EMPLOYMENT

### 2.4.1 POLICY

This policy establishes guidelines regarding secondary employment involving members of the Louisville Metro Police Department (LMPD). Secondary employment shall not conflict with a member's duties as an employee of the department, reflect unfavorably on the department or impair the member's performance of departmental duties.

### 2.4.2 DEFINITIONS

**Secondary Employment:** The provision of services to any person or entity other than the LMPD, including all self-employment which involves any use of the member's personal time in providing goods or services to another. This includes any volunteer work performed in an official capacity. This also includes situations where members receive reduced cost or no cost housing to act as a courtesy officer for a residential community. Secondary employment also includes self-employment that does not require the use of police authority (e.g. teaching, sales jobs, etc.). Secondary employment is work performed by either sworn or civilian members.

### 2.4.3 APPROVAL (CALEA 22.3.5a, c, KACP 10.3a)

Members shall complete a Secondary Employment Request form (LMPD #03-02-0100) prior to engaging in secondary employment. All requests shall be forwarded through the appropriate chain of command and are subject to final approval by the Chief of Police, or his/her designee. Members shall indicate, on the form, the calendar months during which they intend to work the secondary employment.

The member's supervisor may verbally approve a one-time event request if time does not permit completion of the Secondary Employment Request form. However, verbal approvals must be followed with a properly completed Secondary Employment Request form, which shall be submitted to the member's commanding officer before the end of the member's next tour of duty. In situations where a one-time event request is submitted in the proceeding calendar month (e.g. February 1 submission for a job worked on January 31), the form should indicate the month that the employment was actually worked.

If the secondary employment is to be performed at one (1) location during various times of the year and the activity is the same (e.g. shoplifting enforcement at the same business), only one (1) Secondary Employment Request form is required per calendar year. If the secondary employment is to be performed at various locations for the same company, a Secondary Employment Request form is required for each location per calendar year (e.g. security at various Kroger locations, a form must be submitted for each Kroger location: 10 locations requires 10 forms).

Officers who have formed a business in which the use of police authority is involved must submit a Secondary Employment Request form concerning the business. Each LMPD officer employed on that particular job must also submit a separate Secondary Employment Request form.

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	Accreditation Standards: CALEA: 11.4.5, 22.3.4, 22.3.5, 26.1.1 KACP: 10.2, 10.3, 12.1
Chapter: Personnel	
Subject: Secondary Employment	

## 2.4.3 APPROVAL (CONTINUED)

Members who are assigned a take home vehicle, and have been approved to use the vehicle during secondary employment, shall be required to pay a fee to Metro Government to offset the cost of gasoline and vehicle wear and tear. This includes driving to a secondary job before or after his/her tour of duty, as well as driving to, and parking in, the general vicinity of the secondary job or courtesy apartment. The fees shall be deducted from the member's paycheck for every month that they use the vehicle for secondary employment. Gasoline fees may fluctuate and will be determined based on the average monthly retail price for a gallon of regular gasoline, in the Louisville area, as reported on the American Automobile Association's (AAA) Daily Fuel Gauge Report for the previous month. The average monthly cost will determine the amount of the gasoline fee. The fee will be as follows:

- If the monthly average retail price for a gallon of regular gasoline is less than or equal to \$4.00, the gasoline fee will be \$50.00 per applicable month.
- If the monthly average retail price for a gallon of regular gasoline is more than \$4.00 but less than or equal to \$5.00, the gasoline fee will be \$70.00 per applicable month.
- If the monthly average retail price for a gallon of regular gasoline is more than \$5.00, the gasoline fee will be \$90.00 per applicable month.

Members may have more than one (1) secondary job where the use of a departmental vehicle is approved; however, the fee shall only be charged once per applicable month regardless of the number of approved jobs. Members who perform volunteer work in an official capacity only, are required to complete a Secondary Employment Request form, but will not be charged a gasoline fee in the months they do not work secondary employment for profit or other personal gain.

While working secondary employment, civilian riders or passengers are prohibited in departmental vehicles without prior approval from the Chief of Police, or his/her designee. Members shall request to transport a civilian rider on the Secondary Employment Request form.

## 2.4.4 REGULATIONS (CALEA 22.3.5b, 26.1.1, KACP 12.1)

Members engaging in secondary employment shall conduct themselves according to state law, and to the rules, regulations and procedures of the department. The following regulations apply when requesting secondary employment approval:

- The Class A, Class B and Class C uniforms shall be the standard uniforms worn for secondary employment. It is permissible to request to wear plainclothes. Each request shall be considered on an individual basis. All grooming and appearance standards must be met regardless of the member's regular duty assignment. Additionally, officers wearing plainclothes must be in compliance with all applicable equipment and firearm standards detailed in the department's Standard Operating Procedures (SOPs).

# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 2.4
	Effective Date: 07/12/03 Prv. Rev. Date: 01/25/13 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 11.4.5, 22.3.4, 22.3.5, 26.1.1 KACP: 10.2, 10.3, 12.1
Chapter: Personnel	
Subject: Secondary Employment	

## 2.4.4 REGULATIONS (CONTINUED)

- Secondary employment may be approved with the explicit understanding, by both the member and the outside employer, that the member is subject to emergency recall by the department. An officer working secondary employment shall respond to any life-threatening emergency of which he/she becomes aware. Officers shall also respond to incidents that are statutorily required (e.g. domestic violence).
- When two (2) or more officers are working a secondary job, the highest-ranking sworn member shall take charge of the event in emergency situations. If the highest rank is held by more than one (1) officer, the most senior officer (based on date of rank), shall be in charge.
- Secondary Employment Request forms (LMPD #03-02-0100) shall expire on the last day of each calendar year and must be resubmitted in accordance with the procedures outlined in this policy.

Any change in previously-approved secondary employment requires that an additional Secondary Employment Request form be completed and submitted through the appropriate chain of command. This includes situations where a member previously indicated the secondary employment would not have been worked during a specific calendar month, but is now requesting to work the secondary employment for an additional month(s). The form shall be subject to the same approval from the Chief of Police, or his/her designee, as the original form. The only exception to this requirement is when a member will not be working a secondary job during a specific calendar month for which the member previously received approval to drive a departmental vehicle to the secondary job or otherwise utilize a departmental vehicle for the secondary job and he/she wants to ensure that he/she will not be charged a fee for a month that he/she is not working any secondary jobs. In this situation, the member may inform his/her division commander, by email, that he/she did not work, or will not work, the approved secondary employment during the specific month. The email shall contain the member's name, code number, the name and address of the secondary employer and the month that the employment was not, or will not be, worked. The division commander shall forward this email to Police Human Resources for processing. In a situation where a member is approved for, and is working, another secondary job which requires him/her to pay a fee during the same specific month(s) in question, he/she does not need to make a notification of the change in month(s) worked, as this will not eliminate the need to pay the fee.

## 2.4.5 PROCEDURES (CALEA 22.3.5b)

- Departmental needs such as changes in on-duty schedules, court, training or other departmental duty assignments shall take precedence over any secondary employment. Members should cancel a conflicting secondary employment job as soon as they are notified of the on-duty conflict.
- Any officer engaged in secondary employment, who is injured while taking police action or who uses force in any manner, shall report that fact to an on-duty supervisor immediately (CALEA 22.3.5e). All departmental procedures shall then be followed (refer to SOP 2.7, SOP 3.1 and SOP 9.1).
- Any member engaged in secondary employment must immediately report to the Chief of Police, in writing, any incident arising from secondary employment that might adversely affect the police department or Metro Government. This includes any incident that would require the presence of a police supervisor if it had occurred while the member was on-duty (CALEA 11.4.5, 22.3.5e).
- Members performing secondary employment shall comply with all federal, state and local tax laws.

# Louisville Metro Police Department

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Chapter: Personnel	
Subject: Secondary Employment	

## 2.4.6 RESTRICTIONS (CALEA 22.3.4, 22.3.5b, KACP 10.3b)

No member shall engage in any secondary employment, whereby the nature of such employment would create a conflict of interest, interfere with the performance of duties, involve the participation, either directly or indirectly, in any labor dispute, jeopardize in any manner the impartial position of the department or involve the member in a violation of any procedures, ordinances or state law.

- Officers are prohibited from engaging in secondary employment as a bouncer, security guard or in any other capacity that may require him/her to invoke police authority in establishments that specialize in nightclub-type entertainment or businesses that primarily sell liquor by the drink or package. This does not prohibit secondary employment in parking lots of the aforementioned establishments.
- While an officer is on probation, he/she shall not engage in secondary employment where his/her official duties as a law enforcement officer might be required. Any officer who retired from the LMPD, and who is subsequently rehired within one (1) year, is exempt from this requirement and may engage in approved secondary employment during his/her probationary period.
- While in the academy, recruits are prohibited from engaging in secondary employment that requires use of police authority. This includes any employment as a security officer, security guard or bouncer.
- Traffic Control Officers (TCOs) shall not work as a security officer or security guard in their LMPD uniform under any circumstances. This does not include directing traffic.

The following aspects of secondary employment are prohibited:

- Using departmental records (e.g. case files, criminal records, etc.) for the benefit of a secondary employer, unless authorized, in writing, by the Chief of Police, or his/her designee.
- Use of departmental property or equipment (e.g. computers, MDTs, phones, etc.) is permitted, but members shall be held financially liable for the loss or damage of any departmental property or equipment that occurs through negligent acts, omissions or willful misconduct of the member during the course of any secondary employment. Members shall comply with all policies regarding the use of equipment.
- Working a secondary job when a member is on sick or injury leave (KACP 10.2c).
- Working a secondary job involving the use of official duties as a LMPD officer while a member is on suspension from the department.
- Performing secondary employment duties in exchange for compensation from any person or firm, during regularly scheduled hours.
- Soliciting secondary employment from any person, agency or firm while on-duty.
- Signing any type of form waiving the liability of the secondary employer, for any incident arising out of the secondary employment which may require the use of official powers granted by the department.
- Driving a departmental vehicle to a secondary job, or to the general vicinity of a secondary job, without prior approval.
- Failing to pay a gasoline fee for secondary employment where a departmental vehicle has been approved for driving to the secondary job, or otherwise using a departmental vehicle during secondary employment. This includes driving a departmental vehicle to the general vicinity of a secondary job.
- Transporting civilian riders or passengers in departmental vehicles without prior approval from the Chief of Police, or his/her designee.

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Chapter: Personnel	
Subject: Secondary Employment	

## 2.4.7 BINGO HALLS (KACP 10.3a-b)

Prior to the approval of secondary employment at a bingo hall, a member must submit, along with the request form, a letter from the bingo operator stating that the organization conducting the bingo is tax-exempt, as detailed by state law. Alcohol Beverage Control (ABC) regulations require bingo operations that sell alcoholic beverages to be properly licensed. Any alcoholic beverages sold or consumed on the premises must be in a separate room from where the bingo is conducted.

## 2.4.8 COORDINATOR RESPONSIBILITIES (CALEA 22.3.5c-d, KACP 10.3d)

The Inspections and Compliance Unit (ICU) shall have oversight of all secondary employment. The Chief's Office shall forward a copy of all Secondary Employment Request forms (LMPD #03-02-0100) to Police Human Resources (HR) and the ICU.

The ICU shall review the member's employee time records (e.g. time books, AgencyWeb or PeopleSoft) to ensure that sick or injury leave time is not being used while working secondary employment and that the member's performance of his/her regular duties is not being compromised.

The ICU shall conduct periodic verifications of members engaged in secondary employment to ensure compliance with departmental policies. The ICU may also conduct the verifications of secondary employment on behalf of the division commanders, when requested. All verification of secondary employment shall be reported on the Secondary Employment Verification form (LMPD #10-0007). Any violations of policy shall be reported immediately to the Special Investigations Division (SID) Commander.

Members are required to notify a supervisor whenever they learn, through personal observation or report, of any violation of secondary employment policies by an employee. The supervisor shall immediately report the circumstances to his/her commanding officer and the SID Commander.

## 2.4.9 REVOCATION (CALEA 22.3.5c, KACP 10.3c)

The Chief of Police, or his/her designee, may revoke secondary employment authorization if it is determined that the employment may impair or interfere with the performance of a member's duties and where there is a conflict with the member's responsibilities to the department.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.5
	Effective Date: 01/02/04 Prv. Rev. Date: 02/10/13 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.3.8, 22.2.1, 61.2.1 KACP: 1.12, 10.2, 10.6, 12.6
Chapter: Personnel	
Subject: Administrative Leave	

## 2.5 ADMINISTRATIVE LEAVE (CALEA 22.2.1a, KACP 10.2a)

### 2.5.1 POLICY

Officers involved in use of force actions or motor vehicle collisions, which result in death or serious physical injury (critical incident), shall immediately be placed on administrative leave, pending an administrative investigation (refer to SOP 8.12) (CALEA 1.3.8, 61.2.1a, KACP 1.12). Officers may also be placed on administrative leave while under administrative investigation (KACP 12.6h), for failure to meet firearms qualification or at the discretion of the Chief of Police.

### 2.5.2 ADMINISTRATIVE LEAVE – ADMINISTRATIVE INVESTIGATION (KACP 12.6h)

Upon being placed on administrative leave, officers shall have their police powers limited and may be reassigned to desk duties or relieved from duty entirely.

### 2.5.3 ADMINISTRATIVE LEAVE – FIREARMS QUALIFICATION

Failure to qualify after three (3) attempts shall result in a non-disciplinary suspension of police powers. The officer shall surrender his/her departmentally-issued ammunition to the senior firearms instructor (refer to SOP 4.13).

Additionally, the officer shall contact a division/section/unit commander to arrange the surrender of his/her vehicle and departmental ID.

### 2.5.4 DEBRIEFING

In all cases where a person has received a fatal or life-threatening injury as a result of a police action (critical incident), the services of the departmental mental health professional/psychologist, chaplain and the Peer Support Team (PST) shall be made available to the involved officer and his/her family. The officer involved shall undergo a debriefing with members of the PST within ten (10) days of the incident. This session assists the officer with the moral, ethical and psychological effects of the incident. The debriefing session and services are protected by the Professional Psychologist Code of Ethics and the Kentucky Rules of Evidence (Chapter KRE Rule 506 Counselor-Client Privilege). A mental health assessment may also be required when an officer has been involved in a critical incident. The mental health assessment is an individual session(s) conducted by the departmentally-furnished mental health professional/psychologist. The officer's division/section/unit commander is responsible for contacting the mental health professional/psychologist within 72 hours of the incident to schedule an appointment for an assessment. The mental health assessment is completely unrelated to the PST debriefing and shall be provided to the officer at no cost (KACP 10.6). If the mental health professional/psychologist determines that the officer is fit to return to duty, a letter of confirmation shall be sent to the Assistant Chief of Police/Administrative Bureau and Police Human Resources (HR) (refer to SOP 8.12).

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	Accreditation Standards: CALEA: 1.3.8, 22.2.1, 61.2.1 KACP: 1.12, 10.2, 10.6, 12.6
Chapter: Personnel	
Subject: Administrative Leave	

## 2.5.5 RETURN TO DUTY FROM ADMINISTRATIVE LEAVE – ADMINISTRATIVE INVESTIGATION (KACP 12.6h)

A officer on administrative leave may not return to regular duty until directed by the Assistant Chief of Police/Administrative Bureau (refer to SOP 8.12.6 for critical incident procedures). This decision may be based on one (1) or more of the following:

- Recommendation of the departmental mental health professional/psychologist regarding the officer's fitness for duty
- Release by a physician (if the officer has been physically injured)
- Given circumstances
- Status of the administrative/legal review of the incident
- Meeting of firearms qualification standards

During a critical incident investigation, the Office of the Commonwealth's Attorney reviews the incident to decide if any charges should be filed against the officer as a result of his/her action(s). If the officer is cleared of any wrongdoing or indictments, the Office of the Commonwealth's Attorney will send a letter of confirmation to the Special Investigations Division (SID) Commander and Police HR. The SID Commander shall forward a copy of the confirmation letter to the Assistant Chief of Police/Administrative Bureau, who shall notify Police HR to restore the officer's full police powers.

Once the Assistant Chief of Police/Administrative Bureau has approved the officer's return to duty, Police HR shall serve the officer involved with a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.

If an officer is returning to duty after being on administrative leave and is issued a temporary or loaned firearm, he/she shall successfully qualify with this firearm prior to returning to duty.

If the officer has been on any type of administrative leave in excess of 180 days and is able to return to full duty:

1. The Assistant Chief of Police/Administrative Bureau shall notify Police HR.
2. Police HR shall complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
3. Upon completion of the Return to Duty Clearance form, Police HR shall ensure that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
4. Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.
5. The officer's full police powers shall then be restored.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.6
	Effective Date: 08/23/03 Prv. Rev. Date 09/29/12 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 16.1.1, 16.2.3, 24.1.1
Chapter: Personnel	
Subject: Transfers	

## 2.6 TRANSFERS

### 2.6.1 POLICY

Transfers shall be made in accordance with current collective bargaining agreements, if applicable (CALEA 24.1.1e).

Personnel requesting a transfer to, or from, a division/section/unit shall complete a Request for Transfer form (LMPD #04-00-0413) and forward a copy through the appropriate chain of command.

No transfers to, or from, a division/section/unit shall be valid until approved, processed and disseminated by Police Human Resources (HR). Once the transfer is disseminated, the receiving unit is responsible for completing an AgencyWeb Notification of Initial Assignment or Reassignment form (LMPD #07-0027). This completed form shall be submitted electronically to the "AgencyWeb Police HR", located in the department's email distribution list, at least 72 hours prior to the effective date. This information is needed in order to update AgencyWeb.

Police HR shall have the primary responsibility for updating the AgencyWeb system. Changes shall be made by the end of the next business day, unless a future effective date is stated. Police HR shall notify MetroSafe, via email, of all intra-divisional assignment changes and transfers. Divisions/sections/units shall not contact MetroSafe directly.

Any pending Request for Transfer forms shall be considered null and void at the close of business on the last day of the calendar year.

### 2.6.2 INTRA-DIVISION ASSIGNMENT CHANGES

Intra-divisional assignment changes (e.g. move to detective, change of platoons) shall be made in accordance with current collective bargaining agreements, if applicable. Division/section/unit commanding officers, or their designees, shall complete the AgencyWeb Notification of Initial Assignment or Reassignment form (LMPD #07-0027). This completed form shall be submitted electronically to the "AgencyWeb Police HR," located in the department's email distribution list. Supervisors shall approve all unit number changes within a platoon.

Temporary unit number changes are allowed for the designation of an acting position or for probationary officers. The supervisor completing the unit line-up shall designate in the notes field the temporary unit number (e.g. 817, 111AP). After submitting the unit line-up to MetroSafe, via email, MetroSafe shall update the Computer Aided Dispatch (CAD) system accordingly. Temporary unit number changes are only valid for a single shift.

### 2.6.3 TEMPORARY DUTY ASSIGNMENTS

Periodically, temporary duty (TDY) assignments become available. These assignments may be for task forces, an investigative unit or for personnel needs of the department (e.g. persons with special skills or knowledge).



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Chapter: Personnel	
Subject: Transfers	

## 2.6.3 TEMPORARY DUTY ASSIGNMENTS (CONTINUED)

When a TDY assignment becomes available, an email may be distributed to announce the position(s). If an announcement is sent out, it shall include a description of the position(s) (CALEA 16.2.3a), the duration of the assignment(s) (CALEA 16.2.3b), the qualifications and special requirements necessary for the position(s) (CALEA 16.2.3c) and the method of selection for the position(s) (CALEA 16.2.3d).

Special unit number changes for TDY assignments (e.g. task forces, special events) shall be coordinated through Planning and Technology. Planning and Technology shall consult with MetroSafe to ensure that the numbers are not already assigned to other areas or that the numbers will not cause computer system conflicts.

## 2.6.4 DOCUMENTATION

Once a transfer or intra-divisional assignment change is approved, Police HR shall be notified by an authorizing commander of the Chief's Office, via email.

An effective date is always required for transfer or intra-divisional assignment changes. If an intra-divisional assignment change cannot be made by the requested effective date, Police HR will make the change as soon as reasonably possible. Police HR shall notify the division/section/unit commander and the member of the valid effective date.

If the current assignment is TDY, another Request for Transfer form (LMPD #04-00-0413) shall be filled out if the assignment becomes permanent, the member is returned to their original assignment or the member requests another assignment.

Once the transfer or intra-divisional reassignment has been approved and an effective date has been given, the member has ten (10) days from the effective date to revise their contact information (e.g. work phone) in the PeopleSoft System.

## 2.6.5 POSITION MANAGEMENT (CALEA 16.1.1a-c)

Police HR maintains an up-to-date position management system that provides:

- The number and type of each position authorized in the budget
- The location of all authorized positions in the department
- The status (filled or vacant) of each position

This system assures that persons on the payroll are legitimately employed and that positions are filled in accordance with budget authorizations.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.7
	Effective Date: 12/23/03 Prv. Rev. Date: 09/10/12 Revised Date: 07/08/13
	Accreditation Standards: CALEA: 11.4.5, 22.2.4, 42.1.4, 61.2.1, 61.2.2
Chapter: Personnel	
Subject: Injured Member	

## 2.7 INJURED MEMBER

### 2.7.1 DEFINITION

**Serious Physical Injury:** A bodily injury that creates a substantial risk of death to the member, creates a prolonged impairment of health or disfigurement or creates a prolonged loss or impairment of a bodily organ.

### 2.7.2 MANAGED HEALTHCARE

Louisville Metro Government has partnered with Bluegrass Health Network (BHN) to provide a managed care approach for the treatment of any Metro employee work-related injury/illness. If a Louisville Metro Police Department (LMPD) member is injured on the job or becomes ill as a result of a work-related incident, he/she shall immediately contact his/her commanding officer to obtain a card with the BHN number and other pertinent information. The member shall select a provider (also called a Gatekeeper) from the list of providers and contact that provider for treatment. The member shall show the card to the provider at the time of treatment.

The provider shall direct all treatment and may refer the member to a specialist, if needed. No treatment by a specialist shall be sought by the member without the authorization of the provider. Members shall be responsible for payment of any treatment not authorized by the provider.

If the member receives a written prescription from the provider or approved specialist, he/she shall contact Police Human Resources (HR), during normal operating hours (0800 hours to 1700 hours), or the LMPD Health and Safety Officer (HSO), outside of the normal operating hours of Police HR, to obtain a form so that the prescription may be filled at no cost to the member. The member shall take the prescription to a pharmacy on the Preferred Medical Network Pharmacy list.

The provider list and the Preferred Medical Network Pharmacy list can be accessed in the Online Forms folder in the Worker's Compensation folder. The list can also be found at [www.BHNmanagedcare.com](http://www.BHNmanagedcare.com). Select "Provider List" at the bottom of the screen.

### 2.7.3 REPORTING ON-DUTY INJURIES

When a member is injured within the scope of employment, the member shall immediately report the injury to his/her supervisor. After supplying the member with the necessary BHN information, the supervisor shall complete an Administrative Incident Report (AIR) (LMPD #03-03-0001), as required in SOP 3.1. The supervisor shall also complete a Workers' Compensation – First Report of Injury or Illness form (IA-1 form). When completing the IA-1 form, the member's home address shall be used on the form, not his/her work address. The Workers' Compensation form shall be completed according to the instructions attached to the form and forwarded, by the end of the member's tour of duty, in the following manner:

- Upon completion, a copy of the completed form shall be faxed to Police HR at (502) 574-7680.

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	Accreditation Standards: CALEA: 11.4.5, 22.2.4, 42.1.4, 61.2.1, 61.2.2
Chapter: Personnel	
Subject: Injured Member	

## 2.7.3 REPORTING ON-DUTY INJURIES (CONTINUED)

- The original signed copy shall be mailed to Police HR, located at LMPD Headquarters.
- Police HR shall be responsible for faxing a copy of the completed form to Underwriters Safety and Claims, Metro Risk Management and to the Louisville Metro Occupational Safety and Health Administration (OSHA).
- The injured member shall be responsible for submitting a work statement from his/her selected BHN provider to Police HR within 24 hours after a doctor's appointment due to a work-related injury.

The injured member is required to complete the Notice of Designated Physician and Medical Waiver and Consent forms within ten (10) days of the injury after he/she misses seven (7) or more days of work and turn the forms into Police HR.

Supervisors shall report all work-related incidents involving the death of any member or the in-patient hospitalization of three (3) or more members, either verbally by telephone at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within eight (8) hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report cannot speak with someone in the Louisville Metro OSHA Office, the member must verbally report the incident to the Kentucky OSHA Office, Division of Compliance, at (502) 564-3535. If the supervisor cannot speak with someone in the Kentucky OSHA Office, the supervisor must report the incident using the Federal OSHA toll-free number at 1-800-321-OSHA (1-800-321-6742). All work-related incidents involving an amputation or the in-patient hospitalization of one (1) or two (2) members from a single incident must be reported verbally at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within 72 hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report cannot speak with someone in the Louisville Metro OSHA Office during this timeframe, the supervisor shall verbally report the work-related incident to the Kentucky Department of Labor, Office of Occupational Safety and Health, Division of Compliance, at (502) 564-3535.

Supervisors shall report the incident by relaying the following information over the telephone:

- Agency name and division/section/unit
- Agency address
- Name of injured member(s)
- Date and time of the incident
- Location of the incident
- Number of fatalities or hospitalized members
- Contact person and telephone number
- Brief description of the incident
- In the event of an amputation, the type of machine involved and the body part that was amputated

## 2.7.4 NOTIFICATION IN EVENT OF SERIOUS PHYSICAL INJURY

When a member of the department is seriously injured, the following personnel shall be notified by MetroSafe:

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	Accreditation Standards: CALEA: 11.4.5, 22.2.4, 42.1.4, 61.2.1, 61.2.2
Chapter: Personnel	
Subject: Injured Member	

## 2.7.4 NOTIFICATION IN EVENT OF SERIOUS PHYSICAL INJURY

- Chief of Police (CALEA 11.4.5)
- Deputy Chief of Police in the member's chain of command
- Assistant Chief of Police in the member's chain of command
- Commander of the division where the injury occurred
- Division/section/unit commander of the injured member
- Media and Public Relations Office spokesperson

If the member is an officer, the following additional personnel shall be notified:

- Legal Advisor
- FOP President
- FOP Vice President
- FOP Attorney

The member's supervisor shall ensure that the member's family or emergency contact is notified in a prompt and appropriate manner and provided transportation to the hospital, if requested (CALEA 22.2.4).

## 2.7.5 ASSISTANCE AT HOSPITAL (CALEA 22.2.4)

In the event that a member is seriously injured, those who made the initial notification to the family should be present at the hospital. The ranking officer, or his/her designee, at the hospital should:

- Ensure that the member's family is updated on the incident as soon as they arrive at the hospital.
- Offer to contact a departmental chaplain for the family's support.
- Meet with hospital personnel to arrange appropriate waiting facilities for the member's family and a separate area for fellow members.
- Request that medical personnel relay pertinent information, regarding the member's condition, directly to the family on a timely basis.
- Remain available to the family until the injured member's medical condition has stabilized and arrange any assistance that the family may need.
- May contact the Workers' Compensation claims administrator to request a Nurse Case Manager to assist as a liaison with the hospital, physicians and family.

## 2.7.6 INVESTIGATION OF SERIOUS PHYSICAL INJURY

- The Traffic Unit shall investigate traffic accidents resulting in the serious injury of a member (CALEA 61.2.1a, 61.2.2a).

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Chapter: Personnel	
Subject: Injured Member	

## 2.7.6 INVESTIGATION OF SERIOUS PHYSICAL INJURY (CONTINUED)

- The Homicide Unit of the Major Crimes Division shall investigate all other incidents resulting in the death or serious injury of a member (CALEA 42.1.4).
- The Professional Standards Unit (PSU) may, at the direction of the Chief of Police, conduct administrative investigations related to the serious injury of a member (CALEA 61.2.1a).

## 2.7.7 KENTUCKY BLUE ALERT SYSTEM

The Kentucky State Police (KSP), in cooperation with the Justice and Public Safety Cabinet, Transportation Cabinet, the Division of Emergency Management of the Department of Military Affairs, broadcasters and the news media, administrates and operates a Kentucky Blue Alert System to notify the public when an officer has been killed, seriously injured or is missing in the line of duty. This Kentucky Blue Alert System is activated when the department determines that public notification may assist in the apprehension of a suspect or the recovery of the officer.

The resources utilized by the Kentucky Blue Alert System include, but are not limited to, the following:

- Electronic highway signs
- America's Missing: Broadcast Emergency Response (AMBER) Alert System
- Law enforcement communications systems
- Electronic media
- Local, regional and statewide media providers
- The Emergency Alert System (EAS) (if authorized and approved by the federal government)

The following criteria shall be followed when considering the implementation of the Kentucky Blue Alert System:

- No public alert utilizing the Kentucky Blue Alert System shall be issued unless requested by a law enforcement agency and, upon consultation with that agency, the KSP determines:
  - That an officer has been killed, seriously injured or is missing in the line of duty;
  - That public notification is the most appropriate method of locating the officer or identifying and locating a suspected offender who poses an imminent threat to the public or other law enforcement personnel;
  - That there is sufficient information available relating to the officer's last known location and the physical description of any suspected offender or vehicle involved that could be broadcast to assist in locating the officer or suspected offender; and
  - The geographic area in which the notification shall be made.
- The commander of the Public Integrity Unit (PIU) shall provide the information required by administrative regulation to the KSP prior to the activation of the Kentucky Blue Alert System.

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Chapter: Personnel	
Subject: Injured Member	

## 2.7.7 KENTUCKY BLUE ALERT SYSTEM (CONTINUED)

- If the KSP determines that public notification shall be initiated, the KSP shall notify the public and private agencies and organizations that will provide the notification and provide those agencies and organizations with the information that the KSP deems necessary.
- All law enforcement agencies in the state shall cooperate with the KSP in the provision and dissemination of information regarding any officer, who has been killed, seriously injured or is missing in the line of duty.
- No law enforcement agency, other than the KSP, shall activate the Kentucky Blue Alert System without the authority of the KSP.

Once a suspect has been apprehended or the officer has been located, the commander of the PIU shall be responsible for notifying the KSP so the alert can be deactivated.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.8
	Effective Date: 01/02/04 Prv. Rev. Date: 03/10/12 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.1
Chapter: Personnel	
Subject: Military Leave	

## 2.8 MILITARY LEAVE

### 2.8.1 POLICY

The Louisville Metro Police Department (LMPD) shall adhere to all federal and state laws regarding military leave.

### 2.8.2 MONTHLY DRILLS

Off-days should be arranged to allow for weekend drills, whenever possible.

### 2.8.3 ANNUAL TRAINING (CALEA 22.2.1a)

Officers who are members of the National Guard, the Military Reserve or any of the Armed Services of the United States shall be granted leaves of absence, not to exceed 21 work days or 168 hours, to complete their regular annual training. Any unused military leave shall expire two (2) years after it has been accrued.

The department shall calculate annual training days consistent with the yearly military training calendar, which runs from October 1 through September 30.

Regularly scheduled off-days shall not be counted as part of the annual allotment as paid military leave.

Training in excess of the annual allotment shall be taken as off-days without pay, personal days, vacation days or a combination thereof.

### 2.8.4 NOTIFICATION OF EXTENDED MILITARY LEAVE

Military leaves of absence for members entering the Armed Forces of the United States or reservists ordered to active duty shall comply with guidelines outlined by the Louisville Metro Police Merit Board.

Members required to report to active military duty shall:

- Submit a memorandum to the Chief of Police, through the appropriate chain of command, requesting military leave.
- Make notification as soon as the member is aware of the specific dates, and no less than a minimum of five (5) working days in advance of the scheduled leave.
- Attach a copy of the member's military orders to the notification memorandum.
- Report to Police Human Resources (HR) with a copy of the military orders to complete the required paperwork.
- Turn in his/her assigned vehicle to his/her division/section/unit.

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	Accreditation Standards: CALEA: 22.2.1
Chapter: Personnel	
Subject: Military Leave	

## 2.8.4 NOTIFICATION OF EXTENDED MILITARY LEAVE (CONTINUED)

- Report to the Chief's Office to turn in departmentally-issued weapons, magazines, radio, departmental ID card and badge and to sign a Notification of Suspension or Limitation of Police Powers form (LMPD #11-0008).

## 2.8.5 SHORT-TERM MILITARY ACTIVE DUTY/TRAINING

Members who are called to short-term military active duty/training for no more than 120 days, and who will be stationed at a location within driving distance of Louisville Metro, may be allowed to retain their vehicle, departmentally-issued weapon(s) and police powers, if approved by the Chief of Police. The member shall submit a request for military leave, along with a request to keep his/her vehicle, departmentally-issued weapon(s) and police powers, in a memorandum to the Chief of Police, through the appropriate chain of command, along with a copy of the member's military orders (refer to SOP 2.8.4). If the request is approved by the Chief of Police, the member's police powers will not be limited and the member may retain his/her vehicle and departmentally-issued weapon(s) and use them while in Jefferson County. While the member is off-duty from his/her military hours, he/she may take part in police actions in the same manner as those members who are off-duty from the LMPD. If the member is injured while participating in an off-duty police action, LMPD policy shall apply (refer to SOP 2.7). Leave may be paid or unpaid depending on whether the member has used all of his/her military leave and accrued vacation/personal/union hours. Members shall refer to SOP 2.2.5 for procedures for returning to duty. All procedures shall adhere to contractual agreements for members covered under those agreements.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.9
	Effective Date: 01/02/04 Prv. Rev. Date : 02/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Sick/Injury Leave	

## **2.9 SICK/INJURY LEAVE (CALEA 22.2.1c, KACP 10.2c)**

### **2.9.1 SICK LEAVE – SUSPICION OF ABUSE**

A division/section/unit commander, who has a reasonable suspicion of sick leave abuse, may require a physician's statement from the member, regardless of the length of sick time used. When requiring members to provide a physician's statement, the division/section/unit commander should review the appropriate collective bargaining agreement. The commander shall then forward the information through the appropriate chain of command. All original physicians' statements shall be forwarded to Police Human Resources (HR). No copies of medical records shall remain at the division/section/unit. The police physician or departmental mental health professional/psychologist may be requested to review the member's medical records.

### **2.9.2 SICK LEAVE – FAMILY MEMBER (CALEA 22.2.1e)**

A member requesting sick leave, for more than two (2) consecutive days, to care for a qualifying family member, shall forward the request, through the appropriate chain of command, to the Chief of Police. This request shall include:

- A written statement indicating the relationship to the family member and an explanation stating why the member is the only person available to provide care.
- A written statement from the treating physician explaining the medical necessity requiring the member's presence.

A member off from work for five (5) or more consecutive days, as a result of an illness or to care for a family member, is required to complete a Family Medical Leave Act (FMLA) Certification - Serious Health Condition of Family Member form (refer to SOP 2.2.3).

The member shall inform Police HR and complete the required paperwork.

### **2.9.3 LIGHT-DUTY/EXTENDED SICK/INJURY LEAVE**

The following criteria shall be used to determine if an officer is able to perform full police functions:

- The ability to affect a forceful arrest.
- The ability to safely operate an emergency vehicle.
- The ability to safely operate a firearm.

At the direction of the division/section/unit commander, if an officer is unable to perform full police functions for more than ten (10) days, the officer shall:

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	Effective Date: 01/02/04 Prv. Rev. Date : 02/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
	Chapter: Personnel
Subject: Sick/Injury Leave	

## 2.9.3 LIGHT-DUTY/EXTENDED SICK/INJURY LEAVE (CONTINUED)

- Be served with a copy of a Notification of Suspension or Limitation of Police Powers form (LMPD #11-0008) and placed on either light-duty or off-duty status.
- Surrender his/her assigned police vehicle to the member's division/section/unit commander, or his/her designee. Division commanders have the discretion to allow a member on light-duty to drive an unmarked vehicle, depending upon whether or not an unmarked car is available and not needed for other police duties.
- Retain his/her badge, weapon and identification card during the period of limited police powers.

If an officer is unable to perform full police functions for more than 90 days, the officer shall be served with the Authorization to Use and/or Disclose Personal Plan Information form.

Police HR shall send a Return to Duty Physician's Certification form (LMPD #03-02-0141) to the officer for completion by his/her treating physician.

If an officer is capable of light-duty work, the officer shall be temporarily assigned based on the current departmental need. An officer on light-duty shall also be required to complete any required training, with the exception of firearms training, in order to keep his/her training record current.

Any officer on sick or injury leave must be accessible for court and available to the Chief's Office.

## 2.9.4 RETURN TO DUTY FROM LIGHT-DUTY OR EXTENDED SICK/INJURY LEAVE

Prior to returning to work from light-duty or extended sick/injury leave, the Return to Duty Physician's Certification form (LMPD #03-02-0141) must be completed by the member's treating physician. The physician must sign the form indicating that the officer can fully perform these duties, prior to the officer's police powers being restored.

If the officer has been on light-duty or extended sick/injury leave in excess of 180 days and is able to return to full duty:

1. The Assistant Chief of Police/Administrative Bureau shall notify Police HR.
2. Police HR shall complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
3. Upon completion of the Return to Duty Clearance form, Police HR shall ensure that the Notification of Restoration of Police Powers form (LMPD #03-02-0151) is completed and provide the officer with a copy.
4. Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.
5. The officer's full police powers shall then be restored.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

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Standard Operating Procedures	SOP Number: 2.9
	Effective Date: 01/02/04 Prv. Rev. Date : 02/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Sick/Injury Leave	

## 2.9.5 ABSENCE FROM WORK

When a member is absent from work due to an injury or illness, he/she shall remain at his/her residence during the time of his/her normal working hours. It is acceptable for a member to leave his/her residence during his/her normal working hours in the following situations:

- For medical attention
- To obtain medication
- Any other reason, as needed, with prior supervisory approval

When a member is absent from work due to an injury or illness, the member's supervisor, with the approval of the division/section/unit commander, may require the member to provide a physician's statement regarding the injury or illness. The supervisor shall forward the original physician's statement to Police HR no later than the end of the tour of duty on which it is received. No copies of medical records shall remain in the division/section/unit.

Any officer on sick or injury leave must be reasonably accessible for court and available to the Chief's Office (refer to SOP 2.9.3).

In order to receive paid sick leave for an injury or illness, members shall call their immediate supervisor or competent authority designated by the division/section/unit commander at least one (1) hour before the beginning of his/her shift. This requirement may be waived in emergency situations, which shall be documented, as soon as possible, to the member's commanding officer.

## 2.9.6 RETURN TO WORK

When a member has been absent from work due to an injury or illness, he/she shall notify his/her immediate supervisor of the date that he/she shall be returning to work. This information shall be relayed to the appropriate division/section/unit commander by the end of the supervisor's tour of duty (refer to SOP 2.9.4).

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Standard Operating Procedures	SOP Number: 2.10
	Effective Date: 02/16/04 Prv. Rev. Date: 10/10/09 Revised Date: 11/08/10
	Accreditation Standards: CALEA: 26.1.3, 52.1.1, 52.1.2, 52.1.4, 52.1.5, 52.2.1, 52.2.2, 52.2.3, 52.2.4, 52.2.5, 52.2.8 KACP: 10.2, 12.2, 12.4, 12.6, 30.4
Chapter: Personnel	
Subject: Complaints	

## 2.10 COMPLAINTS

### 2.10.1 COMPLAINTS AGAINST MEMBERS

It is the policy of the Louisville Metro Police Department (LMPD) to investigate all complaints of alleged misconduct or criminal misconduct on the part of all members, and to equitably determine whether the allegations are valid or invalid and to take appropriate action. Anonymous complaints shall be carefully reviewed for validation before disregarding them for the lack of a credible complainant (CALEA 52.1.1, KACP 12.6b). Per KRS 15.520(1)(a)(3), charges shall be brought against a member only if the investigation can independently substantiate the allegations made in an anonymous complaint.

The Chief of Police has the ultimate authority to determine the disposition of all administrative investigations and to dispense discipline based on the facts of the case (KACP 12.6i). In order to retain flexibility in the disciplinary process and to take into account mitigating circumstances, determinate discipline shall not be utilized, except in those cases deemed appropriate by the Chief of Police. The Chief of Police shall communicate, in writing, to the complainant and the member, his/her findings and what action has been taken (CALEA 52.2.4c, 52.2.8, KACP 12.6g).

Annually, the Chief's Office shall issue a statistical summary of all complaints and disciplinary action on departmental members. This summary shall be available to the departmental members and for public dissemination (CALEA 52.1.5, KACP 12.6j).

The Professional Standards Unit (PSU) shall conduct administrative investigations of complaints against members of the department and shall be a central repository of all complaints, administrative investigations and disciplinary actions taken by supervisors. All investigations shall be conducted with strict confidentiality (CALEA 52.1.2, 52.2.1b, KACP 12.4, 12.6d, k). The PSU shall enter the complaints into a log book, which captures specific information. The PSU shall also provide an acknowledgment of the complaint to the person(s) initiating the complaint, if known (CALEA 52.2.4a). Any investigation shall be in accordance with federal and state law, contractual guidelines and departmental policy (KACP 12.2c). Every attempt should be made to complete the investigation within 45 days; however, extensions may be granted on a case-by-case basis (CALEA 52.2.3, KACP 12.6e). Periodic status reports will be provided to the complainant when requested. If an investigation lasts longer than 45 days, periodic status reports shall be provided to the complainant on a regular basis (CALEA 52.2.4b).

Members shall be notified of a complaint against them by the PSU according to the PSU operating procedures (CALEA 52.2.5, KACP 12.6f). Members may be placed on administrative leave during the investigation, at the discretion of the Chief of Police (KACP 10.2a, 12.6h).

The PSU shall record all pertinent information of the complainant, information about the specific complaint (e.g. location, date and time), the person who received the complaint, how the complaint was received, vital information of the member involved and a summary of the incident (KACP 12.6c).

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Chapter: Personnel	
Subject: Complaints	

## 2.10.1 COMPLAINTS AGAINST MEMBERS (CONTINUED)

The Public Integrity Unit (PIU) shall be responsible for all criminal investigations of members (CALEA 52.1.1, KACP 12.6d). Officers with special investigative knowledge or experience may be called upon to assist the PIU in a specific investigation (e.g. Traffic Unit, Homicide, etc.). Officers assisting the unit shall report all findings and conclusions of the investigation directly to the PIU Commander.

Complaints, which are likely to have a serious adverse impact upon the department, shall be reported immediately, through the appropriate chain of command, to the Chief of Police (CALEA 52.2.2).

## 2.10.2 CITIZENS' COMPLAINTS

An administrative investigation may be initiated either by the Chief of Police, a member of the department (refer to SOP 2.10.3 and SOP 2.10.4) or a citizen.

If a citizen with a complaint approaches a member, other than a commanding officer, the member shall immediately notify a commanding officer. The commanding officer shall fully inform the citizen of the complaint process and determine if the citizen wishes to (KACP 12.6b, e):

- Have the commanding officer attempt to resolve the concern with no affidavit; or
- Give a sworn statement, in affidavit form, to the PSU.

Commanding officers are encouraged to resolve minor concerns if the concern can be resolved to the satisfaction of all parties. However, the commanding officer must advise the citizen that no disciplinary action will result if the concern is resolved in this fashion. If the citizen wishes to file a formal complaint, the commanding officer shall advise the citizen to contact the PSU. **Only members of the PSU may take affidavits.** The commanding officer shall assist the citizen by providing the working hours, telephone number and location of the PSU.

After a member is advised of a complaint against him/her, he/she shall not knowingly have contact with the complainant or witnesses from outside of the department, except in exigent circumstances, within the scope of his/her duties, or until the case is disposed. If any contact is made, he/she should immediately notify his/her commanding officer.

## 2.10.3 INTERNAL ADMINISTRATIVE INVESTIGATIONS

Supervisors have the responsibility to investigate administrative violations (e.g. sick leave abuse, tardiness, pursuit violations, etc.) (CALEA 52.2.1a, KACP 10.2c, 12.6a, d). The findings of these administrative investigations shall be forwarded, through the appropriate chain of command, to the Chief of Police.

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Chapter: Personnel	
Subject: Complaints	

**2.10.4 HARASSMENT/SEXUAL HARASSMENT AND DISCRIMINATION (CALEA 26.1.3, KACP 30.4)**

The department is committed to making every reasonable effort to ensure that no member is subjected to harassment/sexual harassment, or a sexually hostile working environment, by other members. Sexual harassment is considered:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature to constitute sexual harassment when: (1) the submission to such conduct is made, either explicitly or implicitly, as a term or condition of an individual's employment; (2) the submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision affecting such individual; (3) such conduct is so severe or pervasive that it has the purpose, or effect, of unreasonably interfering with an individual's work performance or creating a sexually intimidating, sexually hostile or sexually offensive working environment; or (4) such condition that may not be sexual in nature, but may lead to a sexually hostile or sexually offensive working environment, thereby creating intolerable working conditions.

Complaints of misconduct, including harassment/sexual harassment and discrimination, by any member of the department against another member shall be sent, through the appropriate chain of command, to the division commander, who shall then forward the information to the PSU, the Human Resources Compliance Manager or directly to the Chief of Police (KACP 12.6b-c). If the complaint involves sexual harassment, the commander shall immediately ensure that the member, to whom the allegations are directed, is moved to avoid contact with the complainant. The commander shall conduct a preliminary investigation and, based on the information gathered, the Chief of Police may initiate an investigation by the PSU (KACP 12.6d).

Members inhibited by the chain of command may report instances of harassment/sexual harassment or discrimination directly to the Chief's Office or the PSU (KACP 12.6b).

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	Effective Date: 11/16/03 Prv. Rev. Date: 07/08/13 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 26.1.4, 26.1.5, 26.1.6, 26.1.7, 26.1.8, 33.1.5, 52.2.7 KACP: 4.4, 12.2, 12.3, 12.4, 12.5
Chapter: Personnel	
Subject: Discipline	

## 2.11 DISCIPLINE

### 2.11.1 SUPERVISORY RESPONSIBILITY

The Chief of Police has the ultimate authority to impose discipline, including demotion and termination/discharge. Supervisors are responsible for the detection and investigation of violations of departmental orders, policies or procedures. In addition, supervisors at all levels are responsible for the administration of discipline (KACP 12.3). Supervisors have the continuing opportunity to observe members' conduct and appearance and shall administer discipline where it will be the most effective (CALEA 26.1.5, KACP 4.4). Discipline may take the form of remedial training, counseling or punitive actions (CALEA 26.1.4a-c, 33.1.5). All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable state laws, local ordinances, administrative rulings and collective bargaining agreements (KACP 12.2c).

Supervisors are expected to take immediate action when a member (KACP 12.3):

- Jeopardizes the health and safety of other members or the public; or
- Brings discredit upon the department.

In the event that a supervisor is not present and the actions are witnessed by another member, that member shall immediately notify a supervisor.

### 2.11.2 RESPONSIBILITIES OF ALL MEMBERS

Members are required to immediately notify their commanding officer or civilian supervisor of:

- Violations of orders, policies or procedures
- Disobedience of orders by other members
- Mismanagement related to the effective and efficient operations of the department

The supervisor or commanding officer must document specific violations.

Members inhibited by the chain of command from reporting misconduct are required to submit the information directly to the Chief of Police or to the Special Investigations Division (SID) Commander, in writing.

Members are prohibited from taking punitive action or discriminating against any member who reports a violation under this policy.

### 2.11.3 CORRECTIVE ACTION AUTHORIZATION

Depending on the type of infraction, discipline may be progressive.

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Chapter: Personnel	
Subject: Discipline	

## 2.11.3 CORRECTIVE ACTION AUTHORIZATION (CONTINUED)

A supervisor may (KACP 12.2b):

- Recommend remedial training (contact the Training Division for procedures and criteria) (CALEA 26.1.4a, 33.1.5).
- For sworn members:
  - Performance observation
  - Effect an emergency suspension.
  - Recommend any of the following progressive disciplinary actions:
    - Oral reprimand
    - Written reprimand
    - Demotion
    - Termination/discharge
- For civilian Teamsters members:
  - Issue a verbal warning.
  - Issue a written warning.
  - Recommend a written reprimand.
  - Effect an emergency suspension.
  - Recommend termination/discharge
- For civilian Vehicle Impoundment Unit (VIU) members:
  - Issue a warning.
  - Recommend a written reprimand.
  - Effect an emergency suspension.
  - Recommend suspension or termination/discharge

Metro Government shall have the right to discipline or terminate/discharge members for just cause.

- For all other civilian members (e.g. non-union, Traffic Guards):
  - Counsel.
  - Effect an emergency suspension.
  - Recommend any of the following progressive disciplinary actions:



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Chapter: Personnel	
Subject: Discipline	

## 2.11.3 CORRECTIVE ACTION AUTHORIZATION (CONTINUED)

- Written reprimand
- Demotion
- Termination/discharge

## 2.11.4 COUNSELING (CALEA 26.1.4b, KACP12.2a)

A supervisor may privately counsel a member to:

- Advise him/her of inadequate performance.
- Advise him/her of the supervisor's and the department's expectations.
- Determine possible causes for inadequate performance and make appropriate referrals.
- Assist him/her with strategies for improving job performance.
- Advise him/her of possible consequences if performance fails to improve.

The supervisor shall document key points of the counseling session, monitor the member for compliance and document the effect of the counseling.

## 2.11.5 EMERGENCY SUSPENSIONS

Any supervisor may impose an emergency suspension upon a subordinate member when it appears that such action is in the best interest of the department. Any civilian supervisor may impose an emergency suspension upon a subordinate member within his/her direct chain of command. Appropriate circumstances include, but are not limited to (CALEA 52.2.7, KACP 12.2b):

- Criminal acts.
- Reporting for duty under the influence of alcohol, illegal drugs or a combination thereof.
- Interference with administration of discipline.
- Gross insubordination or disrespect to a supervisor.

The suspended member shall surrender the following departmentally-issued equipment, at a minimum:

- Identification
- Badge, if applicable
- Departmentally-issued weapons and/or ammunition, if applicable
- Vehicle, if applicable

The supervisor imposing the suspension shall take custody of the surrendered items and notify the appropriate commander, as soon as practical, after the incident. Pursuant to KRS 15.520, the supervisor may require a member to explain, in writing, any incident or actions which led to the emergency suspension. The supervisor

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Chapter: Personnel	
Subject: Discipline	

## 2.11.5 EMERGENCY SUSPENSIONS (CONTINUED)

shall direct the member, in writing, to appear in the Chief's Office at 1000 hours on the next business day, unless circumstances dictate a different course of action. The supervisor shall also appear at the designated time. Any member placed on emergency suspension shall continue to receive all pay and benefits pending review of the incident.

Members on emergency suspension shall not be restored to duty, pending investigation or hearing of the charges of which he/she was relieved, except by direction of the Chief of Police or other competent authority. The member shall be notified, in writing, 72 hours prior to any hearing.

## 2.11.6 RESTORATION OF POLICE POWERS

When an officer is allowed to return to duty, it is the responsibility of the SID Commander to notify the Assistant Chief of Police/Administrative Bureau, who shall notify Police Human Resources (HR) to restore the officer's full police powers. Police HR shall issue a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Upon receipt of this form, an officer's full police powers shall be restored and his/her equipment returned.

## 2.11.7 SUSPENSIONS (KACP 12.2b)

A charging letter signed by the Chief of Police explaining the specific reasons for the suspension and the dates of the suspension shall be served to the member. The original charging letter shall be forwarded to the member's division/section/unit commander for service, who shall ensure that:

- The date and time of service is indicated on the charging letter.
- The supervisor and the member have signed the charging letter. If the member refuses to sign, this should be indicated on the document.

Signed copies shall be forwarded to:

- Police HR
- Chief's Office
- Professional Standards Unit (PSU)
- Louisville Metro Police Merit Board
- Legal Advisor

The suspended member shall immediately surrender the following departmentally-issued equipment, where applicable:

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Chapter: Personnel	
Subject: Discipline	

## 2.11.7 SUSPENSIONS (CONTINUED)

- Identification
- Badge, if applicable
- Weapon and ammunition, if applicable
- Vehicle, if applicable

If the suspension is for five (5) days or less, the division/section/unit commander shall store the equipment. If the suspension is for six (6) days or more, the equipment shall be taken to the Chief's Office and secured in the safe.

Suspended members are prohibited from representing themselves as members of the department or acting in an official capacity.

## 2.11.8 RETURN TO DUTY – SUSPENSION

Since the duration of the suspension is stated, no return paperwork is needed. The member shall contact his/her division/section/unit commander to arrange for the return of his/her issued equipment. The equipment shall be returned by a commanding officer.

## 2.11.9 DOCUMENTATION OF ACTIONS (CALEA 26.1.8, KACP 12.4)

A record of all disciplinary actions issued by the Chief of Police shall be maintained by the PSU and by Police HR in the PeopleSoft System. Disciplinary actions issued by the Chief of Police include:

- Oral reprimands
- Written reprimands
- Suspension from duty
- Suspension of use of departmental vehicle
- Termination

Supervisors of civilian members may send records for disciplinary action taken to the PSU and Police HR for inclusion in the PeopleSoft System. This shall include:

- Verbal warning
- Written warning

All disciplinary documentation shall be maintained according to state statute and contractual agreements.

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Chapter: Personnel	
Subject: Discipline	

## **2.11.10 TERMINATION/DISCHARGE** (CALEA 26.1.7a-c, KACP 12.2b)

If the Chief of Police believes that termination/discharge is the correct discipline for a non-probationary member, the Chief's Office shall provide, to the member, a statement citing the reason(s) and a pre-termination/discharge opportunity to respond shall be scheduled. The member's division/section/unit commander may, at the discretion of the Chief of Police, be present at the proceeding. The member is not required to attend. If the member is terminated/discharged, the Chief's Office shall notify the member, in writing, of the decision and the effective date of the termination/discharge. Metro HR shall provide a statement of the status of fringe and retirement benefits after termination/discharge.

The terminated member shall turn in all departmental equipment to his/her division/section/unit commander. The division/section/unit commander, or his/her designee, shall be responsible for delivering the appropriate equipment to each area, as stated on the Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301). The division/section/unit commander shall contact the Administrative Services Division Management Assistant to schedule an appointment at least one (1) week prior to delivering the appropriate equipment to the Administrative Services Division.

## **2.11.11 DISCIPLINARY APPEALS**

Appeals and grievances of disciplinary actions shall adhere to all applicable state laws, contractual agreements and Louisville Metro Government procedures (CALEA 26.1.6, KACP 12.5).

When a member receives a written reprimand, he/she may write a letter of response directly to the Chief of Police within ten (10) business days.

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	Effective Date: 04/17/03 Prv. Rev. Date: 02/10/11 Revised Date: 10/08/12
	Accreditation Standards: CALEA: 25.1.1 KACP: 11.1, 12.5
Chapter: Personnel	
Subject: Accident Review Board	

## 2.12 ACCIDENT REVIEW BOARD

### 2.12.1 POLICY

The Accident Review Board (ARB) shall review all vehicle traffic collisions and other incidents resulting in damage to a departmental vehicle, while under the control or in the possession of a departmental member, sworn or civilian. Cases shall be examined on an individual basis in the context of how they relate to training issues, equipment deficiencies and the department's Standard Operating Procedures (SOPs).

### 2.12.2 MEMBERSHIP

The ARB shall meet monthly, or as otherwise determined by the chairperson, and shall consist of the following members:

- The Administrative Services Lieutenant, as the chairperson designated by the Assistant Chief of Police/Administrative Bureau
- One (1) member from the Training Division
- One (1) member from the Traffic Unit
- Three (3) members from Patrol Services
- One (1) detective from the Major Crimes Division
- One (1) MetroSafe representative, if requested by the Administrative Services Lieutenant
- One (1) Risk Management representative and/or claims adjustor
- One (1) Fraternal Order of Police (FOP) representative
- One (1) Louisville Metro Police Department (LMPD) non-sworn representative

The absence of one (1) (or more) of the ARB members at any meeting does not affect the validity of the board's findings.

### 2.12.3 FINDINGS

The ARB shall examine all cases and forward the findings through the Deputy Chief of Police/Patrol Services or the appropriate bureau commander, to the Chief of Police, who shall make the final decision regarding disciplinary action, if any. Documentation examined by the board may include, but is not limited to, the following (if available at the time of review):

- Vehicle damage report
- Traffic collision report
- Photos
- Property damage appraisal
- Previous history of chargeable accidents

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	Accreditation Standards: CALEA: 25.1.1 KACP: 11.1, 12.5
Chapter: Personnel	
Subject: Accident Review Board	

## 2.12.3 FINDINGS (CONTINUED)

- Testimony of the member
- Testimony of witnesses

## 2.12.4 APPEARANCE REQUESTS

Members with an incident under review by the ARB may make a written request to appear before the ARB. This request shall be submitted to the Administrative Services Lieutenant and may be in the form of an email. This request shall include the following information:

- Name
- Code number
- Assignment
- Date of accident
- Accident report number

Members shall make the request as soon as possible after being involved in an incident covered by this SOP. It is not necessary to wait for the hearing date before making this request. Attendance is not mandatory. Overtime shall not be paid to attend the hearing. The date and time of the hearing shall be provided to those members requesting to attend.

## 2.12.5 APPEALS/GRIEVANCES (CALEA 25.1.1a-e, KACP 11.1a-e, 12.5)

All appeals or grievances shall be filed in accordance with the member's current contract. Members not covered by a collective bargaining agreement shall have appeal rights consistent with their terms of employment.

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Standard Operating Procedures	SOP Number: 2.13
	Effective Date: 07/18/03 Prv. Rev. Date: 01/24/11 Revised Date: 03/10/12
	Accreditation Standards:
Chapter: Personnel	
Subject: Separation of Service	

## 2.13 SEPARATION OF SERVICE

### 2.13.1 NOTICE OF SEPARATION

Members intending to separate from service with the Louisville Metro Police Department (LMPD), by resignation or retirement, should notify the Chief of Police, in writing, no less than thirty (30) days prior to the scheduled date of separation. The written notification shall be sent to the Chief of Police, with copies forwarded to:

- All commanding officers in the member's chain of command
- Assistant Chief of Police/Administrative Bureau
- Police Human Resources (HR)
- Training Division
- FOP Lodge 614 (if sworn)

If a member wishes to have an exit interview with the Chief of Police, he/she shall include this request in his/her notice of separation letter.

The Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301) shall be completed before the member's last day. The Administrative Services Division's Management Assistant shall be contacted to schedule an appointment at least one (1) week prior to the member delivering the appropriate equipment to the Administrative Services Division.

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Standard Operating Procedures	SOP Number: 2.14
	Effective Date: 01/02/04 Prv. Rev. Date:03/10/11 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Maternity/Paternity Leave	

## 2.14 MATERNITY/PATERNITY LEAVE

### 2.14.1 MATERNITY LEAVE

Sworn female members shall be granted six (6) weeks of paid maternity leave. Up to an additional six (6) weeks of leave may be granted, but the member shall use accrued vacation/union hours, after which she shall take unpaid leave (KACP10.2d).

Civilian female members are eligible for up to 12 weeks of maternity leave and shall use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc. (KACP 10.2b-d). If the member wants to take more time than she has accrued, she shall take the balance as unpaid leave.

Members requiring additional leave for medical reasons must submit a physician's statement to the division/section/unit commander, in accordance with SOP 2.9. The member shall adhere to SOP 2.9.4 when medically able to return to duty (CALEA 22.2.1c, KACP 10.2c).

### 2.14.2 PATERNITY LEAVE

Sworn members may be granted up to 56 hours of paid paternity leave. Up to an additional six (6) weeks of leave may be granted, but the member shall use accrued vacation/union time, after which they shall take unpaid leave (KACP 10.2d).

Civilian members are eligible for up to 12 weeks of paternity leave and shall use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc. (KACP 10.2 b-d). If the member wants to take more time than they have accrued, they shall take the balance as unpaid leave.

Members requiring additional leave for family medical reasons shall refer to SOP 2.9.2 (CALEA 22.2.1e, KACP 10.2c).

### 2.14.3 ADOPTION

Sworn members adopting a child may be granted up to 56 hours of paid adoption leave, at the discretion of the Chief of Police. If both parents are sworn members of the department, each member may have up to 56 hours of paid adoption leave, at the discretion of the Chief of Police.

Civilian members adopting a child are eligible for up to 12 weeks adoption leave and shall use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc. If the member wants to take more time than he/she has accrued, he/she shall take the balance as unpaid leave (KACP 10.2b-d).



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	Accreditation Standards: CALEA: 22.2.1 KACP: 10.2
Chapter: Personnel	
Subject: Maternity/Paternity Leave	

## 2.14.4 FAMILY MEDICAL LEAVE ACT (FMLA)

In all of the above mentioned leaves, the member shall follow the procedure outlined in SOP 2.2.3 to request a leave of absence.

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	Accreditation Standards: CALEA: 26.1.2
Chapter: Personnel	
Subject: Awards	

## 2.15 AWARDS (CALEA 26.1.2)

### 2.15.1 POLICY

It is the mission of the Louisville Metro Police Department (LMPD) to deliver professional, effective services, fairly and ethically, at all times, to all people, in order to prevent crime, control crime and enhance the overall quality of life for citizens and visitors. The department encourages and promotes community involvement, on all levels, to achieve these ends. The department shall honor extraordinary work by both sworn and civilian personnel that reflects the department's creed of "Service & Integrity," as well as the department's mission.

The efforts and accomplishments of LMPD Award recipients must be consistent with the values delineated in the acronym "**METRO**".

**M** – Making the Community our Primary Focus  
**E** – Ethical Behavior and Accountability  
**T** – Trustworthy  
**R** – Respect for All People  
**O** – Objectivity

### 2.15.2 AWARDS COMMITTEE

An awards committee shall determine eligibility and recommend awards according to the criteria stated in this policy. All awards shall be approved by the Chief of Police.

The committee shall consist of members of the department and community. The number of individuals shall be determined by the Chief of Police.

Members of the committee are eligible to receive awards but may not participate when the committee deliberates and votes.

### 2.15.3 AWARDS PROCESS

Any member, sworn or civilian, regardless of rank or title, may be eligible to receive any of the awards granted by the department with the exception of Officer of the Year, Civilian of the Year, Distinguished Citizen Award, the Community Partnership Award, Cadet of the Year Award and Explorer of the Year Award.

Any member, regardless of rank or title, may nominate a departmental member, unit or a private citizen for an award.

Any member who makes a nomination must fill out an Award Nomination form (LMPD #03-02-0350). All nominations for awards for the period of January 1 – June 30 must be received by July 1. All nominations for awards for the period of July 1 - December 31 must be received by January 5. The form may also include an

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## 2.15.3 AWARDS PROCESS (CONTINUED)

attached addendum stating any additional details of the effort making the individual worthy of an award. Award Nomination forms shall be submitted to the Chief's Office.

The committee reserves the right to investigate all award nominations. Any member of the department who nominates an individual may be requested, at a specified time, to appear before the committee to answer questions about the nominee and why the individual is worthy of an award.

## 2.15.4 AWARDS

### AWARDS OF HEROISM

- **Medal of Honor** – The Medal of Honor may be awarded to members who perform an act of exceptional bravery above and beyond the call of duty, with awareness of the possibility that the act could result in great bodily harm or death. The recipient's actions must have substantially contributed to the saving, or attempted saving, of a human life. The Medal of Honor may be awarded posthumously.

Recipients shall receive a medal, breast bar and citation.

- **Medal of Valor** – The Medal of Valor may be awarded to members who perform a heroic act that, by its nature, results in the saving of a life, the prevention of a serious crime or the apprehension of a person who commits a serious crime. The Medal of Valor may be awarded posthumously.

Recipients shall receive a medal, breast bar and citation.

### SPECIAL AWARDS

- **Purple Heart** – The Purple Heart may be awarded to members who are seriously injured in the performance of their duty under honorable conditions due to assaults, fires, explosions or other actions. Serious injury is defined as any injury from a life-threatening situation, which requires substantial medical treatment. The Purple Heart may be awarded posthumously.

Recipients shall receive a medal, breast bar and citation.

- **Distinguished Citizen Service Award** – The Distinguished Citizen Service Award may be awarded to any citizen in the community, who is not employed by the LMPD, who performs an act of bravery on behalf of the LMPD. The recipients may include members of other law enforcement and public safety agencies. The Distinguished Citizen Service Award may be awarded posthumously.

Recipients shall receive a citation.

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## 2.15.4 AWARDS (CONTINUED)

### AWARDS OF SERVICE

- **Exceptional Merit Award** – The Exceptional Merit Award may be awarded to members who display a superior performance of duty. The recipient must exhibit perseverance with actions that have made a significant contribution to the department and/or improve the quality of life in the community.

Recipients shall receive a breast bar and citation.

- **Distinguished Lifesaving Award** – The Distinguished Lifesaving Award may be awarded to members who perform actions or who apply techniques that result in the saving, or sustaining, of human life.

Recipients shall receive a breast bar and citation.

- **Meritorious Unit Citation** – The Meritorious Unit Citation may be awarded to units consisting of officers, civilians or both, who have distinguished themselves by the performance of acts of high initiative and innovation in the line of duty. The accomplishments of the recipients could not have occurred without the concerted effort of the unit’s members as a whole.

Recipients shall receive a breast bar and the unit shall receive a citation.

- **Crime Reduction Award** – The Crime Reduction Award shall recognize the division that achieves the largest annual reduction in crime over the previous year. More than one (1) award may be granted in case of a tie.

Recipients shall receive a citation.

- **Commanding Officer of the Year** – The Commanding Officer of the Year Award may be awarded to an officer with the rank of sergeant or lieutenant who has demonstrated superior communication, dedication, leadership and motivational skills throughout the year.

Recipients shall receive a plaque and a ring.

- **Officer of the Year** – The Officer of the Year Award may be awarded to an officer with at least one (1) year of service, who has intelligently and consistently demonstrated superior perseverance, initiative, leadership, dedication, professionalism and motivation throughout the year.

Recipients shall receive a plaque and a ring.

- **Civilian Supervisor of the Year** – The Civilian Supervisor of the Year Award may be awarded to a civilian supervisor who has demonstrated superior communication, dedication, leadership and motivational skills throughout the year.

Recipients shall receive a plaque and a ring.

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## 2.15.4 AWARDS (CONTINUED)

- **Civilian of the Year** – The Civilian of the Year Award may be awarded to a non-sworn member whose work goes beyond what is required by his/her job description. This individual must be highly motivated, with innovative ideas and outstanding leadership qualities. Examples include, but are not limited to, a member who develops new and more efficient ways of helping his/her division/section/unit conduct daily business that benefits both the department and the community, who develops new ways to ensure the professional development of subordinates or who, through perseverance and dedication, continually does extraordinary work in a downsized work environment. The civilian of the year must serve as a role model to other LMPD members.

Recipients shall receive a plaque and a ring.

- **Explorer of the Year Award** – The Explorer of the Year Award may be awarded to an Explorer who has made a significant contribution to the Explorer Program, the department and the community.

Recipients shall receive a citation.

## CHIEF'S AWARDS

- **Community Partnership Award** – The Community Partnership Award recognizes the extraordinary contributions of a community member or organization to the department. Contributions include, but are not limited to: time, money, leadership, development of innovative crime-fighting strategies and forging new bonds between citizens and the police. All members of the community are eligible for this award, but it is limited to one (1) citizen or organization, per division, per year.

Recipients shall receive a plaque.

- **Distinguished Community Service Award** – The Distinguished Community Service Award recognizes members who, outside of the scope of their normal duties, touch the lives of a member of the community with extraordinary assistance, kindness and compassion.

Recipients shall receive a plaque.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.16
	Effective Date: 01/02/04
	Accreditation Standards:
Chapter: Personnel	
Subject: Non-Disciplinary Limitation of Police Powers	

## 2.16 NON-DISCIPLINARY LIMITATION OF POLICE POWERS

### 2.16.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) that an officer under non-disciplinary limitation of police powers:

- Shall observe and report activity normally requiring a police response, but is prohibited from taking self-initiated action, unless it is a life-threatening situation.
- Is prohibited from wearing the Louisville Metro Police Department (LMPD) uniform.
- Is prohibited from engaging in secondary employment in a police capacity.

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	Accreditation Standards: CALEA: 22.2.3, 22.2.6, 35.1.9 KACP: 10.4
Chapter: Personnel	
Subject: Employee Assistance Program	

## 2.17 EMPLOYEE ASSISTANCE PROGRAM (CALEA 22.2.3, 35.1.9f, KACP 10.4d)

### 2.17.1 OVERVIEW

The Louisville Metro Police Department (LMPD) offers an Employee Assistance Program (EAP) to provide professional and confidential assistance to members who are experiencing personal problems. The EAP is designed to encourage early employee awareness of such problems and to offer assistance in managing them (CALEA 22.2.6a). Use of the EAP is voluntary, except when a mandatory referral is made. Examples of personal problems may include, but are not limited to:

- Alcohol or drug dependency
- Marital or family difficulties
- Work stress
- Financial concerns
- Psychological problems

Members are responsible for their behavior and for taking constructive action to resolve any personal problems that affect, or threaten to affect, job performance. Members are encouraged to seek assistance through the EAP on their own before their job performance has been negatively affected.

Supervisors shall receive periodic training on their responsibilities within the EAP process, services offered by the EAP and the identification of behaviors which may indicate problems impacting job performance (CALEA 22.2.6f).

Magellan Behavioral Health has been contracted by Metro Government to provide EAP services to eligible members. The LMPD also has a contract with Stuecker & Associates Inc. (SAI) to provide EAP services to its members. All services are provided by trained, experienced counselors specializing in employee assistance services. In order to ensure privacy, EAP offices are not located on the premises of Louisville Metro Government. Participation shall remain confidential, unless the member provides written consent to release information, the situation is deemed life-threatening by an EAP counselor or the law requires that the information should be reported (CALEA 22.2.6c).

The Magellan Behavioral Health counselors are available 24 hours a day, seven (7) days a week. Up to five (5) visits with a counselor for problem assessment and short-term counseling are available at no cost to each eligible person. The SAI counselors are available 24 hours a day, seven (7) days a week and offer unlimited counseling sessions to each eligible person at no cost. The EAP counselor shall refer members to appropriate resources for diagnosis, treatment and follow-up services (CALEA 22.2.6d).

### 2.17.2 ELIGIBILITY

The following persons are eligible for EAP services:

- Full-time employees

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## 2.17.2 ELIGIBILITY (CONTINUED)

- Part-time employees who work a minimum of 25 hours per week
- Employee's spouse
- Employee's benefit-eligible dependents
- Members of the employee's household

## 2.17.3 PROCEDURES (CALEA 35.1.9b)

Supervisors should remain alert to all instances of substandard work performance and bring these to the attention of the member, along with an offer of assistance at the earliest indication of a recurrent problem. The supervisor may wish to consult with the Louisville Metro Human Resources (HR) Department before proceeding with a formal referral. Further consultation may also be sought from Magellan's Workplace Support Services. For the purposes of this policy, an acting sergeant is not considered a supervisor.

Members are responsible for seeking assistance through, or accepting a voluntary referral to, the EAP. This decision shall not adversely affect a member's job security or advancement opportunities. In situations requiring a mandatory referral, the member shall be responsible for contacting the EAP and complying with the EAP's recommended action plan. The Chief of Police shall be notified of any employee's failure to comply with the mandatory referral, or the recommended action plan, and disciplinary action may be taken. Participation in the EAP in no way relieves the member of the responsibility to meet acceptable work performance and attendance standards. Leave time and necessary treatment expenses shall be provided to eligible participants consistent with the current Louisville Metro Government policy and applicable benefits coverage.

## 2.17.4 SUPERVISOR SUGGESTION

If a member voices a "personal problem," but there are no job performance issues, the supervisor should:

- Suggest that the member contact Magellan Behavioral Health at (800) 588-8143 or SAI at (502) 452-9227
- Offer to help the member contact the EAP, if assistance is requested
- Remember that it remains the member's decision to use the EAP

## 2.17.5 SUPERVISOR'S FORMAL REFERRAL – VOLUNTARY PARTICIPATION (CALEA 35.1.9d)

If the member's job performance is substandard and the supervisor believes that EAP participation may help improve it, he/she shall (CALEA 22.2.6b, e):

- Empathize with the member
- Evaluate his/her performance



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## 2.17.5 SUPERVISOR'S FORMAL REFERRAL – VOLUNTARY PARTICIPATION (CONTINUED)

- Communicate expectations regarding job performance
- Require that performance be improved to an acceptable level by a specific date
- Encourage the member to contact Magellan Behavioral Health at (800) 588-8143 or SAI at (502) 452-9227
- Document actions taken
- Remember that it remains the member's decision to use the EAP
- After a reasonable length of time, follow-up with the employee to review the situation and assess any improvement or negative changes.

## 2.17.6 SUPERVISOR REFERRAL – MANDATORY PARTICIPATION (CALEA 35.1.9d)

Certain circumstances require that a mandatory referral be made. Such cases include, but are not limited to, those that create a risk of harm to the member or to others. In these cases, a supervisor shall (CALEA 22.2.6b, e):

- Notify the member's division/section/unit commander, or his/her designee.
- Impose an emergency suspension, when it appears that such action is in the best interest of the department (Refer to SOP 2.11.5).
- Directly contact either Magellan Behavioral Health at (800) 588-8143 or SAI at (502) 452-9227, to request that a case number be set up for the member.
- Provide the member with an Authorization to Use and/or Disclose Personal Plan Information form. This form is required for a mandatory referral.
- Provide the member with an EAP Mandatory Referral form (LMPD# 04-02-0217). The member is required to sign the form to acknowledge receipt. If the member refuses to sign the document, the supervisor should write "Refused to Sign" on the line for the signature.
- Document the circumstances surrounding the mandatory referral.
- Notify the Louisville Metro Government HR Department.
- In such situations, supervisors are reminded to involve other departmental resources in assisting the member, such as the departmental psychologist and/or the chaplains.

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	Accreditation Standards: CALEA: 33.1.3, 33.1.6
Chapter: Personnel	
Subject: Out-of-Town Travel	

## 2.18 OUT-OF-TOWN TRAVEL

### 2.18.1 DEFINITIONS

**Out-of-Town Travel:** Official out-of-town business travel from a member's normal work site, to an alternate site, as part of the member's job.

**Local Out-of-Town Travel:** Out-of-town business travel that is 100 miles or less from Metro Louisville, including travel to Frankfort, Lexington, Indianapolis, Cincinnati and Eastern Kentucky University (EKU), when an overnight stay is not required.

**Non-Local Out-of-Town Travel:** Any official out-of-town business travel that does not meet the above definition of local out-of-town travel or which requires an overnight or extended stay.

### 2.18.2 LOCAL OUT-OF-TOWN TRAVEL

The preferred mode of transportation for local out-of-town travel is a departmental vehicle (refer to SOP 4.14.9). A per diem allowance is not authorized for local travel.

A commanding officer with the rank of lieutenant or higher may authorize local out-of-town travel and may require a written request stating the purpose for such a trip.

### 2.18.3 NON-LOCAL OUT-OF-TOWN TRAVEL

For travel not related to training, the member shall submit the Louisville Metro Out-of-Town Travel Authorization Request, through his/her chain of command, to the Training Division Commander at least 30 days prior to travel. All requests shall be accompanied by a routing slip indicating that their division/section/unit commander has reviewed the packet and agrees that the travel is important for the needs of the department.

If the travel request includes any expenses to be incurred by Louisville Metro Government, including those that will be reimbursed by another entity, the member shall also submit the following documents, as they apply:

- A memorandum to the Training Division Commander explaining how the department will benefit.
- Lodging reservations in the name of the member requesting the money for the lodging on the Louisville Metro Out-of-Town Travel Authorization Request.
- Proposed flight itinerary with price estimates. Flight reservations should not be made until final approval has been granted. Before making payment, the Office of Management and Budget (OMB) must have the actual flight itinerary in the name of the member requesting the money for the flight on the Louisville Metro Out-of-Town Travel Authorization Request. Members are encouraged to use the departmental travel agent for flight arrangements.

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Subject: Out-of-Town Travel	

## 2.18.3 NON-LOCAL OUT-OF-TOWN TRAVEL (CONTINUED)

- Travel Exceptions form, if requesting an advance to pay for ground transportation, including a rental vehicle, taxi or shuttle, whichever is the least expensive; hotel expenses, if the rate is higher than the allotted amount (refer to SOP 2.18.5); fuel; baggage fees, tolls, or other non-per diem expenses. Documentation shall be included justifying the expenses listed on any Travel Exceptions form. The use of an approved departmental vehicle and fleet card does not require notation on any of the travel forms.

The Training Division Commander shall approve or deny each request. If the requested travel is denied, the Training Division Commander shall forward notification to the appropriate Bureau or Patrol Services Commander. Factors such as the budget, the benefit to the department, the timeliness of the request, policy compliance issues and the suitability of the requesting member for the intended purpose of the travel shall be considered for all requests.

The Training Division Commander, or his/her designee, shall review the packet for accuracy and cost-saving-measures. The request and supporting documents shall then be delivered to the Administrative Bureau Commander for all appropriate approvals at least 14 days before the date of travel.

For travel related to training, the member shall follow the same protocol as above and also include:

- Request for Training form (LMPD #03-00-0075), signed and approved at all applicable levels.
- Copies of the course description, brochures or related material.
- Copy of the course agenda with dates and times.
- If there is a registration fee, a completed Purchase Request form (LMPD #06-0049) with the vendor name, address and telephone number; as well as a registration invoice in the name of the member who is requesting the registration payment on the Louisville Metro Out-of-Town Travel Authorization Request. The Training Division is responsible for approving the Purchase Request form.

The member is responsible for registering for the requested training by the given deadline. All training requests involving a registration fee must be received by the Training Division 30 days prior to the registration deadline to ensure that payment can be processed.

Upon returning from the trip, the member shall provide the Training Division with copies of any certifications for his/her training record (CALEA 33.1.6), as well as copies of the training materials provided during the course.

Members are allotted a per diem allowance for approved non-local out-of-town travel. The per diem allowance for food is \$36.00 per complete day. The schedule is based on the time of departure and return, which is determined by supporting documents such as flight itinerary, hotel confirmations and training schedules.

### Per Diem Schedule:

Breakfast	\$8.00	– depart before 0730 or return after 0800 hours
Lunch	\$8.00	– depart before 1100 or return after 1330 hours
Dinner	\$20.00	– depart before 0530 or return after 1900 hours

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## 2.18.3 NON-LOCAL OUT-OF-TOWN TRAVEL (CONTINUED)

Per diem is reduced to \$2.00 per meal for those meals covered by other sources, such as hotel registration or training enrollment fees. Continental breakfasts are not considered a meal. Members shall not receive additional funds for tips or gratuities.

A member may be reimbursed for additional expenses incurred while traveling (CALEA 33.1.3). Such expenses may include the following:

- Telephone calls: Any phone charges appearing on the itemized lodging receipt must be marked as business or personal if a member is seeking reimbursement. A member may be allotted up to \$10.00 per day to make personal calls. A member traveling more than one (1) day may combine his/her long-distance allowance to provide for calls of longer duration, provided the total does not exceed the sum of the daily allotments. Members are encouraged to use Metro Government-issued long distance cards, when applicable.
- Long-term parking at the airport.
- Local transportation to and from the airport, hotel and/or business event.
- Toll fees.

Members requesting reimbursement for expenses not covered by the travel advance shall do so when reconciling payment within ten (10) business days of their return (refer to SOP 2.18.8) with the appropriate receipts.

## 2.18.4 MODES OF TRANSPORTATION

The department shall determine the most economical mode of transportation on a case-by-case basis. Preferred modes of travel shall include:

- Departmental vehicles: Approval for the use of a departmental vehicle shall be granted when economically beneficial to the department. Members shall ensure that the departmental vehicle is in sound mechanical condition prior to departure. When traveling one-way in excess of 100 miles from Metro Louisville, the members shall email Metro Fleet Services at [pwfsstf@louisvilleky.gov](mailto:pwfsstf@louisvilleky.gov) and inform them of the following:
  - The operator(s) of the vehicle
  - Vehicle equipment number
  - Destination
  - Date(s) of travel
  - Purpose of travel

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## 2.18.4 MODES OF TRANSPORTATION (CONTINUED)

- Rental vehicles: To request the use of a rental vehicle, members shall complete the Travel Exceptions form with a detailed justification. This is rarely approved post-travel and only if sufficient reasons exist to support the expense. Supporting documents shall be included showing the estimated or actual expense. In order to receive payment once the rental is approved, the receipt must be in the name of the member who requested the rental vehicle on the travel documents. Members may purchase optional insurance coverage from the rental car company at their own expense.
- Air travel: Air fare at the tourist or economy class rate may be permitted.

## 2.18.5 LODGING

Lodging rates are determined by destination as follows:

- Within Kentucky: Limited to \$85.00 per night, plus tax.
- Outside Kentucky: Limited to \$120.00 per night, plus tax.
- Event-rate lodging may be permitted while attending conferences, seminars and training courses. No Travel Exceptions form is necessary in these circumstances.

Lodging is allowed for no more than one (1) night in advance of, or after completion of, official business, and only when needed due to the start and end time of the official business activity and transportation availability.

## 2.18.6 TRAVEL ADVANCES

Travel advances may be issued to members to provide per diem, lodging and travel expenses. In order to receive the advance payments, all paperwork must include the estimated expenses and the supporting documents shall be in the name of the member making the request. Travel expenses shall not be paid before the travel is authorized. By signing the Louisville Metro Out-of-Town Travel Authorization Request, the member agrees to abide by Metro Government and departmental policies. Because the advances are based on estimations, the member may be responsible for reimbursing Metro Government upon his/her return for any unused portion of the advance.

## 2.18.7 CANCELLATION OR REFUNDS

If a Louisville Metro Out-of-Town Travel Authorization Request has been processed and the trip is subsequently cancelled, the member shall complete a Travel Exceptions form with an explanation stating the reason that the travel was cancelled and forward it to the Training Division Commander. If the member received an advance, he/she shall return the payment to the Administrative Bureau within three (3) business days of the cancellation. Members shall be responsible for securing refunds, when applicable, for trips that are cancelled after expenses have been incurred. Documentation must be provided to support any refund, along with an explanation of any non-refundable expenses.

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## 2.18.8 TRAVEL RECONCILIATION

A member shall complete a Louisville Metro Out-of-Town Travel Expense Report no later than ten (10) business days after completion of the trip. All travel expenses, including direct payments (e.g. air fare, car rental, hotel, conference fees), shall be listed on the expense report. Original receipts in the name of the member who is claiming the expense shall accompany the form. If the advance was less than the expenses, reimbursement shall be issued to the member. If the advance issued was more than the expenses incurred, reimbursement shall be due with the expense report. The completed report and receipts shall be sent to the Administrative Bureau at Louisville Metro Police Department (LMPD) Headquarters.

## 2.18.9 APPROVALS

Members shall not travel until the requests have been approved at all levels. If a member is unsure of the approval status, he/she may contact the Training Division.

In certain circumstances involving police business, out-of-town travel may need to occur exigently. When delaying the travel may impede the effectiveness or efficiency of police services, the affected division/section/unit commander shall seek approval through the Chief of Police, via the appropriate Bureau or Patrol Services Commander. All paperwork shall be submitted for processing as soon as practical. The traveling member shall reconcile his/her expenses on a Louisville Metro Out-of-Town Travel Expense Report within five (5) business days after his/her return.

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Standard Operating Procedures	SOP Number: 2.19
	Effective Date: 07/21/06 Prv. Rev. Date: 06/10/13 Revised Date: 07/08/13
	Accreditation Standards: CALEA: 22.3.1, 32.2.7, 32.2.8, 32.2.9 KACP: 10.6, 13.1
Chapter: Personnel	
Subject: Medical Examinations	

## **2.19 MEDICAL EXAMINATIONS (CALEA 22.3.1)**

### **2.19.1 PSYCHOLOGICAL EXAMINATIONS FOR SWORN APPLICANTS (CALEA 32.2.8, KACP 13.1)**

Applicants for sworn positions with the Louisville Metro Police Department (LMPD) shall submit to a pre-employment psychological fitness evaluation. The examination shall measure the applicant's psychological fitness as a LMPD recruit. The examination shall be conducted by Stuecker & Associates Inc. (SAI), located at 1930 Bishop Lane, Suite 1001, at no cost to the applicant (KACP 10.6). Examinations will be conducted on a set date and time established by SAI, who will be responsible for notifying the applicant of the examination date and time. All applicants for sworn positions must be able to meet the psychological standards set by the Peace Officer Professional Standards (POPS) Act and the Kentucky Law Enforcement Council (KLEC).

### **2.19.2 PHYSICAL EXAMINATIONS FOR SWORN APPLICANTS (CALEA 32.2.7, KACP 13.1)**

Applicants for sworn positions with the LMPD shall submit to a pre-employment physical examination. The examination shall measure the applicant's physical fitness as a LMPD recruit. This examination shall be conducted by Occupational Physician Services (OPS), at no cost to the applicant (KACP 10.6). Examinations shall be conducted on a set date and time established by Louisville Metro Human Resources (HR), the Training Division and OPS. All applicants for sworn positions must be able to meet the physical standards set by the POPS Act and the KLEC.

### **2.19.3 PHYSICAL EXAMINATIONS FOR SPECIALTY TEAMS**

Officers who are members of the following specialty teams are required to take an annual physical exam:

- Special Weapons and Tactics (SWAT) Team
- Bomb Squad
- Joint Emergency Services Unit (Joint ESU)
- Canine Unit
- Mounted Patrol Unit
- Dive Team
- Special Response Team (SRT)
- Clandestine lab-certified members
- Air Unit (FAA mandated)
- Narcotics Evidence Handling Team
- Health and Safety Officers (HSOs)

The specialty team commander, or his/her designee, shall be responsible for reminding officers when it is time for his/her physical. The officer shall contact Louisville Metro HR at (502) 574-5926 to make arrangements for the examination. Annual physicals are conducted by OPS at no cost to the officer (KACP 10.6). Exams may be

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Chapter: Personnel	
Subject: Medical Examinations	

## **2.19.3 PHYSICAL EXAMINATIONS FOR SPECIALTY TEAMS (CONTINUED)**

scheduled no less than one (1) week in advance. If the officer cannot keep his/her appointment, he/she shall notify Louisville Metro HR, 24 hours in advance, to reschedule. The officer shall make sure that he/she tells OPS that this is for an annual physical for a specialty team. The officer should bring any appropriate paperwork, if necessary, with him/her.

## **2.19.4 PHYSICAL EXAMINATIONS FOR COMMERCIAL DRIVER'S LICENSE HOLDERS**

Members who hold a Commercial Driver's License (CDL) are required by the Department of Transportation (DOT) to pass a physical examination every two (2) years. Police Human Resources (HR) shall be responsible for reminding members when it is time for his/her physical. The member shall contact Louisville Metro HR at (502) 574-5926 to make arrangements for the examination. Biennial physicals are conducted by OPS at no cost to the member (KACP 10.6). Exams may be scheduled no less than one (1) week in advance. If the member cannot keep his/her appointment, he/she shall notify Louisville Metro HR, 24 hours in advance, to reschedule. The member shall make sure that he/she tells OPS that this is for a physical for a CDL. The member should bring any appropriate paperwork, if necessary, with him/her. All CDL holders must be able to meet the physical standards set by the DOT.

## **2.19.5 MEDICAL RECORDS (CALEA 32.2.9)**

The medical records of applicants and departmental personnel shall remain confidential and shall not be disclosed or reported, without the individual's expressed, written consent, to any person within or outside of the department. Medical records shall be maintained in accordance with federal, state and local regulations.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.20
	Effective Date: 04/23/05
	Accreditation Standards:
Chapter: Personnel	
Subject: On-Call Status	

## 2.20 ON-CALL STATUS

### 2.20.1 ON-CALL SYSTEMS

A rotating, on-call system is necessary for certain divisions/sections/units of the Louisville Metro Police Department (LMPD) whose personnel have expertise and qualifications that may be needed during their routine assignments or regularly scheduled off-duty hours. Each on-call system shall abide by the following standards:

- A member's activities while on-call shall not be restricted, as long as he/she is able to report for duty as soon as possible, preferably within 45 minutes of notification. Since members are prohibited from reporting to duty with any measurable amount of alcohol in their systems, alcohol shall not be consumed during the period for which the member is on-call (refer to SOP 5.1.26).
- Members shall be equipped with their pagers/cell phones at all times, while they are on-call, and must acknowledge pages/calls as soon as possible, preferably within five (5) minutes of notification.
- Members shall be permitted to trade their on-call responsibilities, subject to the approval of the appropriate division/section/unit commander.
- Members shall be compensated from the time that they are notified to report for duty (acknowledgement of the page/call) until such time as they actually complete their duties, according to current collective bargaining agreements.
- If a member is notified to respond to a situation while on-duty, the member shall inform his/her commanding officer of the notification before responding.
- Members shall not be required to serve in an on-call capacity for more than one (1) month at a time.

On-call members, who continually fail to respond to these notifications, may be subject to reassignment, removal from their unit and/or disciplinary action.

Commanders of units may be subject to call out, but are not required to maintain a rotating, on-call system. Commanders shall ensure that each member is aware of the unit's response procedures when called to an incident. The unit's response procedures shall address the rules and standards of conduct regarding alcoholic beverages and reporting to duty (refer to SOP 5.1.26 and SOP 5.1.33).

Members requesting the assistance of on-call personnel shall refer to the established response criteria for each separate division/section/unit.

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## 2.21 EMPLOYEE PERFORMANCE REVIEWS (KACP 16.1)

### 2.21.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that all members shall be evaluated by their immediate supervisor and/or commander on an annual basis (CALEA 35.1.2, KACP 16.7). Civilian and sworn personnel shall be evaluated by their respective performance review systems, developed by the LMPD and/or Metro Government.

### 2.21.2 EMPLOYEE PERFORMANCE REVIEWS/EVALUATIONS (CALEA 35.1.4)

Performance reviews/evaluations are used to evaluate civilian and sworn members' past work performance, develop a work plan for the next review cycle and determine what resources are needed for improving performance. The review/evaluation system has been designed to be an interactive and continuous communication process between supervisors and members.

The review/evaluation system allows supervisors and members to work together to provide a fair, accurate and consistent assessment of the member's work performance and ensures that he/she has the training and support needed to do his/her job.

The member's performance review/evaluation may be used to provide career counseling and identify suitability for a specialized assignment, education required for advancement, training needs applicable to the member's current position, the ability to assume more responsibilities and effectiveness in the assigned position (CALEA 35.1.7c, KACP 16.9).

### 2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS

Civilian personnel shall be evaluated by their immediate supervisor and/or commander utilizing the Employee Performance Review System developed by Metro Government. This performance management tool has been designed to bridge Metro Government's Core Values with the LMPD's mission and member performance (CALEA 35.1.1c, KACP 16.7).

The Employee Performance Review System, developed for civilian members, consists of the following components (CALEA 35.1.1a):

- Levels of Performance: Members who receive ratings that are either below expectations or above expectations, in any area, shall be provided a written explanation. The member's work performance shall be rated by the following criteria:
  - Exceeds Expectations: Performance exceeds that of a satisfactory evaluation. Performance regularly surpasses the standards expected.

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## 2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

- Meets Expectations: Performance is successful and competent. Performance fully meets position requirements in the areas of responsibility.
- Needs Improvement: Performance falls short of consistently meeting requirements. Improvement is required.
- Does Not Meet Expectations: Performance consistently does not meet the requirements of the position. Immediate and substantial improvement is required.
- Performance Standards: Consists of the member's job description; identifying the top three (3) essential functions for the member's position. A detailed description should be written for these essential functions as well as clear examples of his/her work. This process also gives the rater an opportunity to rate the level of performance on each of these functions.
- Evaluation of Performance: The member's work performance shall be rated in the following areas (comments should be written for areas that are exceptional or below average) (CALEA 35.1.5b):
  - Knowledge of work
  - Knowledge of policies and procedures (SOPs)
  - Quantity of work
  - Quality of work
  - Organization and time management
  - Professionalism
  - Initiative and motivation
  - Communication
  - Teamwork
  - Reliability
  - Adaptability and flexibility
  - Customer service
  - Time and attendance
- Commanders and/or supervisors shall be evaluated in the following areas relating to his/her supervisory performance:
  - Motivates peers and subordinates and fosters teamwork
  - Maintains discipline on a consistent basis
  - Sets and enforces standards
  - Evaluates subordinates fairly and consistently
  - Plans and organizes work effectively
  - Employee relations
  - Judgment
  - Training/instruction
  - Coaching and feedback
  - Performance reviews

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## 2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

- Professional Development: List any action that was taken to improve the member's performance. List any in-service education or programs completed.
- Performance Expectations: Consists of the objectives/goals to be accomplished during the next review cycle (CALEA 35.1.7b).
- Employee Certification: The member must sign that they have read the review and shall be provided with a signed copy (CALEA 35.1.5d, KACP 16.6, 16.12). The member's signature on this section implies neither agreement nor disagreement with the evaluation's contents.

## 2.21.4 SWORN EMPLOYEE PERFORMANCE EVALUATIONS

Sworn personnel shall be evaluated by their immediate commander utilizing the Sworn Personnel Performance Evaluation (LMPD #06-0053) created by members of the department (CALEA 35.1.1c, KACP 16.7).

The performance review system created for sworn personnel consists of the following components (CALEA 35.1.1a):

- Evaluation of Performance: The officer's work performance shall be rated in the following areas:
  - Appearance and equipment
  - Dependability
  - Oral and written communications
  - Effort and initiative
  - Judgment/decision making
  - Problem solving
  - Job knowledge
  - Cooperation
  - Safety practices
  - Interpersonal skills/customer service
- Commanding officers shall be rated in the following areas:
  - Administrative ability
  - Supervisory ability/leadership
  - Managerial leadership
- Levels of Performance: The officer's work performance shall be rated using the following criteria (the comments section is mandatory for each area) (CALEA 35.1.5b):
  - Exceptional
  - Successful
  - Needs Improvement
  - Does Not Meet Requirements

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## 2.21.4 SWORN EMPLOYEE PERFORMANCE EVALUATIONS (CONTINUED)

- Employee's Goals: Consists of short-term goals (officer's goals within one (1) year) and long-term goals (officer's goals beyond one (1) year).
- Future Action Steps: Outlines specific plans for helping the officer achieve the desired development objectives. Incorporate target dates for completion or review of progress for each item (KACP 16.9):
  - On the Job - Considers special assignments or projects, on-the-job training activities, coaching or guidance by supervisor.
  - Off the Job - Considers external training/education courses, independent reading, self-study, etc., the officer plans to complete on a volunteer, unpaid basis.
- Supervisor's Suggestions to Meet Goals.
- Rater's/Employee's Comments Section (Optional).
- Employee's Certification: The officer must sign that they have read the review and shall be provided with a signed copy (CALEA 35.1.5d, KACP 16.6, 16.12). The officer's signature on this section implies neither agreement nor disagreement with the evaluation's contents. The performance review shall also be signed by the division/section/unit commander and the bureau commander (CALEA 35.1.5c).

## 2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS (CALEA 35.1.3)

### Probationary Officers

- The Police Training Officer (PTO) Program of the LMPD is a 24-week process used for the training and evaluation of a probationary officer (PO) during his/her probationary period (CALEA 33.4.3a, KACP 16.4).
- Upon the completion of the basic academy, the PO begins the PTO Program, which consists of the following phases (CALEA 35.1.1a):
  - Phase A – This phase is five (5) weeks in length. In this phase, POs will learn about non-emergency response(s).
  - Phase B – This phase is five (5) weeks in length. In this phase, POs will learn about emergency response(s).
  - Mid-Term Evaluation Phase - The Mid-Term Evaluation phase is two (2) weeks in length. In this phase, POs ride with a Police Training Evaluator (PTE) and are evaluated on their performance, knowledge, skills and abilities over phases A and B. POs will be transferred to another division upon successful completion of this phase (CALEA 33.4.3f-g).
  - Phase C - This phase is five (5) weeks in length. In this phase, emphasis is placed on patrol function.
  - Phase D - This phase is five (5) weeks in length. In this phase, emphasis is related to criminal investigations.

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## 2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

- Final Evaluation Phase - The Final Evaluation phase is two (2) weeks in length. In this phase, POs ride with a PTE and are evaluated on their performance, knowledge, skills and abilities over phases C and D (CALEA 33.4.3g). POs also receive training on their Neighborhood Portfolio Exercise (NPE) to be presented to the Board of Evaluators (BOEs) during week 15 of the Solo phase of training.
- Upon the successful completion of the PTO Program, the PO begins the 28-week Solo phase of training. In this phase, the PO operates as a patrol officer independent of a PTO. However, the PO is still considered an officer in the training process and can be placed back with a PTO or PTE in order to identify and/or address specific issues and to receive remedial training (CALEA 33.1.5).
- In order to validate the training, it is necessary to evaluate the performance of the PO throughout the training process. POs are evaluated in 15 areas of knowledge, skills and abilities known as core competencies. These core competencies serve as standards in the evaluation of the PO's performance and training. The POs are evaluated using the following evaluation techniques (CALEA 33.4.3g, 35.1.1b-c):
  - Coaching and Training Report (CTR) (LMPD #07-0002): Completed at least bi-weekly by the PO and the police training officer.
  - Problem Based Learning Exercise (PBLE): One (1) completed per phase by the PO with the assistance and supervision of the PTO. Upon completion of the PBLE, both the PO and the PTO shall complete the PBLE Evaluation form (LMPD #07-0004).
  - Neighborhood Portfolio Exercise (NPE): Completed by the PO during week 15 of the Solo phase of training and presented to the BOEs. Upon completion of this exercise, both the PO and the PTO shall complete the NPE Evaluation form (LMPD #07-0020).
- In addition to the aforementioned evaluation techniques, deficiencies in the performance or training of a PO (e.g. violations of departmental SOPs, rules, etc.) identified by any sworn officer, a PTO or a PTE shall be documented on a Probationary Officer Incident Report (LMPD #07-0005) (CALEA 33.4.3g, h, 35.1.1b).
- Training and performance issues identified by PTOs or PTEs may be addressed utilizing any or all of the following:
  - Immediate corrective action and/or counseling
  - Remedial training (CALEA 33.1.5)
  - Reassignment to a previously completed phase
  - Learning activity packages
  - Transfer to another PTO

Failure to progress in training and performance after remedial training may result in extension of the one (1) year probationary period or termination at the discretion of the Chief of Police (CALEA 33.1.5). Documentation of failure to progress shall be documented by PTOs and PTEs and forwarded, through the division chain of command, to the PTO Coordinators in the Training Division. The PTO Coordinators shall review the memorandums from the division and attach a memorandum to forward to the Training Division Commander.

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## 2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

The Training Division Commander shall review all documents and attach a memorandum to forward to the Chief of Police, or his/her designee, for a final determination.

### Probationary Civilian Employees

Probationary civilian personnel shall have a performance evaluation completed, at a minimum, on a quarterly basis (CALEA 35.1.3, KACP 16.4).

## 2.21.6 PRE-EVALUATION PROCEDURES

- After the initial evaluation, each member shall be counseled at the beginning of the rating period for the purpose of explaining the tasks of the position, level of performance expected and the rating criteria. Informal progress review discussions should occur frequently throughout the year (CALEA 35.1.7b, KACP 16.3a-c).
- The Performance Observation and Supplemental Evaluation form (LMPD #06-0044) should be used to document these informal progress reviews and/or discussions (CALEA 35.1.1b).
- Non-probationary members shall be advised, in writing, whenever their performance is deemed to be below expectations (CALEA 35.1.5b). Written notification shall be given whenever a problem behavior has been observed and needs to be corrected. In general, a written notification should be made at least 90 days prior to the end of the rating period. Notification may be made during this period if it is necessary to correct a negative behavior (CALEA 35.1.6, 35.1.9a).
- Informal progress reviews which indicate substandard performance shall be documented and copies given to the member in an effort to provide corrective measures prior to the evaluation (CALEA 35.1.5b, 35.1.9a).

## 2.21.7 INSTRUCTIONS FOR PERFORMANCE REVIEWS (CALEA 35.1.1c, KACP 16.2)

- In order to conduct the member performance reviews/evaluations and to receive a copy of the Management Review Guide, commanders and/or supervisors shall be required to attend the Employee Performance Review System Training (CALEA 35.1.1d).
- Commanders and/or supervisors are required to conduct the civilian/sworn performance reviews/evaluations annually on the member's anniversary date of his/her present classification or within 15 working days of this date. The review/evaluation should be based only on the member's performance during that specific assignment and period (CALEA 35.1.2, 35.1.4, 35.1.5a, KACP 16.5).
- Civilian/sworn performance reviews/evaluations must be submitted to Police Human Resources (HR), by interoffice mail, within ten (10) working days of the date of review.
- All civilian performance reviews shall be retained in the Metro Human Resources office for the entire time that employment is maintained with the LMPD. A copy of all sworn member performance evaluations shall be retained in the Police HR office and the original sent to the Secretary/Examiner of the Louisville Metro Police Merit Board for the entire time that employment is maintained. Following a

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## 2.21.7 INSTRUCTIONS FOR PERFORMANCE REVIEWS (CONTINUED)

separation of service, evaluations shall be retained according to the state retention schedule (CALEA 35.1.5g, KACP 16.11).

- The Employee Performance Review System form for civilians can be located by visiting the Intranet. Click on the "Research & Development" link, click on "Forms" and then click on the "HR Forms" folder. The form must be printed and cannot be submitted electronically (CALEA 35.1.1b).
- The Sworn Personnel Performance Evaluation form (LMPD #06-0053) can be located by visiting the Intranet. Click on the "Research & Development" link, click on "Forms" and then click on the "HR Forms" folder. The form must be printed and cannot be submitted electronically (CALEA 35.1.1b).
- Commanders and/or supervisors should be aware of potential rater biases (e.g. halo effect, pitchfork effect, invalid criteria, recency error, leniency error, central tendency, strictness tendency and bias/prejudice) that can negatively influence the performance review process. In order to avoid these biases, commanders and/or supervisors should review documentation that has been gathered throughout the review cycle and rate performance based on established performance standards (CALEA 35.1.9a).
- One (1) of the main objectives of the review/evaluation system is to continue to improve performance. Each member will be given an opportunity to review the completed review/evaluation, including interviews between the rater and member (CALEA 35.1.7a). The member shall have the opportunity to include their own written comment(s) on the review/evaluation form and sign the completed performance review/evaluation (CALEA 35.1.5d). This will indicate the member has read the review/evaluation (KACP 16.6).
- The member shall also be provided with a copy of the signed performance review/evaluation. This will allow them to focus on their goals and objectives that were discussed in the review (CALEA 35.1.5e, 35.1.7a, KACP 16.12).
- Commanders and/or supervisors conducting the performance reviews/evaluations shall be evaluated by their supervisors regarding the quality of ratings given to civilian/sworn members (CALEA 35.1.8, KACP 16.8). Each performance review/evaluation report shall be reviewed and signed by the rater's supervisor (CALEA 35.1.5c).

## 2.21.8 CONTESTED PERFORMANCE REVIEWS/EVALUATIONS (CALEA 25.1.1a, 35.1.5f, KACP 16.10)

Contested review/evaluation reports may be discussed with the rater and/or their supervisor and, if not resolved, the applicable grievance process may be utilized.



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Chapter: Personnel	
Subject: Promotions	

## **2.22 PROMOTIONS**

### **2.22.1 POLICY**

The Louisville Metro Police Department (LMPD) shall strive to offer equal employment and promotional opportunities on the basis of merit, without unlawful discrimination, and shall fill promotional positions based on applicable federal law, Kentucky law, Louisville Metro Civil Service Board Rules, Louisville Metro Police Merit Board Rules, Louisville Metro Government Personnel Policies and current collective bargaining agreements (CALEA 31.2.3, 34.1.1, KACP 13.2, 15.4).

### **2.22.2 PROMOTIONAL PROCESS ADMINISTRATION (CALEA 34.1.2, KACP 15.3)**

The responsibility and authority for the administration of the LMPD promotional process is assigned to the Louisville Metro Civil Service Board, for civilian members, and the Louisville Metro Police Merit Board, for sworn members.

### **2.22.3 PROMOTIONAL ANNOUNCEMENTS (CALEA 34.1.5, KACP 9.1)**

When a promotional vacancy occurs, the information is posted on the Louisville Metro Human Resources (HR) job postings website and also distributed, via a Position Vacancy Announcement (PVA), from the Civil Service Board, Police Merit Board or LMPD HR, via departmental email, which shall include:

- The identification and job description of the position or job classification (KACP 15.2a)
- Specific eligibility requirements for participation in the promotional process (CALEA 34.1.3a, KACP 15.2c)

The Civil Service Board, Police Merit Board or the LMPD shall also provide eligible applicants with:

- A schedule of the dates, times and locations for all elements of the promotional process (KACP 15.2b)
- Specific testing requirements for participation in the promotional process (CALEA 34.1.3b, KACP 15.2c)
- A description of the process to be used for the testing, evaluation and selection of eligible members within the promotional process (CALEA 34.1.3a-b, KACP 15.2d)

### **2.22.4 PROMOTIONAL PROCESS (CALEA 34.1.4, KACP 15.4)**

Examinations and procedures used to fill promotional vacancies within the LMPD shall be non-discriminatory, job-related, practical in nature and relevant to the position being filled.

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## **2.22.5 PROBATION (CALEA 34.1.7, KACP 15.1)**

A probationary period shall be imposed on newly promoted members to observe and appraise their performance and to assist them in their new position. Probation also provides for a system of removal, if the member's performance fails to meet the required standards for the position. The probationary period for civilian members shall not be less than 30 days or more than one (1) year, except by the approval of the Civil Service Board. The probationary period for sworn members shall be a minimum of one (1) year and may be extended up to six (6) additional months upon showing of just cause by the Chief of Police, or his/her designee (CALEA 32.2.10).

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	Effective Date: 09/08/08 Prv. Rev. Date: 06/10/11 Revised Date: 09/10/12
	Accreditation Standards: CALEA: 16.4.1, 16.4.2, 16.4.3
Chapter: Personnel	
Subject: Civilian Police Volunteers	

## 2.23 CIVILIAN POLICE VOLUNTEERS

### 2.23.1 PURPOSE

The Louisville Metro Police Department (LMPD) and other Metro Government agencies frequently utilize civilian volunteers for a variety of tasks. Departmental civilian police volunteers are under the control of the Community Relations Unit Commander. There are three (3) types of volunteer service, including:

- Regular Volunteer Service: Volunteer service that is ongoing or for a set period of time.
- Community/Service-Learning Volunteer Service: Volunteer service that may be required or assigned by educational, religious or civic organizations.
- Special Event Volunteering: Volunteer service that is daily, episodic or for one (1) event only.

The LMPD and the community benefit tremendously from the numerous volunteer hours worked by committed citizens; however, volunteering must be considered a privilege due to the critical aspects of operating a police department.

Any person wishing to become an LMPD volunteer shall be subject to a background check, reference check, personal interview, etc.

Volunteers do not have sworn police powers and shall not be placed in positions normally held by sworn officers (CALEA 16.4.1a).

### 2.23.2 VOLUNTEER ADMINISTRATOR

The Volunteer Administrator reports to the Community Relations Unit Commander and is responsible for overseeing the operations of the Volunteers in Police Service (VIPS) Program, including volunteer orientation and training. The Volunteer Administrator is responsible for recruiting civilian volunteers, staffing details with relevant volunteers, monitoring volunteers on-site, collecting timesheets, etc. The Volunteer Administrator also monitors the volunteers to ensure compliance with applicable LMPD Standard Operating Procedures (SOPs).

### 2.23.3 VOLUNTEER OPPORTUNITIES (CALEA 16.4.1b)

As a volunteer with the LMPD, there are many opportunities for service. Opportunities include:

- **Volunteer Coordinator:** Schedules volunteers for details, tracks the monthly volunteer detail hours and works with the LMPD Volunteer Administrator.
- **Special Events:** Represents the LMPD at various events throughout the year by answering questions and providing resources to citizens.
- **Division Advisory Board:** Assists the division with its needs.
- **Administrative Assistant:** Assists office staff with various clerical duties (e.g. filing, typing, copying, stuffing envelopes and answering phones).

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Chapter: Personnel	
Subject: Civilian Police Volunteers	

## 2.23.3 VOLUNTEER OPPORTUNITIES (CONTINUED)

- **Neighborhood Watch Captain:** Coordinates the Neighborhood Watch Program within the neighborhood. Neighborhood Watches empower the citizens to work together to help reduce crime as well as watch for, and report, unusual activity around residences and businesses.
- **Chaplain:** Assists the department with personnel in handling a variety of crisis situations and provides citizens with service in times of personal crisis or tragedy. This volunteer position has limited openings (refer to SOP 3.3).
- **Explorer Program:** For young men and women, ages 14 through 20, who are interested in a career in law enforcement. The Explorer Program emphasizes community involvement, character development and leadership.

## 2.23.4 POLICY

The Louisville Metro Government Volunteer Service Handbook, the Louisville Metro Government Volunteer Resource Program Policy and Procedure Manual and the LMPD VIPS Program Handbook require current and prospective volunteers to meet certain requirements, including, but not limited to, the following:

- Volunteers must be at least 16 years of age, unless accompanied by a LMPD supervisor or an authorized adult volunteer.
- Volunteers shall be subject to criminal background checks and/or reference checks and a personal interview. Background checks and reference checks shall be conducted biannually for volunteers with an active status.
- All volunteers must complete the Louisville Metro volunteer registration forms associated with the type of service that they are pursuing (e.g. short-term, ongoing, individual, group, etc.).
- Due to the nature of some assignments, certain volunteers shall be required to complete an Agreement to Volunteer and Accept Workers' Compensation Benefits form prior to being placed in the assignment.
- Volunteers under the age of 18 must have the Agreement to Volunteer and Accept Workers' Compensation Benefits form signed by a parent or legal guardian.
- The LMPD requires two (2) forms of identification in order to become a police volunteer. One (1) form of identification must be a photo identification card, such as a driver's license, state-issued identification, etc. The LMPD also requires the completion of the following VIPS Program forms: LMPD Volunteer Registration form (LMPD #08-0006), Volunteer Confidentiality Statement (LMPD #08-0007), Volunteer General Information form (LMPD #08-0008), Volunteer Work Agreement form (LMPD #08-0009) and the Covenant Not to Sue form (LMPD #03-08-0200).
- Volunteers shall wear their departmentally-issued photo identification while on assignment as a volunteer with the department. The photo identification shall be worn, via a lanyard or clip on the volunteer's shirt, in a visible location. The photo identification shall be used only when volunteering for the department and at no other time.
- Volunteers are responsible for maintaining the confidentiality of all proprietary or privileged information to which they have access, while serving as a volunteer, including confidential information concerning personnel matters, members of the community or relating to Louisville Metro Government and the LMPD.

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### 2.23.4 POLICY (CONTINUED)

- Volunteers shall serve a minimum of 16 hours annually in order to maintain an active status in the volunteer program (Division Advisory Board members may be exempt from hourly requirements). If a volunteer is placed on inactive status, his/her departmentally-issued photo identification shall be turned in to the Volunteer Administrator or other ranking member.

Volunteers are prohibited from handling any money for Metro Government or the LMPD. Volunteers may assist in set-up at venues, but all money must be collected by on-duty Louisville Metro employees.

Volunteers are prohibited from carrying firearms, or other weapons (e.g. impact weapons, less lethal weapons or chemical agents), on their person while serving as a volunteer with the department. A Carry Concealed Deadly Weapon (CCDW) license does not negate this.

### 2.23.5 ORIENTATION/TRAINING (CALEA 16.4.2)

Volunteers shall attend a 1 ½ hour volunteer orientation held by the Community Relations Unit Commander and/or the Volunteer Administrator. The volunteers shall receive a VIPS Program Handbook that is explained to them in detail. The orientation shall be conducted after each graduating Citizens Police Academy (CPA) class. This orientation shall be for those who have completed all of the forms making up the volunteer registration packet.

Volunteers shall have their duties explained and demonstrated based on their assignment. Training on authorized and assigned duties shall be documented in each volunteer's file. Periodically, the Volunteer Administrator shall notify volunteers of any departmental training available and disseminate training bulletins, as needed.

### 2.23.6 DRESS CODE (CALEA 16.4.3)

In order to distinguish civilian volunteers from the police, all volunteers shall wear a navy blue polo shirt with their first initial and last name on the right side of their shirt. The LMPD patch designed to represent their status has the word "VOLUNTEER" at the top of the patch and shall be on the left side of the chest, with "V.I.P.S." underneath the patch.

Volunteers shall wear appropriate attire related to the detail to which they are assigned. The dress code shall be determined by the Volunteer Administrator. Volunteers shall wear their LMPD photo identification, via a lanyard or clip on their shirt, in a visible location while serving in a volunteer capacity.

The CPA class members shall wear a navy blue polo shirt with their first initial and last name on the right side of their shirt. The LMPD patch on the left side has the word "ALUMNI" at the top of the patch with the words "CITIZENS POLICE ACADEMY" above the patch and their CPA Class # and graduating year underneath the patch.

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## **2.23.6 DRESS CODE (CONTINUED)**

Citizens Police Academy Alumni (CPAA) association members shall also wear navy blue polo shirts with their first initial and last name on the right side and the LMPD patch on the left side of their shirt with the word "ALUMNI" at the top of the patch and the words "CITIZENS POLICE ACADEMY" above the patch.

## **2.23.7 TERMINATION OF VOLUNTEER SERVICE**

Volunteer appointments may be terminated, at any time, at the discretion of the Community Relations Unit Commander, with or without cause. There is no appeal process for the termination of a volunteer appointment. Volunteers may also terminate their service at their sole discretion.

All departmentally-owned equipment shall be returned to the Volunteer Administrator immediately upon termination of volunteer status. This includes the departmentally-issued photo identification.

## **2.23.8 VEHICLE USAGE**

Volunteers may, on occasion, be given permission to operate a LMPD vehicle upon meeting all of the mandates set forth in SOP 4.14. All volunteers shall have in their possession a valid operator's license while operating any departmental vehicle.

## **2.23.9 VOLUNTEER RECOGNITION**

Members are encouraged to recognize outstanding performance and service by civilian police volunteers. This not only boosts morale and future performance, but it also encourages more individuals to volunteer. In order to recognize volunteer service and performance, members should contact a ranking member at a particular detail or the Volunteer Administrator in the Community Relations Unit.

## **2.23.10 REQUESTING A VOLUNTEER**

When requesting a civilian police volunteer, members shall complete a Volunteer Request form (LMPD #08-0010). The request must be submitted a minimum of two (2) weeks prior to the assignment. The completed request form should be sent to the Volunteer Administrator.

## **2.23.11 CITIZENS POLICE ACADEMIES**

The purpose of the CPA is to educate the public about police services delivered by the LMPD, in order to foster understanding and community support for the department. The LMPD provides a comprehensive training program that gives participants an overview of the various divisions/sections/units and functions of the department. The sessions are offered several times throughout the year.

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## **2.23.11 CITIZENS POLICE ACADEMIES (CONTINUED)**

The Youth Academy is offered during the summer months and is open to youths between 14 and 17 years of age. The main objective is to gain the confidence of the youths by sharing the police process.

## **2.23.12 EXPLORER PROGRAM**

The LMPD Explorer Program is for young men and women, between 14 and 20 years of age, who are interested in a career in law enforcement. The program provides both classroom instruction and practical exercises that are designed to familiarize participants with law enforcement, in general, and the LMPD, in particular. The LMPD Explorer Program Honor Guard trains to assist the community and the department at various events, which may include award ceremonies, funerals, parades and other functions as deemed necessary.

The Explorers wear several different uniforms, depending on the event to which they are assigned. The description of these uniforms can be found in the Explorer Program Operations Manual (CALEA 16.4.3).

## **2.23.13 INTERNSHIP PROGRAM**

The LMPD, in partnership with local universities, provides an internship program for students majoring in criminal justice areas. All requests for participation in the program shall be sent to the Patrol Services adjutant lieutenant. Internships are normally for one (1) semester and the participants are awarded course credit for their participation in the program. The adjutant lieutenant shall be responsible for informing Police Human Resources (HR) of the names of the interns, the start and end dates of the internship and the assignment location. The adjutant lieutenant shall provide the interns with the proper Metro forms to complete.

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	Accreditation Standards: CALEA: 22.1.1, 22.2.2 KACP: 10.1, 10.2
Chapter: Personnel	
Subject: Member Pay/Compensation	

## 2.24 MEMBER PAY/COMPENSATION

### 2.24.1 POLICY

Louisville Metro Police Department (LMPD) members shall receive pay/compensation based on actual hours accrued or worked. Pay rates shall be based on current Louisville Metro Government personnel policies and collective bargaining agreements (CALEA 22.1.1a-b, d, KACP 10.1a, c).

### 2.24.2 DEFINITIONS

**Overtime:** An amount of time a member works beyond established regular work days of eight (8) or ten (10) hours a day or a regular 40-hour work week.

**Scheduled Overtime:** Overtime that has been scheduled or approved in advance by a commanding officer.

**Compensatory (Comp) Time:** Additional time off given to a member, in lieu of overtime pay, for working beyond established weekly working hours (over 40 hours).

**Differential/Special Duty/Lead Pay:** Non-performance based pay given to a member for working in an acting role for a certain period of time.

### 2.24.3 OVERTIME/COMPENSATORY TIME (CALEA 22.1.1e-f, KACP 10.1d-e)

Prior to working any unscheduled overtime, officers must seek approval from their commanding officer. Approval must come from a commander who is at least one (1) rank above the rank of the officer who is requesting overtime pay (e.g. an officer/detective must receive approval from a sergeant; a sergeant has to receive approval from a lieutenant).

Lieutenants shall seek approval from their division/section/unit commander prior to working any overtime.

Civilian members shall seek approval from their supervisor prior to working any overtime or compensatory (comp) time.

Compensation for any overtime/comp time worked shall be in accordance with current Louisville Metro Government personnel policies and collective bargaining agreements.

Supervisors should only approve overtime that is commensurate with the members rank and assignment (e.g. a commanding officer should not be assigned to an overtime detail to write traffic citations, inspect vehicles or investigate crimes typically investigated by a detective or patrol officer). Supervision of an overtime detail involving multiple sworn staff would generally be an appropriate use of overtime if on-duty supervisors are unavailable and permission is received by the division commander.



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Subject: Member Pay/Compensation	

## **2.24.3 OVERTIME/COMPENSATORY TIME (CONTINUED)**

### **EXCEPTIONS:**

Overtime for specialty team callouts, Police Training Officer (PTO) overtime and court overtime shall be considered scheduled overtime for the purpose of this policy and shall not require additional approval.

**Overtime for late runs and prisoner transports shall not require approval unless they exceed one (1) hour.**

## **2.24.4 DIFFERENTIAL/SPECIAL DUTY/LEAD PAY (CALEA 22.1.1c, KACP 10.1b)**

Prior to working in an acting capacity, approval must be granted to receive differential pay. Approval for differential pay must be given by the rank of lieutenant or above.

Union civilian members must have the approval of their commanding officer prior to receiving differential pay. Non-union civilian members must have the approval of their commanding officer and Louisville Metro Human Resources (HR) prior to receiving differential pay.

Lead pay for Teamsters members must be approved by an Assistant Chief of Police or higher.

Differential pay shall be in accordance with current Louisville Metro Government personnel policies and collective bargaining agreements.

## **2.24.5 COURT PAY**

Members shall follow current departmental procedures for seeking pay for court appearances (refer to SOP 8.2).

## **2.24.6 LIGHT-DUTY AND SICK/INJURY LEAVE (KACP 10.2c)**

Members on light-duty or extended sick/injury leave shall follow current departmental procedures for completing paperwork and receiving pay (refer to SOP 2.9). If the member is unable to complete the required paperwork, it shall be completed by his/her supervisor.

## **2.24.7 TUITION REIMBURSEMENT (CALEA 22.2.2e)**

Louisville Metro Government supports and encourages employees to improve their job-related skills and knowledge and to acquire the education necessary to enhance their skills or prepare for career-related promotional opportunities.

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### 2.24.7 TUITION REIMBURSEMENT (CONTINUED)

To apply for tuition reimbursement, the Application for Tuition Reimbursement form must be completed by the requesting member. The form can be found on the LMPD Intranet. Click on the "Forms" link on the right side of the page, double click on the "HR Forms" folder and then double click on the "Tuition Reimbursement" folder. In addition to this form, the member shall provide a copy of his/her most recent performance evaluation and a written summary that addresses each of the following questions:

- How will these courses prepare the member in his/her current classification? Explain how it will support or improve the skills for the member's current job responsibility.
- How will this coursework prepare the member for other promotional opportunities within Louisville Metro Government? Please identify future positions and ensure that the position requirements are directly related to the educational program.

Once the application is completed and the required information has been gathered, the entire packet shall be scanned so that it can be sent together, via one (1) email, to the Assistant Chief of Police/Administrative Bureau. This emailed packet must be received by the Assistant Chief of Police/Administrative Bureau at least 15 working days before the class is scheduled to begin.

To be eligible for tuition reimbursement, the following requirements must be met:

- A full-time or regular part-time (17.5 hours per week) Metro Government employee
- Have an active status within Metro Government (cannot be on unpaid, paid leave of absence or laid off)
- Agree to remain employed with Metro Government for at least six (6) months following reimbursement payment at the conclusion of the course
- Course work must be either job-related or career-related
  - Directly supports and/or improves skills required for his/her current job assignments, duties or responsibilities
  - Directly prepares the member for advancement within his/her current classification
  - Directly develops administrative or management capacity
  - Coursework is necessary to obtain an undergraduate degree to qualify for promotional opportunities
  - Courses are taken at a fully accredited college, university or educational institution
- A grade of "C" for undergraduate courses, "B" for graduate courses or "Pass" if the only options are "Pass/Fail"

Approved courses will be reimbursed after the submittal of the Request for Tuition Reimbursement form, the final grade report, tuition expenses and book receipts. This information must be submitted to Louisville Metro HR, no later than 30 days following the completion of the course. If this information is submitted after the 30 days, the original request shall be considered null and void.

More information on this process can be found in the Louisville Metro Personnel Policies 5.4, Tuition Assistance.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.25
	Effective Date: 09/10/10
	Accreditation Standards: CALEA: 24.1.1, 24.1.2
Chapter: Personnel	
Subject: Collective Bargaining	

## 2.25 COLLECTIVE BARGAINING

### 2.25.1 PURPOSE

The purpose of this policy is to describe the role of the Louisville Metro Police Department (LMPD) in the collective bargaining process with the River City Fraternal Order of Police (FOP) Lodge No. 614, Teamsters (Local Union No. 783) and the Louisville Metro Traffic Guards Association.

### 2.25.2 POLICY

It shall be the policy of the LMPD to bargain in good faith with all duly recognized bargaining units representing affected members regarding wages, hours and conditions of work (CALEA 24.1.1c). This good faith obligation does not compel either party to agree to a proposal or make a concession. The LMPD shall abide by the ground rules for collective bargaining and any subsequent applicable law(s) that arise out of the collective bargaining process or labor arbitration (CALEA 24.1.1d). The LMPD shall also abide, in both letter and spirit, by the negotiated labor agreements that have been signed by management, labor representatives and ratified by the bargaining unit (CALEA 24.1.1e).

### 2.25.3 PROCEDURES (CALEA 24.1.1a-b)

Louisville Metro Government and the LMPD shall bargain collectively with the certified bargaining unit representing the personnel covered by a labor agreement. The Chief of Police shall appoint personnel from the department as a member of the bargaining team. Members representing the Chief of Police (e.g. designees) in the negotiation process shall consult with the Chief of Police on matters under his/her purview. The Mayor of Louisville Metro shall select the principal negotiator for Metro Government.

### 2.25.4 RATIFICATION

Upon ratification of a negotiated agreement by all parties, the Chief of Police, or his/her designee, shall obtain a written, signed copy of the labor agreement (CALEA 24.1.2a). All policies and procedures shall be reviewed and amended, as necessary, to comply with the terms of the labor agreement (CALEA 24.1.2b). All information relative to the new labor agreement, including modifications to existing agreements, shall be disseminated to commanders, supervisors and affected personnel (CALEA 24.1.2c). All commanders and supervisors shall be required to be familiar with the contents of, and ensure compliance with, the provisions of the collective bargaining agreement(s). Copies of all labor agreements/contracts shall be posted in the Research and Development folder, located on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header and click on the "Labor Contracts, Police Merit Board Rules and Civil Service Rules" link.

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	Accreditation Standards: CALEA: 22.3.2, 22.3.3
Chapter: Personnel	
Subject: Fitness and Wellness Program	

## 2.26 FITNESS AND WELLNESS PROGRAM

### 2.26.1 POLICY

The very nature of police work necessitates that all members of the Louisville Metro Police Department (LMPD) maintain a minimum level of fitness. The LMPD recognizes that physically fit employees make better employees and encourages its members to participate in health and wellness programs offered through the department and Metro Government on a voluntary basis (CALEA 22.3.3a, c). Being physically fit is a benefit, not only to the individual member, but to the community that he/she serves. Therefore, it shall be the policy of the LMPD to maintain three (3) gym facilities (located at 633 West Jefferson Street, 810 Barret Avenue and 2911 Taylor Boulevard) for the benefit of its members. Since these facilities are a benefit, the LMPD, except when liable, accepts no responsibility for any injuries arising from non-job-related activities occurring at these gyms.

### 2.26.2 PURPOSE

To carry out the department's responsibility to provide the best possible police service to the citizens of Louisville Metro and to minimize the risk of injury or illness, all officers are encouraged to maintain a level of physical fitness that will enable them to carry out any task that they may be called upon to perform (CALEA 22.3.2). Civilian employees are also encouraged to maintain physical fitness to improve their health and morale, reduce sick leave and increase job productivity.

### 2.26.3 FITNESS

The members of the LMPD are encouraged to use the gym facilities provided at no charge. Gym memberships are also provided to LMPD retirees at no charge, but retirees must fill out an annual application form. Other Metro employees, Metro retirees and family members of LMPD or Metro employees may purchase a membership for an annual fee. A Gym Membership Application form (LMPD #11-0025), the Assumption of Risk Agreement and Release of all Claims form (LMPD #11-0026) and a copy of the Gym Users Terms and Conditions (LMPD #11-0027) may be obtained from the Administrative Bureau Lieutenant.

The gyms are locked at all times but can be accessed 24/7 by LMPD members. The gyms can be accessed between the hours of 0500 and 2200 hours, seven (7) days a week, by all other non-LMPD gym members. A member's Metro ID card or an assigned key fob can be used to access the gyms.

The LMPD employs a certified physical fitness instructor, who is available, by appointment, for individual exercise programs, diet and nutrition education, exercise science, fitness assessments, body composition testing and goals (CALEA 22.3.3b-d). The fitness instructor can be reached at (502) 574-7658. The fitness instructor also conducts Physical Fitness In-Service classes for LMPD officers and recruit classes (CALEA 22.3.3e).

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Chapter: Personnel	
Subject: Fitness and Wellness Program	

## 2.26.4 WELLNESS

Wellness is a state of optimum health and well-being achieved through the active pursuit of good health and the removal of barriers to healthy living. Members have a personal responsibility for their health. The LMPD encourages its members to adopt behaviors that will improve their health.

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Chapter: Personnel	
Subject: Recruitment and Selection	

## 2.27 RECRUITMENT AND SELECTION

### 2.27.1 POLICY

The Louisville Metro Police Department (LMPD) shall strive to actively recruit and select applicants based on the best qualified applicant pool, which is representative of the demographics of the community as a whole (CALEA 31.1.1). The Training Division shall be responsible for coordinating all sworn recruitment and those members conducting recruitment activities shall be knowledgeable in personnel recruitment matters and undergo training to ensure this (CALEA 31.1.1, 31.1.2).

The LMPD shall maintain a recruitment plan for all full-time sworn personnel. Members of the Recruitment and Selection Unit of the Training Division shall be responsible for the administration of the recruitment plan (CALEA 31.2.1c). The recruitment plan shall include elements of the demographic/geographic characteristics of the city and also include past successful recruitment initiatives/efforts of the LMPD and comparable law enforcement agencies. The recruitment plan shall include the following (CALEA 31.2.1a-b):

- Statement of objectives
- Plan of action to achieve these objectives

The Recruitment and Selection Unit shall conduct an annual analysis report of the recruitment plan. The analysis shall include the following (CALEA 31.2.2a-b):

- Evaluation procedures to measure the progress toward the stated objectives
- The results of the recruitment efforts, such as the number of applicants from each source and the number of successful hires
- Any revisions to the plan, as needed

### 2.27.2 EQUAL EMPLOYMENT OPPORTUNITY (CALEA 31.2.3, KACP 13.2)

The LMPD shall strive to offer equal employment opportunities on the basis of merit, without unlawful discrimination, and shall ensure that positions are filled without regard to a person's race, color, ethnicity, gender, age, religion, national origin, disability, sexual orientation or gender identity. The LMPD shall offer employment and promotional positions based on applicable federal law, Kentucky law, Louisville Metro Civil Service Board Rules and Regulations, Louisville Metro Police Merit Board Rules and Regulations, Louisville Metro Government Personnel Policies and current collective bargaining agreements (CALEA 34.1.1, KACP 15.4).

If a member believes that he/she has been subjected to discrimination, he/she shall report the incident to his/her supervisor, commanding officer or Police Human Resources (HR) without delay.

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Chapter: Personnel	
Subject: Recruitment and Selection	

## 2.27.3 EMPLOYMENT VACANCY ANNOUNCEMENTS

Louisville Metro Human Resources shall be responsible for posting employment vacancies on the city's website and also advertise employment vacancies through other electronic media, print media and community/social service organizations (CALEA 31.3.1b, 31.3.2). These postings shall include, but not be limited to, the following information:

- A description of the duties, responsibilities, requisite skills, educational level and other minimum requirements or qualifications to be met by the applicant (CALEA 31.3.1a)
- The notice that the LMPD is an equal opportunity employer (CALEA 31.3.1c)
- The filing/closing date for the position (CALEA 31.3.1d)

## 2.27.4 EMPLOYMENT APPLICATION PROCESS (KACP 13.1)

Louisville Metro HR, the Louisville Metro Civil Service Board and the Louisville Metro Police Merit Board are responsible for accepting applications for employment vacancies within the LMPD. Louisville Metro HR, the Louisville Metro Civil Service Board, the Louisville Metro Police Merit Board and/or the LMPD Recruitment and Selection Unit are also responsible for notifying applicants of application errors or omissions, important testing dates and the final employment determination/disposition (CALEA 31.3.3). Applications shall not be rejected due to simple errors or omissions which can be quickly corrected (CALEA 31.3.4).

The employment application process shall be in accordance with Louisville Metro Civil Service Board Rules and Regulations, Louisville Metro Police Merit Board Rules and Regulations and Louisville Metro Government Personnel Policies (CALEA 32.1.1). The employment application process shall be administered, scored, evaluated and interpreted in a uniform manner, regardless of the desired position, by Louisville Metro HR, the Louisville Metro Civil Service Board and the Louisville Metro Police Merit Board (CALEA 32.1.3). The application process for sworn personnel consists of elements that are job-related (e.g. written examination, physical examination, psychological evaluation, etc.) in order to measure the applicant's fitness for duty as a sworn officer (CALEA 32.1.2).

The elements of the application process may consist of, but are not limited to, the following (CALEA 32.1.4a):

- Initial written application
- Physical agility or proficiency
- Job-related skills evaluation/examination
- Oral interview
- Background investigation/check
- Polygraph examination (refer to SOP 8.28)
- Psychological examination/evaluation (refer to SOP 2.19)
- Physical examination/evaluation (refer to SOP 2.19)

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Chapter: Personnel	
Subject: Recruitment and Selection	

## 2.27.4 EMPLOYMENT APPLICATION PROCESS (CONTINUED)

At the time of the individual's formal application, candidates for all positions shall be notified, in writing, of the following by Louisville Metro HR (CALEA 32.1.4 a-c):

- All elements of the selection process
- The expected duration of the application process
- The process of reapplication, if the initial application is denied/rejected

Background investigations of each candidate shall be conducted prior to employment. The background investigations shall be conducted by personnel who are trained and knowledgeable in obtaining the required information (CALEA 32.2.2). Background investigations shall consist of, but not be limited to, the following (CALEA 32.2.1a-c):

- A verification of qualifying credentials
- A review of any criminal record
- A verification of at least three (3) personal references

The retention of background investigation materials shall be in accordance with federal, state and local retention schedules (CALEA 32.2.3).

All applicants not selected for positions shall be informed, in writing, by the LMPD Recruitment and Selection Unit (CALEA 32.1.5). The disposition of the application records of those not selected for appointment shall be in accordance with federal, state and local retention schedules (CALEA 32.1.6).

## 2.27.5 EMPLOYMENT APPLICATION RECORD RETENTION

All employment records (e.g. applications, forms, evaluations, etc.) shall remain secure and confidential and accessed only by those individuals who are authorized to do so (CALEA 32.1.7). Louisville Metro HR and the Training Division shall be responsible for the retention. The retention and disposal of all employment records (e.g. applications, forms, evaluations, etc.) shall be in accordance with federal, state and local retention schedules (CALEA 32.1.6).



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.28
	Effective Date: 10/10/11 Revised Date: 11/10/11
	Accreditation Standards: CALEA: 35.1.9
Chapter: Personnel	
Subject: Personnel Early Warning System	

## **2.28 PERSONNEL EARLY WARNING SYSTEM**

### **2.28.1 POLICY (CALEA 35.1.9b)**

The Louisville Metro Police Department (LMPD) recognizes that problematic behavior is a serious issue and that early intervention is important to achieve a successful outcome for both members and the department. Personal and/or work issues can have a profound effect on individuals. The LMPD uses a Personnel Early Warning System (PEWS) software program called IAPro, administered by the Professional Standards Unit (PSU), for the purpose of identifying work-related problematic behavioral patterns among members. The department has numerous resources available to assist members in the treatment of these behaviors (e.g. Employee Assistance Program (EAP), peer counseling, remedial training, etc.).

### **2.28.2 RECOGNIZING PATTERNS OF COLLECTED MATERIAL (CALEA 35.1.9a)**

Supervisors are the primary personnel responsible for recognizing changes in member behavior/performance. Supervisors, along with Police Human Resources (HR), should ensure that members are given access to the appropriate resources for correction/improvement. Employee performance reviews/evaluations and complaints are an excellent resource for determining changes in a member's on-the-job behavior/performance.

The IAPro software program collects information from a variety of incidents to identify trends in member performance. The program tracks data such as complaints, use of force incidents, pursuits, administrative discipline, etc. and alerts the PSU when repeated incidents occur over a set period of time. This allows the PSU to react more quickly to behavioral issues and assists in identifying these for departmental intervention.

### **2.28.3 SUPERVISOR RESPONSIBILITY (CALEA 35.1.9d)**

The member's supervisor is often the first to recognize changes in behavior/performance of those under his/her command. Therefore, supervisors are the key to early intervention and a successful outcome. Supervisors are encouraged to speak with those under his/her command whenever changes in behavior/performance are noticed. Documentation of any communication shall also be made. If a member does not feel comfortable speaking to his/her supervisor, the supervisor shall refer the member to Police HR or the EAP (refer to SOP 2.17).

Performance evaluations, disciplinary actions, use of force incidents, traffic accidents and workers' compensation claims may reveal changes in member behavior/performance. Supervisors shall recognize and document these changes. Every member shall be evaluated by his/her supervisor through the Employee Performance Review System (refer to SOP 2.21). Performance reviews are an excellent way to document changes/deficiencies in employee behavior/performance and also recommend or require areas for improvement.

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## **2.28.3 SUPERVISOR RESPONSIBILITY (CONTINUED)**

Supervisors shall also be responsible for following-up with the member and/or other parties involved to ensure that the member is taking advantage of, or participating in, the appropriate resources for improvement (CALEA 35.1.9e).

## **2.28.4 ANNUAL EVALUATION/RETENTION (CALEA 35.1.9c)**

The PSU shall conduct an annual audit of the IAPro system to ensure that the information contained in the system is accurate. Information contained in the system shall be retained in accordance with federal, state and local retention schedules.

## **2.28.5 MEMBER RESOURCES (CALEA 35.1.9f)**

Members shall be provided with the resources necessary to obtain assistance with personal and on-the-job issues. These resources include, but are not limited to, the member's supervisor, an annual performance evaluation (refer to SOP 2.21), the EAP (refer to SOP 2.17), the departmental mental health professional/psychologist, the departmental chaplains, Police HR and the Peer Support Team (PST).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.29
	Effective Date: 07/08/13
	Accreditation Standards: CALEA: 35.1.9
Chapter: Personnel	
Subject: Traumatic Events	

## 2.29 TRAUMATIC EVENTS

### 2.29.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes that its members are the agency's most valuable asset and deserve the highest standard of care. The very nature of police work creates a great likelihood that a member of the LMPD will experience a traumatic or distressing event during his/her career. The LMPD recognizes that these types of events can cause significant distress to its members. It shall be the policy of the LMPD to provide assistance to members who have experienced traumatic events and assist in relieving the distressing effects of these events. The department has numerous resources available to assist members with the distressing effects of traumatic events. This policy shall cover all traumatic or distressing events other than those covered by SOPs 2.5 and 8.12.

### 2.29.2 DEFINITIONS

**Traumatic Event:** An experience that causes physical, emotional or psychological distress/harm. It is an event that is perceived and experienced as a threat to one's safety or to the stability of the area around the person. This challenging event has the potential to create significant human distress and can overwhelm one's usual coping mechanisms. Examples of traumatic events include, but are not limited to:

- Significant events involving children (e.g. deaths, serious injuries, etc.)
- Line-of-Duty Deaths (LODDs)
- The suicide of a colleague
- Serious injury in the line of duty
- Homicide response
- Traffic fatalities
- Disaster or multi-casualty incidents
- Events with excessive media interest
- Known victims of crime
- Cumulative events
- Any event with a significant threat to those involved

### 2.29.3 SUPERVISOR RESPONSIBILITY (CALEA 35.1.9d)

The member's supervisor is often the first to recognize if a member has experienced a traumatic event. Therefore, supervisors are the key to early intervention and helping members cope with the distressing effects of a traumatic event. Supervisors are encouraged to speak with members under their command who have potentially experienced a traumatic event and inquire about their well-being (CALEA 35.1.9b).

If a supervisor believes that a member under his/her command has experienced a traumatic event which is causing the member significant distress, the supervisor shall contact the commander of the Peer Support Team (PST). The PST provides assistance to the member to cope with the distressing effects of the traumatic event. A member of the PST shall work with the member and the member's supervisor to determine the level of assistance needed and the most appropriate resource(s) to assist the member (CALEA 35.1.9f).

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## 2.29.3 SUPERVISOR RESPONSIBILITY (CONTINUED)

Regardless of what level of assistance that has been provided or the resources that have been used, the goal is to provide mechanisms to facilitate the resistance, resilience and recovery from traumatic events.

## 2.29.4 MEMBER RESOURCES

Members shall be provided with the resources necessary to obtain assistance in dealing with the distressing effects of traumatic events. These resources include, but are not limited to, the following:

- The member's supervisor.
- The Employee Assistance Program (EAP) (refer to SOP 2.17).
- The departmental mental health professional/psychologist – Members shall contact the Chief's Office for access.
- The departmental chaplains – Members should contact MetroSafe who will page the on-call chaplain.
- The PST – Members can contact PST members via the following methods:
  - Phone - Phone numbers for team members can be found on the LMPD Intranet homepage under the Division/Unit Monthly Rundown sheets, Support Bureau - SOD;
  - MetroSafe - MetroSafe who can page a Peer Support Team member; or
  - Email - An email can be sent to "LMPD Peer Support" located within the department's email distribution list.

The involved member(s), the member's supervisor and a member of the PST shall work together to determine the most appropriate resource(s) necessary to assist the member (CALEA 35.1.9f).

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Standard Operating Procedures	SOP Number: 3.1
	Effective Date: 12/01/04 Prv. Rev. Date: 12/10/12 Revised Date: 02/10/13
	Accreditation Standards: CALEA: 1.3.6, 1.3.7 KACP: 1.11, 20.2
Chapter: Communications	
Subject: Administrative Incident Report (AIR)	

## 3.1 ADMINISTRATIVE INCIDENT REPORT

### 3.1.1 REPORTING GUIDELINES

An Administrative Incident Report (AIR) (LMPD #03-03-0001) shall be completed by an on-duty division/section/unit commanding officer of the primary member involved in an incident requiring an AIR. If the primary member is off-duty at the time of the incident, a commanding officer from the division where the incident occurred shall be responsible for the completion of the AIR. An AIR shall be completed in the following situations:

- Discharge of firearms (CALEA 1.3.6a, KACP 1.11a). The only exceptions being for target practice and the humane shooting of gravely injured non-domesticated animals. A commanding officer shall complete the AIR form in any instance where the discharge of a firearm causes an injury.
- A person or officer is injured, or complains of an injury, as a result of a police action (CALEA 1.3.6b, KACP 1.11b).
- A fresh arrest resulting in a charge of Resisting Arrest and/or Assault 3<sup>rd</sup> Degree on a Police Officer.
- A member is injured while on-duty or on official business.
- A member has an eye, mouth, other mucous membrane, non-intact skin or parenteral contact (exposure) with blood or other potentially infectious materials (OPIM) (refer to SOP 12.2.11).
- An officer uses force to withdraw evidence from a suspect's mouth.
- Physical force, other than a control hold, is used to affect an arrest (CALEA 1.3.6d).
- Medical transport of sick or injured persons.
- Vehicular pursuits.
- Escape of prisoner(s).
- When chemical agents are used (CALEA 1.3.6c, KACP 1.11c).
- When Electronic Control Weapons (ECWs) are used in any of the following ways (CALEA 1.3.6c, KACP 1.11c):
  - An ECW cartridge is deployed, whether the deployment was successful, accidental or intentional.
  - The ECW stun feature is used on an individual.
  - The ECW arc is displayed to encourage compliance.

An AIR is not required for the accidental activation of the stun feature/arc display unless it makes contact with another individual.

- Use of Special Impact Munitions Systems (SIMS). These situations will be documented even when a miss occurs.
- Damage to property as a result of police action.
- Strip searches.
- Search of premises, without consent, based on exigent circumstances.
- Following the service of a "no knock" search warrant.
- When an individual has been placed under arrest, and subsequently released, without being incarcerated, for reasons that include, but are not limited to, the following:

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## 3.1.1 REPORTING GUIDELINES (CONTINUED)

- An arrest made on the mistaken identity of the suspect.
- An arrest on a warrant that was recalled or previously served without the officer's knowledge.
- An individual is cited in lieu of a physical arrest, under circumstances that would routinely require the completion of an AIR (e.g. a minor offense committed by a subject with an injury or illness that would prevent him/her from being allowed to enter the jail without medical treatment).
- An officer, subsequent to arrest but prior to incarceration, determines that probable cause no longer exists to make an arrest.

The AIR should be completed as soon as possible following the incident, but must be completed and forwarded no later than the end of the member's tour of duty. The AIR shall be routed as follows (CALEA 1.3.7):

- The original AIR and pertinent attachments shall be forwarded, through the chain of command, to the appropriate division/section/unit commander, who shall maintain custody of the form until the photographs are developed.
- Before the end of his/her tour of duty, the immediate supervisor shall email a "draft" copy of the AIR to the "LMPD AIR" group and to the appropriate division command staff (e.g. LMPD 1<sup>st</sup> Division Command Staff). If the incident took place in a division other than the one that the member is assigned to, a copy of the AIR shall also be emailed to the division command staff where the incident occurred.
- If the email system is unavailable, the immediate supervisor shall fax the "draft" copy of the AIR to the Professional Standards Unit (PSU) Commander, before the end of his/her tour of duty. This copy shall be for reference purposes only and shall be destroyed after the original AIR has been reviewed and forwarded to the PSU for filing.
- Digital Image Management System (DIMS) procedures shall be followed. Members shall download all digital images from the media card into DIMS, via any Louisville Metro Police Department (LMPD) DIMS download station, by the end of the member's tour of duty. If a member is experiencing difficulties downloading images into DIMS due to password issues, etc., he/she shall contact the Metro Technology Services (MTS) Service Desk at (502) 574-4444 for assistance. If a member is trying to download the images outside of the normal operating hours of MTS (0730-2200 hours, Monday through Friday), he/she shall deposit his/her media card into the Property Room for chain of custody purposes and download the images into DIMS once the issue has been corrected. The Photo Lab shall be responsible for producing official images and recording the images onto a CD (refer to SOP 4.26). Requests for copies of audio and video recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to the Open Records Coordinator's Office. Requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (refer to SOP 4.1.10) (KACP 20.2b). All requests for photos, from persons or agencies outside of the LMPD, shall be directed, in writing, to the LMPD Photo Lab, via the Open Records Request Photo Request form (LMPD # 10-0005).
- The digital images shall be printed and returned to the respective division/section/unit commander, where they will be attached to the original AIR and forwarded, through the appropriate chain of command, to the Chief of Police.
- Once the review process has been completed, the AIR and all attachments shall be forwarded to the PSU for filing.

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## 3.1.1 REPORTING GUIDELINES (CONTINUED)

Nothing in this policy shall prohibit commanding officers from completing this report for incidents other than those listed above. For the purposes of this policy, acting sergeants shall be considered commanding officers.

## 3.1.2 INJURY PRIOR TO POLICE CONTACT INCIDENT REPORT

When a subject placed into custody has pre-existing injuries which are clearly not the result of a police action, the officer shall notify his/her on-duty commanding officer. The commanding officer shall determine if the Injury Prior to Police Contact Incident Report (LMPD #11-0011) is sufficient, or whether an AIR is needed. The Injury Prior to Police Contact Incident Report documents injuries that were not caused during the police contact (e.g. bruises which have become multi-colored, scars, etc.). The officer shall then fill out the appropriate form. Officers shall document the arrested person's injuries by photographing the particular injury/injuries (refer to SOP 3.2.1). The officer shall order the pictures from DIMS and submit them along with the completed form and a copy of the arrest/citation, through the appropriate chain of command, as noted below.

The Injury Prior to Police Contact Incident Report should be completed as soon as possible following the incident, but must be completed and forwarded no later than the end of the member's tour of duty. The report shall be routed as follows:

- The original Injury Prior to Police Contact Incident Report and pertinent attachments shall be forwarded, through the chain of command, to the appropriate division/section/unit commander, who shall maintain custody of the form until the photographs are developed.
- Before the end of his/her tour of duty, the immediate supervisor shall email a "draft" copy of the Injury Prior to Police Contact Incident Report to the "LMPD AIR" group and to the appropriate division command staff (e.g. LMPD 1<sup>st</sup> Division Command Staff). If the incident took place in a division other than the one that the member is assigned to, a copy of the Injury Prior to Police Contact Incident Report shall also be emailed to the division command staff where the incident occurred.
- If the email system is unavailable, the immediate supervisor shall fax the "draft" copy of the Injury Prior to Police Contact Incident Report to the PSU Commander, before the end of his/her tour of duty. This copy shall be for reference purposes only and shall be destroyed after the original Injury Prior to Police Contact Incident Report has been reviewed and forwarded to the PSU for filing.
- DIMS procedures shall be followed. Members shall download all digital images from the media card into DIMS, via any LMPD DIMS download station, by the end of the member's tour of duty. If a member is experiencing difficulties downloading images into DIMS due to password issues, etc., he/she shall contact the MTS Service Desk at (502) 574-4444 for assistance. If a member is trying to download the images outside of the normal operating hours of MTS (0730-2200 hours, Monday through Friday), he/she shall deposit his/her media card into the Property Room for chain of custody purposes and download the images into DIMS once the issue has been corrected. The Photo Lab shall be responsible for producing official images and recording the images onto a CD (refer to SOP 4.26). Requests for copies of audio and video recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to the Open Records Coordinator's Office. Requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (refer to SOP 4.1.10) (KACP 20.2b). All requests for

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## 3.1.2 INJURY PRIOR TO POLICE CONTACT INCIDENT REPORT (CONTINUED)

photos, from persons or agencies outside of the LMPD, shall be directed, in writing, to the LMPD Photo Lab, via the Open Records Request Photo Request form (LMPD #10-0005).

- The digital images shall be printed and returned to the respective division/section/unit commander, where they will be attached to the original Injury Prior to Police Contact Incident Report and forwarded, through the appropriate chain of command, to the Chief of Police.
- Once the review process has been completed, the Injury Prior to Police Contact Incident Report and all attachments shall be forwarded to the PSU for filing.



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<b>Standard Operating Procedures</b>	SOP Number: 3.2
	Effective Date: 04/17/03 Prv. Rev. Date: 02/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.3.7
Chapter: Communications	
Subject: Administrative Incident Report (AIR) Instructions	

## 3.2 ADMINISTRATIVE INCIDENT REPORT (AIR) INSTRUCTIONS

### 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT

#### Basic Incident Information:

PSU Control Number:	For Professional Standards Unit (PSU) use.
Preliminary/Incident Control Number (ICN):	Request from MetroSafe
Nature of incident:	Type of run received or what prompted police action.
Date and Time:	Date and time of the incident.
Name of subject:	Name of the person involved in a police action who has been injured, had force used against him/her by the police, has been strip searched or was involved in a pursuit.
Address:	This information pertains to the involved citizen only.
DOB (Date of Birth):	This information pertains to the involved citizen only.
Height:	This information pertains to the involved citizen only.
Weight:	This information pertains to the involved citizen only.
Race/Sex:	This information pertains to the involved citizen only.
Phone #:	This information pertains to the involved citizen only.
Location of the incident/arrest:	Location of the arrest, detention or property damage.
Charge(s):	Charge(s) for which the involved citizen was taken into custody.
Members:	All members present must be listed on this report. Involved members' actions must be listed in the narrative. Members taking no action, but present at the scene, should be listed in the witness section only.

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## 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT (CONTINUED)

### Injuries and Causes:

Subject injured prior to arrest:	Check yes or no. If yes, describe the injuries and how they were sustained.
Subject injured due to use of force:	Check yes or no. If yes, describe the injuries and how they were sustained. The effects of Oleoresin Capsicum (OC) Spray alone do not constitute an injury.
Subject injured by any other means:	Check yes or no. If yes, describe the injuries and how they were sustained.
Medical treatment necessary:	Check yes or no. Utilize the check box next to the appropriate responding agency. Enter the wagon or truck number.
Name of hospital/ER physician:	If transported to a medical facility, enter which hospital, the treating Emergency Room (ER) physician and whether the involved citizen was admitted. Any time a less-lethal delivery system is used, the subject will be transported to the hospital for an examination.
Member/First aid:	If a member administered first aid, enter the officer's name and the type of first aid that was administered.

### Emotional Condition and Resistance of Suspect:

Emotional condition:	Check which best describes the emotional condition of the subject when he/she was first observed. If necessary, use the narrative section to describe the condition in greater detail.
Type of resistance:	Check every level of resistance encountered. If a weapon was used, specify in the blank what type of weapon was used.

### Control and Its Effectiveness:

Control techniques:	Check every control technique used by the officer. If an Electronic Control Weapon (ECW) was used, make sure to include the additional information requested in the narrative section.
Force effective:	Enter which technique used was effective.

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## 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT (CONTINUED)

### Other Arrests and Witnesses:

Other arrests:	Check yes or no. If yes, attach the arrest slip to the AIR along with the suspect's arrest slip.
Witnesses:	Enter the name, address and telephone number of any witnesses. This could include officers who may have witnessed the incident, but were not involved, or anyone other than the driver in a vehicle pursued by the police.

### Member Injured/Suffered Line of Duty Exposure:

Member:	Check yes or no. Yes should be checked if the member was injured during a police action, any involvement in the capture and/or control of the subject or during a pursuit. Yes should also be checked if the member was exposed to blood or other potentially infectious materials (OPIM) as a result of the incident. If yes is checked in either box, enter the name and code number of the injured/exposed member, along with a description of the injuries/exposure and whether the member required treatment. If yes is checked in either box, enter whether a Health & Safety Officer was contacted and the date and time that he/she was contacted.
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### Property Damage:

Property:	If property was damaged as a result of a police action, check yes and enter the property owner's name, address and telephone number along with a description of the damage. This includes, but is not limited to, accidental damage due to police involvement and intentional damage by police, such as forcible entry on a search warrant or a forced stop in a pursuit.
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## 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT (CONTINUED)

### Pursuits:

Dates and times initiated and terminated:	Date and time that the actual pursuit began and ended.
Locations of origination and termination:	Street address, block number, cross streets or interstate mile marker, etc., at which the pursuit began and was terminated.
Unit #:	Unit number of the officer initiating the pursuit.
# of units:	Number of Louisville Metro Police Department (LMPD) units in pursuit at once.
Max. speed attained:	Maximum speed attained by any unit involved in the pursuit.
Pursuit length:	Total distance of the pursuit, in miles, to the nearest tenth.
Supervisor in charge & time notified:	Commanding officer in charge of the pursuit and the time that he/she was notified by MetroSafe.
Other agencies:	List all of the other agencies involved in the pursuit and include the officer's call number or equipment number.
Charge:	List the charge for which the subject fled in order to avoid arrest.
Termination event:	Check the box which describes the event terminating the pursuit.
Pursued vehicle:	Check the box for vehicle or type or, if different, indicate type after "other."
Conditions:	Check the conditions present during the pursuit. More than one (1) box in a section may be checked, if applicable.
Police vehicle:	Check whether the two (2) lead police vehicles were marked/unmarked, and the year, make and model of both vehicles. Include whether the vehicles had emergency equipment.

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## 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT (CONTINUED)

### Narrative:

Narrative:	Use this section to give a factual and accurate account of the incident and the specific actions taken by <b>each</b> member at the scene. If a member responded to the scene and acted <b>only</b> as a witness, he/she should be listed in the witness section. If an ECW was used, include the approximate distance to the subject when the ECW cartridge was deployed. Note if there was a need for additional deployments or applications and indicate if, and where, the probes penetrated the subject's skin.
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### Officer's Responsibilities:

Photos:	At least one (1) photo of the front and back of the subject must be taken on all use of force incidents, even if no apparent injury is visible. If the subject is injured, either prior to police involvement or as a result of police involvement, close-up pictures of the injuries should be taken. Likewise, if the member suffered any injury, disarray or damage to their person, uniform or equipment, photos should be taken with close-ups of the injury or damage. The same type of photos should be taken of any damage to property and should also include a photo of the posted address outside. Scene photos should include pictures of the area or building, the room or rooms involved and close-ups of any damage or items of evidentiary value. The photos must accompany the copy of the AIR that is sent directly to the Chief's Office.
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Attached:	Forms filed in relation to the incident must be attached to the original AIR and forwarded, through the appropriate chain of command, to the Chief's Office. In a Crisis Intervention Team (CIT) incident involving a mentally ill subject where force is used, the CIT form should be attached, even though the CIT officer is not the officer to use force. The on-scene supervisor shall be responsible for ensuring that all forms and photos are properly completed and submitted.
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## 3.2.1 COMPLETION OF THE ADMINISTRATIVE INCIDENT REPORT (CONTINUED)

Review:	<p>Acting sergeants and commanding officers are prohibited from investigating their own use of force incidents and completing/reviewing their own AIR(s). Commanding officers are prohibited from investigating or completing an AIR on an officer of the same rank.</p> <p>Each commanding officer in the involved member's chain of command, including the investigating supervisor, is responsible for completing or reviewing the AIR and commenting on the appropriateness of the police action. The original AIR and attachments must be forwarded, through the chain of command, to the appropriate Support Bureau Commander or Patrol Services Commander (CALEA 1.3.7). The Chief's Office will determine the dissemination of AIR copies, as needed, throughout the department.</p>
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# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.3
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	Accreditation Standards: CALEA: 54.1.1, 54.1.3 KACP: 20.1-20.4, 28.7
Chapter: Communications	
Subject: Media and Public Relations Office	

## 3.3 MEDIA AND PUBLIC RELATIONS OFFICE (KACP 20.1)

### 3.3.1 RESPONSIBILITIES

The Louisville Metro Police Department (LMPD) respects public interest in its operations and activities. The Media and Public Relations Office ensures that information is released in an accurate and timely fashion without jeopardizing investigations or violating the rights of victims, suspects or members.

The Media and Public Relations Office Commander reports to the Deputy Chief of Police/Chief of Staff.

Responsibilities of the Media and Public Relations Office include:

- Coordinating formal news conferences for the Chief of Police and all other units within the department.
- Preparing written news releases for media distribution (CALEA 54.1.1b).
- Coordinating media interviews and appearances of departmental members (CALEA 54.1.1c).
- Marketing positive news stories affecting our community.
- Managing situations that might negatively affect the department's image.
- Maintaining a productive rapport with the Louisville area news media.
- Providing a 24-hour-a-day on-call network to respond to newsworthy events involving the department.
- Coordinating media access to crime scenes (CALEA 54.1.1a, 54.1.3, KACP 20.2a, 20.3b).
- Governing media access to scenes of major fires, natural disasters or other catastrophic events (CALEA 54.1.1a, 54.1.3, KACP 20.2a, 20.3a).
- Assisting all members with media inquiries (CALEA 54.1.1c).
- Coordinating the activities of the Police Chaplains.
- Handling requests for information and records submitted by the media under the Kentucky Open Records Law, except for departmental photos, which are handled by the Photo Lab (refer to SOP 3.7.4). All other open records requests, from persons or agencies outside of the LMPD, shall be handled by the Open Records Coordinator's Office (KACP 20.2b).
- Administering all official LMPD social networking website accounts. No member shall administer any social networking website giving the appearance of an official LMPD account without authorization from the Media and Public Relations Office Commander.

### 3.3.2 RELEASE OF INFORMATION

Members shall adhere to the following guidelines when releasing information to the media:

- Requests for general information regarding the department must be referred to the Media and Public Relations Office.
- The Chief of Police shall serve as the spokesperson for all requests involving departmental policy. The Deputy Chief of Police/Chief of Staff, upon direction of the Chief of Police, may delegate this duty to another commanding officer or the Media and Public Relations Office Commander. No member shall make statements that differ from existing policy or make statements of opinion concerning the existing policy (KACP 20.2b).

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	Effective Date: 07/31/03 Prv. Rev. Date: 05/10/12 Revised Date: 06/10/13
	Accreditation Standards: CALEA: 54.1.1, 54.1.3 KACP: 20.1-20.4, 28.7
Chapter: Communications	
Subject: Media and Public Relations Office	

## 3.3.2 RELEASE OF INFORMATION (CONTINUED)

- A member of the Media and Public Relations Office must be present at all homicide scenes and incidents involving departmental members when the media is present at the scene (KACP 20.2a).
- Except as noted above, an on-scene commander or an appropriate subordinate is authorized to serve as departmental spokesperson at crime or accident scenes (KACP 20.2a, d).
- It is the responsibility of a member of the Media and Public Relations Office to speak with the on-scene commanding officer prior to releasing any information to the media. If information is obtained from the lead investigator, this information must be approved for release through a commanding officer. Any lack of cooperation from a commanding officer must immediately be reported to the Chief of Police (KACP 20.2a).
- Only the basic information of an ongoing criminal investigation shall be released to the media. This information shall include the defendant's name, age, charges and arrest slip narrative. No information on the identity of juveniles, witnesses or any information received from other law enforcement agencies shall be released (CALEA 54.1.1d-e, KACP 20.2c, 20.4).
- In cases where more than one (1) agency responds to an incident, the primary agency shall be responsible for the release of information (CALEA 54.1.1f).
- The Media and Public Relations Office and Chief of Police must approve any article, audio tape or videotape publication, pertaining to the operations of the LMPD, that has been written or produced by a departmental member.
- Requests for the review or release of information recorded within the communications system shall be directed to MetroSafe (MetroSafe SOP 5.5, Kentucky Open Records) (KACP 20.2b, 28.7).

## 3.3.3 RESPONDING TO MEDIA INQUIRIES

All departmental members are encouraged to be open and cooperative with the media. When responding to media inquiries, members shall adhere to the following guidelines:

- All information released and interviews involving criminal cases and unit operations must be cleared through a member's commanding officer. Final approval must come through the Media and Public Relations Office (KACP 20.2c).
- All division/section/unit commanders shall make the Media and Public Relations Office aware of innovative community initiatives that may be of interest to the media.
- A member of the Media and Public Relations Office is not required to be present during media interviews with members of the department. However, because of varying comfort levels of members, a member of the Media and Public Relations Office may be present at the interview at the request of a commanding officer or the member being interviewed.
- All media inquiries regarding matters of policy shall be referred to the Media and Public Relations Office.
- All media inquiries relating to any investigation of departmental members by the Professional Standards Unit (PSU) or Public Integrity Unit (PIU) shall be referred to the Media and Public Relations Office.



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Chapter: Communications	
Subject: Media and Public Relations Office	

## 3.3.4 QUALITY CONTROL

Members who notice factual errors in media reports shall report those errors, as soon as possible, to the Media and Public Relations Office. The Media and Public Relations Office shall be responsible for correcting those errors when warranted. Members should also contact the Media and Public Relations Office if they believe a media report to be unfair or biased. The Media and Public Relations Office shall address the issue with the appropriate media members.

## 3.3.5 POLICE CHAPLAINS

The Police Chaplains report to the Media and Public Relations Office Commander. The chaplains provide crisis intervention and value-based guidance services for departmental members and also respond to requests to provide citizens with similar services in a time of personal tragedy.

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	Effective Date: 01/20/05 Prv. Rev. Date : 09/09/13 Revised Date : 10/10/13
	Accreditation Standards: CALEA: 12.2.1, 12.2.2 KACP: 4.6
Chapter: Communications	
Subject: Correspondence	

## 3.4 CORRESPONDENCE

### 3.4.1 SYSTEM OF WRITTEN COMMUNICATIONS (KACP 4.6a)

The Chief of Police, or his/her designee, shall issue, revise or approve all numbered correspondence on a department-wide basis (CALEA 12.2.1b-c, KACP 4.6b-c). It shall be the policy of the Louisville Metro Police Department (LMPD) to distribute written directives in the form of General Orders, Special Orders or General Memorandums (CALEA 12.2.1f). All members shall acknowledge that they have read and understood their contents. These written directives shall cover agency rules and regulations and explain procedures for carrying out agency activities (CALEA 12.2.1g-h, KACP 4.6d). Personnel Memorandums and Memorandum Announcements do not require signatures on an accountability roster; however, all members shall read and understand their contents. All correspondence shall be numbered in chronological sequence with the last two digits of the year that it was issued followed by a chronological number (e.g. General Order #03-014, General Memorandum #04-021). The following types of numbered correspondence are established to facilitate the orderly flow of written communications within the department (CALEA 12.2.1d):

- **General Order:** The purpose of a General Order is to announce the adoption or revision of a policy and to establish procedures on department-wide topics. It shall be a guiding document until incorporated into the Standard Operating Procedures (SOPs).
- **Special Order:** The purpose of a Special Order is to announce the adoption or revision of a policy and to establish procedures on department, bureau or division levels. A Special Order may be converted into a General Order if it is necessary to address an ongoing issue. A Special Order may also be issued to convey a particular assignment for a stated period of time.
- **General Memorandum:** The purpose of a General Memorandum is to serve as a less formal written notice that reiterates or emphasizes previous procedures, orders or instructions.
- **Personnel Memorandum:** The purpose of a Personnel Memorandum is to announce personnel actions such as appointments, assignments, transfers, position vacancies and promotions.
- **Memorandum Announcement:** The purpose of a Memorandum Announcement is to announce topics such as social events, activities and information related to civic functions, meeting minutes, court calendars and schedules.

All numbered correspondence shall be distributed to all members, via email (CALEA 12.2.2a). Members shall acknowledge that they have read and understood all General Orders, Special Orders and General Memorandums using the VigilEnt Policy Tracking Software (CALEA 12.2.2c, KACP 4.6d). Members shall be responsible for reading all correspondence requiring acknowledgement within ten (10) calendar days of the date of issuance or be subject to disciplinary action. Each division/section/unit shall be responsible for running monthly compliance reports for its members in the VigilEnt Policy Tracking Software for accountability purposes.

Division/section/unit commanders shall:

- Ensure that all numbered correspondence is posted for a minimum of ten (10) days and made readily available to all members under their command (CALEA 12.2.2a, KACP 4.6d).

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Chapter: Communications	
Subject: Correspondence	

## 3.4.1 SYSTEM OF WRITTEN COMMUNICATIONS (CONTINUED)

- Provide an accountability roster for members who do not have access to a computer to acknowledge that a General Order, Special Order or General Memorandum has been read by the member and the member understands its contents (CALEA 12.2.2c, KACP 4.6d).
- Ensure that such correspondence is read at roll calls.

The department's SOP manual shall be maintained on the Louisville Metro Police Intranet, accessible by members at all computer terminals that are connected to the network. A current hardcopy of the SOP manual shall be maintained in the Research and Development (R&D) Unit.

Each division/section/unit shall maintain a general file of correspondence with appropriate subheadings. All acknowledged correspondence shall be placed in the division/section/unit general file (CALEA 12.2.2b, KACP 4.6d).

## 3.4.2 MEMORANDA

Official correspondence between departmental members and other Metro Government agencies shall be in the form of a memorandum.

## 3.4.3 INTEROFFICE MAIL

When a member forwards correspondence through the interoffice mail system, he/she shall utilize an interdepartmental mail envelope, whenever possible. If the material being sent is confidential, then it shall be placed in a sealed envelope. When addressing interoffice mail, the recipient's full name and his/her assigned division/section/unit and address shall be written legibly on the envelope. Members should also note whether the indicated section belongs to Metro Government or the department (e.g. Police Human Resources (HR), Metro Human Resources (HR)).

Mail shall be collected from, and delivered to, each police division once a day. Other sections have daily pickup and delivery service with schedules based on each section's requirements and location. Interoffice mail is sorted at the Metro Mail Room before being forwarded to its appropriate division/section/unit.

## 3.4.4 LETTERHEAD

Official correspondence not within the guidelines of SOP 3.4.2 shall be on LMPD letterhead. Such correspondence shall be sent, through the appropriate chain of command, for final approval by the division/section/unit commander. Exceptions to this rule shall include standardized forms specifically designed for mailings from the department.

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Chapter: Communications	
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## 3.4.5 POSTAGE

Members may request that the department pay postage expenses for official correspondence. In such cases, the member shall place the sealed, addressed envelope or package in the outgoing mail accompanied by a completed Metro Mail Services Mailing Request.

## 3.4.6 DEPARTMENTAL ADDRESS

When a member sends, or receives, official correspondence to, or from, another person or agency, he/she shall utilize a departmental address. Members are prohibited from using departmental addresses for personal correspondence or deliveries.

## 3.4.7 ACCEPTANCE OF REGISTERED OR CERTIFIED MAIL

Members shall not accept service of, or sign for, another member's registered or certified mail. Members may not grant authorization to any other member allowing them to accept service of, or sign for, registered or certified mail. Members may ask the delivery person to deliver the mail at another time or date, or ask them to leave a card notifying the addressee of the location where the mail may be picked up. Members are prohibited from knowingly accepting registered mail, certified mail or other service, regarding any lawsuit addressed to "Unknown LMPD members/officers." Registered or certified mail addressed to retired, resigned or terminated members shall not be accepted. A notification card should be requested from the delivery person and forwarded, through interdepartmental mail, to the Legal Advisor's Office.

## 3.4.8 EMAIL

Members shall be responsible for complying with any official directives received, via email. Electronic directives shall be given the same weight as verbal directives and members are required to treat them as such (KACP 4.6a).

All members shall check their email at least once during each tour of duty. To help facilitate this, please note that LMPD email accounts can be accessed via the Internet. To do this, members shall use the following connection: <https://email.louisvilleky.gov>. Once this website has been accessed, a member needs to enter his/her logon username and password to gain access to his/her email account. Once the member is finished checking his/her email, he/she shall click on the "sign out" tab to close down his/her email account.

Email messages distributed outside of the department shall be viewed as direct correspondence from the department. Electronic mail users are prohibited from representing the department, either implicitly or explicitly, unless authorized by a commanding officer to do so. External emails shall automatically be accompanied with a general purpose email disclaimer, placing the content responsibility upon the sending or forwarding member (refer to SOP 4.21.3).

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## 3.4.9 AGENCYWEB

AgencyWeb is a workforce management system that serves as a central location for the coordination of daily personnel operations. The system consists of multiple applications that are used for the following:

- Electronic subpoena service via the calendar
- Payroll tracking and submission
- Shift scheduling and tracking
- Line-up submission
- Officer assignments
- Overtime and compensatory time requests
- Leave requests

All members are required to log into AgencyWeb every workday in order to check for pertinent correspondence. It is especially important to check the calendar every workday. Members may also check AgencyWeb at any time, via the Internet, at <https://aw.louisvilleky.gov>. Subpoenas shall be acknowledged, as required in SOP 8.2.

## 3.4.10 OPERATIONS MANUALS

All divisions/sections/units are required to have an operations manual that outlines their day-to-day activities. Commanders shall be responsible for ensuring that their division/section/unit operations manual is current/up-to-date, not in conflict with current LMPD Standard Operating Procedures (SOPs) and reviewed annually. Commanders shall also ensure that all members under their command, including all new and/or transferred members, are familiar with the operations manual. Operations manuals shall be readily available to all members of the division/section/unit.

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	Accreditation Standards: CALEA: 33.5.2, 42.1.3, 82.1.1, 82.1.4, 82.1.5, 82.1.7, 82.2.1- 82.2.4, 82.3.1, 82.3.2, 82.3.5, 82.3.6 KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

## 3.5 INCIDENT REPORTS

### 3.5.1 POLICY

Timely and accurate incident report information is crucial for police operations in determining what types of crimes are being committed and where and when these crimes occur. These reports also help citizens recover property that may have been stolen and provide documentation needed for investigations, the identification of perpetrators and subsequent prosecutions. It is imperative that incident reports be as complete and as accurate as possible. The Louisville Metro Police Department (LMPD) shall report incidents according to the guidelines established by the Federal Bureau of Investigation (FBI) in its Uniform Crime Report (UCR) (KACP 26.5)/National Incident Based Reporting System (NIBRS) and those established by the Kentucky State Police (KSP). The commander of the Administrative Services Division, or his/her designee, shall have the responsibility for the accuracy and completeness of reports submitted by the LMPD.

### 3.5.2 DUTY TO REPORT

Members shall take an incident report for criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department. Offenses may be both criminal and civil in nature. If an offense has a civil component, it does not relieve an officer from taking a criminal report. Whether the complainant knows the suspect is irrelevant and does not relieve the member from the responsibility of taking the report (CALEA 82.2.1a, KACP 17.5). Members shall not tell the complainant to take out a warrant on the known suspect without first completing an incident report.

Members shall not be required to take a report from a complainant who is manifestly under the influence of alcohol or drugs. Members should advise the complainant to contact the LMPD when they are no longer intoxicated. This exception shall not apply to incidents of domestic violence or felony assault.

When members respond to a criminal complaint and there is evidence of mutual violence or a mutual complaint, members shall attempt to determine if one (1) party was the predominant aggressor or violator. The following factors may be considered when making this determination:

- The history of violence between the parties
- The degree of injury inflicted upon each person, keeping in mind that injuries may not be immediately visible
- Objective and testimonial evidence from the parties involved and other persons at the scene, including children
- Whether injuries were sustained through an aggressive act or self defense
- The presence and level of fear of the parties
- Other factors the member may observe that, in their professional experience, may be relevant to the specific case

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Chapter: Communications	
Subject: Incident Reports	

## 3.5.2 DUTY TO REPORT (CONTINUED)

Members shall make every effort to determine the predominant aggressor in mutual violence situations. If a member is unable to make this determination, he/she shall consult with his/her commanding officer.

Members shall follow the Uniform Incident Report Manual and/or the I/Leads Records Management System (RMS) Manual for additional guidelines. The manuals instruct members on the types of offenses and procedures necessary to complete incident reports (CALEA 82.2.1a-d).

When completing an I/Leads RMS or hardcopy incident report, members shall never list the descriptions, names or personal data of victims, witnesses or informants in the public narrative of the report. Information contained in the public narrative is available to the public and/or the media and could put victims, witnesses or informants at risk. Members shall only place an individual's identity or personal information in the appropriate section of the incident report, as instructed in the manuals. Sensitive investigation information shall be placed in the investigative narrative section of the incident report.

## 3.5.3 REPORTING REQUIREMENTS

The LMPD shall make a record of every incident to which a member responds whether a written report or an electronic field report is created or not, in any of the following categories:

- Citizen reports of crimes (CALEA 82.2.2a)
- Citizen complaints (refer to SOP 2.10) (CALEA 82.2.2b)
- Citizen requests for service when (CALEA 82.2.2c):
  - A member is dispatched
  - A member is assigned to investigate
  - A member is assigned to take action at a later time
- Criminal and non-criminal cases initiated by law enforcement officers (CALEA 82.2.2d)
- Incidents involving arrests, citations or summonses (CALEA 82.2.2e)

Civil process documents are handled by the Jefferson County Sheriff's Office (JCISO) (CALEA 82.2.2d).

Comprehensive reporting is necessary to ensure that alleged events are recorded accurately and to protect the rights of LMPD members and citizens. A record shall be made of actions taken by the responding member, whether the call is a request for service or self-initiated activity. In many instances, the "report requirement" will be accomplished through the collection of information on audio tape and computer by MetroSafe (e.g. incident control number (ICN), disposition codes, etc.). A record will be made of all dispatched calls. This in no way relieves members from their responsibility to take written reports when the circumstances of a call/activity require one. When duplicate calls are received for a single incident, only one (1) report is required.

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Chapter: Communications	
Subject: Incident Reports	

## 3.5.3 REPORTING REQUIREMENTS (CONTINUED)

Reports shall be written in, but are not limited to, the following situations (CALEA 82.2.1a):

- Criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department
- To obtain information on an individual for the purposes of criminal investigation, identification and crime prevention (refer to SOP 3.6)
- An incident involving a member that requires the completion of an Administrative Incident Report (AIR) (LMPD #03-03-0001) (refer to SOP 3.1)

The following reports shall be completed by members, as needed, while working in their respective division/section/unit. The list includes, but is not limited to (CALEA 82.2.1b):

- Citations
- Field Interviews
- Search warrants
- Mental Inquest Warrants (MIWs)
- Administrative Incident Reports (AIRs)
- Incident Command System (ICS) forms
- Parking citations
- eCrash
- eCitations
- Collision reports
- Collision investigations
- Vehicle damage reports
- After-action reports

All officers shall receive a block of detailed instruction on the appropriate manner in which the reports are to be completed. This instruction shall occur during the initial recruit training process. Other members who write reports shall be trained during their initial on-the-job training. In-service and roll call training concerning report writing will be conducted, as needed (CALEA 33.5.2, 82.2.1d).

Information for field reports, taken as necessary, shall include, but is not limited to (CALEA 82.2.1c):

- Name
- Address
- Date of Birth (DOB)
- Social Security Number (SSN) or driver's license number
- Contact number
- Email address
- Race
- Gender



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Chapter: Communications	
Subject: Incident Reports	

### 3.5.3 REPORTING REQUIREMENTS (CONTINUED)

- Ethnicity
- Charges, if appropriate
- Incident location
- Incident date/time
- Incident description
- Victim information and property, if appropriate
- Witness information, if appropriate
- Suspect description, if appropriate
- Arrest supplement, including property seized, if appropriate

All locations and types of incidents for service calls will be recorded by MetroSafe at the time that the incident is initiated. Members shall update the location and type of incident to reflect the information on the report (CALEA 82.3.2a-b).

The I/Leads RMS shall be the central repository for incident reports and investigative files. Due to the diversified responsibilities within the LMPD, it may be necessary to maintain photocopies of reports or files within each division/section/unit. The division/section/unit commander shall specify which of these files are necessary for the successful operation of his/her division/section/unit. These records shall be maintained within each division/section/unit until the case is closed, records are no longer necessary or the commander, or legal requirements, dictates otherwise (CALEA 82.3.5).

Records or case files no longer needed may be boxed for storage and housed at Metro Archives and retained pursuant to federal, state and local records retention schedules (CALEA 42.1.3e).

### 3.5.4 HARDCOPY REPORTS

Hardcopy reports are handwritten or typed submissions of the Uniform Incident Report and shall be taken only during exigent circumstances (e.g. computer systems down, mass power failures, etc.). JC-3 reports may be hardcopy reports only if the member does not have access to the Kentucky Open Portal Solution (KYOPS) or during exigent circumstances.

Reports not available electronically shall be completed on the appropriate paper form.

### 3.5.5 ELECTRONIC INCIDENT REPORTS

The LMPD shall maintain an electronic records management system for all departmental incident reports. Members shall take incident reports electronically, via the I/Leads RMS. Incident reports shall be completed electronically in the I/Leads RMS, in accordance with the I/Leads RMS Manual. Members who are not assigned a mobile data terminal (MDT) should use a desktop computer or contact the LMPD Service Center at (502) 540-3262, who will then enter the report electronically.

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Chapter: Communications	
Subject: Incident Reports	

## 3.5.5 ELECTRONIC INCIDENT REPORTS (CONTINUED)

A master name index shall be housed in the I/Leads RMS (CALEA 82.3.1). A unique number shall be assigned electronically by the I/Leads RMS for each specific person entered into the system. This number shall be used each time the person has an entry into the I/Leads RMS. This will allow a criminal history to be maintained on each person custodially arrested (CALEA 82.3.6). If a name record exists for the person, business or other entity, members shall not create an additional record.

Privacy and security measures for agency records shall be in accordance with LMPD policies, local ordinances and state statutes. Members are required to log into the I/Leads RMS system with their unique password. Passwords are temporarily assigned to members requiring access to agency records by the Records Management Director and shall then be changed by individual members (CALEA 82.1.1a).

Members can access agency records 24 hours a day, seven (7) days a week, 365 days a year. If a member experiences a problem accessing these records, the member can call the Metro Technology Services (MTS) Service Desk at (502) 574-4444, during normal operating hours (0730-2200 hours, Monday through Friday), for assistance (CALEA 82.1.1b).

The initial incident report will display "Approval level: 0" before the report has been submitted to the member's commanding officer for approval. To submit the incident report to a supervisor/sergeant for approval, the level needs to be approved by the member taking the report to "Approval level: 1." This shall be done by the end of the member's tour of duty. Exceptions may be made with the permission of a commanding officer. If approval is granted, the report shall be completed by the end of the member's next tour of duty. In the case of a major crime (e.g. homicide), if the full report cannot be immediately completed, a preliminary report shall be submitted with the submitting member approving to "Approval level: 1." The report may be updated using supplemental reports (refer to SOP 3.5.7).

This report is now "Locked" and cannot be edited. The incident report can only be unlocked by approval of the Records Management Director. Additions and changes can be made to this incident report using supplemental reports.

When approved by a supervisor/sergeant, the level changes to "Approval level: 2." After approval by a supervisor/sergeant, the Data Information Center either rejects the report for correction or conducts final approval to "Approval level: 3" for release. Passwords are required to provide electronic signatures.

## 3.5.6 OBTAINING REPORT NUMBERS (CALEA 82.2.3)

A unique ICN shall be assigned by the I/Leads RMS, either through the member's MDT or MetroSafe. This unique number shall be used for the incident report and all supplemental reports associated with the incident.

When a member completes a hardcopy version of the Uniform Incident Report, he/she shall request that MetroSafe assign an ICN. This number shall be placed on the appropriate Uniform Incident Report forms.

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## 3.5.6 OBTAINING REPORT NUMBERS (CONTINUED)

When a member completes an electronic version of an incident report, he/she shall obtain an ICN from his/her MDT, via I/Mobile, or request that MetroSafe assign one. This number shall be used for all supplemental reports for this incident.

If a member receives an ICN and it is not used, he/she shall contact MetroSafe personnel, via the service channel, and have them cancel the number. Additionally, members shall send an email to the LMPD user group "LMPDVoidedReports" with the ICN and the reason for the incident number cancellation.

## 3.5.7 SUPPLEMENTAL REPORTS (CALEA 82.1.5)

Supplemental reports must include the original ICN. It may be necessary to complete an additional narrative form to explain the changes and/or additions.

A supplemental report shall be used to:

- Provide corrected data to a previously submitted report
- Provide a means of appending information to an original report
- Finalize the case status by indicating disposition when the case status is closed or cleared

Supplemental reports require the same approval process as incident reports. The initial supplemental report will display "Approval level: 0" before the report has been submitted to the member's commanding officer for approval. To submit the supplemental report to a supervisor/sergeant for approval, the level needs to be approved by the member entering the supplemental report to "Approval level: 1." This shall be done by the end of the member's tour of duty.

This report is now "Locked" and cannot be edited. The supplemental report can only be unlocked by approval of the Records Management Director. Additional changes can be made by submitting another supplemental report.

When approved by a supervisor/sergeant, the level changes to "Approval level: 2." After approval by a supervisor/sergeant, the Data Information Center either rejects the report for correction or conducts final approval to "Approval level: 3" for release. Passwords are required to provide electronic signatures.

## 3.5.8 CLEARANCES

Cases may only be cleared in the following manner:

- **UNFOUNDED:** The incident did not occur. A full explanation must be provided in the narrative.
- **ARREST:** When any offender involved in the incident has been arrested, summoned, cited or otherwise arraigned.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.5
	Effective Date: 04/23/05 Prv. Rev. Date: 09/29/12 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 33.5.2, 42.1.3, 82.1.1, 82.1.4, 82.1.5, 82.1.7, 82.2.1- 82.2.4, 82.3.1, 82.3.2, 82.3.5, 82.3.6 KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

### 3.5.8 CLEARANCES (CONTINUED)

- **CLEARED BY EXCEPTION:** In order to clear an incident by exception, the following four (4) conditions must be met:
  - The investigation must have clearly and definitely established the identity of at least one (1) offender (e.g. name, race, sex, DOB).
  - Sufficient probable cause must have been developed to support charging and prosecuting the offender.
  - The exact location of the offender must be known so that an arrest may be made.
  - There must be a reason outside the control of the officer that prevents the arrest (e.g. prosecution declined, victim refused to cooperate, extradition declined, death of perpetrator).
  
- **INVESTIGATION COMPLETE:** All possible leads have been exhausted.

### 3.5.9 SUBMITTING REPORTS (CALEA 82.2.1e)

Electronic incident reports shall be Incident Based Reporting (IBR) validated and approved to “Approval level: 1” by the end of the member’s tour of duty, unless a delay has been approved by the member’s commanding officer. These reports must be completed in accordance with the I/Leads Manual. If IBR validation is not successful and the member has exhausted all means of correcting the error(s), a link shall be sent to the Arole Processing Unit, via the I/Leads Organizer. The Arole Processing Unit will correct the errors and send a link to the member detailing the issue(s) and the correction(s).

Hardcopy incident reports shall be completed and forwarded to the Data Information Center by the end of the member’s tour of duty, unless a delay has been approved by the member’s commanding officer (CALEA 82.2.1a). Only original reports shall be sent to the Data Information Center. When clearing a report by an arrest, the blue copy of the arrest slip must be attached to the incident report. The ICNs being cleared by the arrest should be listed in the ICN section of the Uniform Citation.

Once a month, the Crime Information Center (CIC) shall submit crime numbers to the Commonwealth of Kentucky, via the KSP. The KSP then submits the statistics to the FBI. The guidelines for submission are provided by the KSP. The crime numbers submitted to the KSP are exported from the I/Leads RMS (CALEA 82.1.4).

### 3.5.10 REVIEWING REPORTS (CALEA 82.2.1e)

Supervisors shall review each hardcopy report for errors prior to forwarding the report to the Data Information Center. The reviewing supervisor/sergeant shall place his/her code number on the applicable pages in red ink.

Reports submitted electronically to the member’s supervisor/sergeant shall be approved to “Approval level: 2” within 24 hours of receipt.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.5
	Effective Date: 04/23/05 Prv. Rev. Date: 09/29/12 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 33.5.2, 42.1.3, 82.1.1, 82.1.4, 82.1.5, 82.1.7, 82.2.1- 82.2.4, 82.3.1, 82.3.2, 82.3.5, 82.3.6 KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

## 3.5.11 STATUS OF REPORTS (CALEA 82.1.5)

Members shall follow the UCR/NIBRS guidelines when closing reports. Initial reports are considered closed in the following circumstances:

- Result in an arrest,
- Not prosecutable, or
- Are unfounded.

Supplemental or follow-up information is not required unless the investigating officer or the complainant desires to add additional information at a later date. Clearance of a report shall be made on the original, at the time the report is taken, or on a supplemental report.

Reports for which the officer has not been able to apprehend the perpetrator require a supplemental or follow-up report. This report shall be entered into the I/Leads RMS by the investigating unit within 10 to 15 days from the original entry date. The supplemental report shall include the original I/Leads RMS incident number assigned when the incident was first entered into the I/Leads RMS.

## 3.5.12 RETURNED REPORTS (CALEA 82.2.1e)

The Data Information Center may return a report to the reporting member's supervisor/sergeant for correction. The approving supervisor/sergeant or the Data Information Center can reject an incorrect report for correction. The reporting member shall correct the report and return it to his/her supervisor. If the reporting member is unavailable, the original signing supervisor/sergeant shall correct the report and return it to the Data Information Center. Corrected reports shall be forwarded to the Data Information Center as soon as possible, but no later than four (4) days from the posted date.

All members responsible for submitting, reviewing or approving reports or supplemental reports shall check their I/Leads Organizer inbox a minimum of once per tour of duty and approve or fix errors on any reports that are in their inbox, as needed.

## 3.5.13 DISTRIBUTION OF REPORTS (CALEA 82.1.1c, 82.2.4)

Reports shall be stored electronically in the I/Leads RMS. Members, with access to the I/Leads RMS, may access appropriate records, for official business, using their unique password.

For accident reports or incident reports requested by the public, citizens shall obtain these either from the LMPD Public Service counter or online, via the LMPD website, following set criteria. Criminal history reports (i.e. background checks) can be picked up, in-person, at the LMPD Public Service counter (CALEA 82.1.7).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.6
	Effective Date: 04/23/05 Prv. Rev. Date: 09/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.2.3, 1.2.4, 11.3.1, 82.1.3, 82.2.1 KACP: 1.4, 17.6
Chapter: Communications	
Subject: Field Interviews/Pat Down Searches	

## 3.6 FIELD INTERVIEWS/PAT DOWN SEARCHES (CALEA 1.2.3a, KACP 17.6)

### 3.6.1 PURPOSE

Field interviews (FI) may be conducted anytime a Louisville Metro Police Department (LMPD) officer detains an individual (e.g. Terry Stop, traffic stop) for the purposes of criminal investigation, identification and crime prevention. Field interviews shall be used to:

- Detect the perpetrators of past crimes.
- Deter the commission of future crimes.
- Determine if a crime, in fact, has been committed.
- Identify individuals of questionable intentions for possible follow-up action.
- Establish the movement of persons of interest.
- Establish the existence of associations among criminal suspects.

### 3.6.2 POLICY

Field interviews are an important point of contact for officers in preventing and investigating criminal activity. Field interviews may be perceived by some citizens as a means of harassment or intimidation conducted in a discriminatory manner against groups or individuals. In order to maintain the effectiveness and legitimacy of this practice and to protect the safety of officers in approaching suspicious individuals, officers shall conduct field interviews and pat down searches in accordance with this policy.

### 3.6.3 DEFINITIONS

**Search:** An examination of an individual's premises, person or property in which he/she has a reasonable expectation of privacy. The purpose of the search is discovering contraband, weapons or other evidence of guilt, to be used in a criminal prosecution. A search involves a prying into, or manipulating of, concealed or hidden places trying to discover something inconspicuous. Items in plain view shall not constitute a search (KACP 1.4b). A search shall only be conducted pursuant to a warrant, with consent or under exigent circumstances with probable cause.

**Consent Search:** A search made by law enforcement officers based on the consent of the individual whose person or property is being searched.

**Reasonable Suspicion:** Articulated facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been, is being or is about to be committed.

**Probable Cause:** The level of evidence, held by a rational and objective observer, necessary to justify logically accusing a specific suspect of a particular crime, based upon reliable objective facts.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.6
	Effective Date: 04/23/05 Prv. Rev. Date: 09/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.2.3, 1.2.4, 11.3.1, 82.1.3, 82.2.1 KACP: 1.4, 17.6
Chapter: Communications	
Subject: Field Interviews/Pat Down Searches	

### 3.6.3 DEFINITIONS (CONTINUED)

**Field Interview:** The brief detainment of an individual, whether on foot or in a vehicle, based upon reasonable suspicion or with consent, for the purposes of determining the individual's identity and resolving the officer's suspicions.

**Pat Down:** A "frisk," or the external feeling of the outer garments of an individual, for weapons. A pat down shall only be conducted on reasonable grounds that the individual being subjected to the pat down is armed and dangerous to the officer or others. A pat down does not include manipulating, or grasping, the outer garments or reaching inside of, or opening, the garments (e.g. pockets, jackets, etc.).

**Terry Stop:** A stop of an individual by law enforcement officers based upon reasonable suspicion that the individual may have been engaged, is engaging or is about to engage in criminal activity.

### 3.6.4 FIELD INTERVIEW PROCEDURES

Officers shall conduct a Terry Stop of individuals for the purpose of conducting a field interview only when reasonable suspicion is present. In justifying the stop, the officer must be able to point to specific facts that, when taken together with rational inferences, reasonably warrant the stop.

Based upon an observance of suspicious circumstances or upon information from investigation, an officer shall initiate the stop of a suspect if he/she has an articulated reasonable suspicion to do so. The following guidelines shall be followed when making an authorized stop to conduct a field interview:

- When approaching the suspect, the officer shall clearly identify himself/herself as a LMPD officer and, if in plainclothes, announce his/her identity, displaying his/her credentials.
- Officers shall be courteous at all times during the contact but maintain caution and vigilance for movements to retrieve weapons, conceal or discard contraband or other suspicious actions.
- Before approaching more than one (1) suspect, officers should determine whether the circumstances warrant a request for backup and whether the contact can, and should be, delayed until assistance arrives.
- Officers are not required to advise suspects of their Miranda rights in order to conduct field interviews unless the person is in custody and about to be interrogated.
- Suspects are not required, nor can they be compelled, to answer any questions during field interviews.
- Under no circumstances shall an officer detain a suspect for longer than what is reasonably necessary to make reasonable inquiries and either confirm or refute his/her suspicions of criminal activity.

### 3.6.5 PAT DOWN SEARCH PROCEDURES (CALEA 1.2.4, KACP 1.4c)

An officer has the right to perform a pat down search of the outer garments of a suspect for weapons if he/she has been legitimately stopped with reasonable suspicion and only when the officer has reasonable grounds that the suspect is armed and for his/her own, or another person's, safety (CALEA 11.3.1b).

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	Accreditation Standards: CALEA: 1.2.3, 1.2.4, 11.3.1, 82.1.3, 82.2.1 KACP: 1.4, 17.6
Chapter: Communications	
Subject: Field Interviews/Pat Down Searches	

## 3.6.5 PAT DOWN SEARCH PROCEDURES (CONTINUED)

Not every field interview poses a justification for conducting a pat down search. The following are some of the criteria that shall provide the justification for conducting a pat down search. These criteria include, but are not limited to, the following:

- The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
- The demeanor of the suspect.
- Visual indications that suggest that the suspect is carrying a firearm or other weapon.

When reasonable grounds exist to perform a pat down search, it shall be performed with due caution, restraint and sensitivity (CALEA 11.3.1b). These searches are only justifiable and shall only be performed to protect the safety of officers, or others, from concealed weapons and shall never be used as a pretext for obtaining evidence. Pat down searches shall be conducted in the following manner:

- Pat down searches shall be conducted with the suspect in a standing position or with his/her hands placed against a stationary object (e.g. wall, vehicle, etc.) and his/her feet spread apart. Should a weapon be visually observed, a more secure search position shall be used, such as the suspect lying face down with his/her hands and feet spread apart (e.g. prone position). If the suspect has a disability, the officer shall conduct the pat down in such a manner to accommodate the disability.
- In a pat down search, officers are only permitted to feel the outer clothing of a suspect. Officers shall not manipulate items, grasp the outer garments or reach into or open garments (e.g. pockets, jackets, etc.) unless they feel an object that could reasonably be a weapon, such as a firearm, knife, club or other item.
- If the suspect is carrying an object, such as a handbag, suitcase, briefcase, sack/bag or any other item that may conceal a weapon, the officer shall not open the item but instead place it out of the suspect's reach. These objects shall only be searched with probable cause or consent.
- If the feeling of the suspect's outer clothing fails to disclose evidence of a weapon, no further search shall be made. If evidence of a weapon is present, an officer shall retrieve that item only. If the item is a weapon, of which the possession constitutes a crime, the officer shall arrest the suspect and complete a full custodial search of the suspect.
- If an officer discovers contraband during a pat down search, the contraband shall be seized (refer to SOP 8.24.3).

## 3.6.6 ELECTRONIC FIELD INTERVIEW REPORTS (CALEA 82.2.1a-c)

The I/Leads Records Management System (RMS) is the system of record for all Field Interview Reports. All field interviews shall be entered into the I/Leads RMS in the "Field Contact" module, utilizing the following fields:

- Location
- Suspect
- Vehicle



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Chapter: Communications	
Subject: Field Interviews/Pat Down Searches	

## 3.6.6 ELECTRONIC FIELD INTERVIEW REPORTS (CONTINUED)

- Administrative information (code number and assignment)
- Narrative (reasonable suspicion for stop)

If more than one (1) person is interviewed during a stop, only one (1) Field Interview Report shall be completed for the stop. The first person stopped shall be entered through the "Names" module of the Field Interview Report. Additional persons shall be entered through the "Related Names" function of the Field Interview Report.

Each Field Interview Report shall contain a narrative describing the reasonable suspicion or consent and any behaviors that led the officer to initiate contact with the suspect. If the officer conducts a pat down on the suspect, the narrative shall include the reasonable suspicion that led the officer to believe that the suspect was armed and dangerous. If the suspect is searched, the narrative shall include the probable cause that led the officer to conduct a search of the suspect.

Field Interview Reports shall not be completed on suspects, victims or other individuals associated with an existing offense report, collision report or citation unless the field interview provides new information on other criminal activity unrelated to the existing report(s) (e.g. a person involved in a traffic accident has property that the officer suspects may be stolen).

Field Interview Reports do not require an incident number when submitted into the I/Leads RMS.

Upon completion, the Field Interview Report shall be submitted by the officer and approved to "Approval Level: 1."

Field Interview Reports shall be retained pursuant to federal, state and local records retention schedules (CALEA 82.1.3).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.7
	Effective Date: 03/17/05 Prv. Rev. Date: 05/10/12 Revised Date: 07/08/13
	Accreditation Standards: KACP: 20.2, 28.7
Chapter: Communications	
Subject: Legal Requests	

## 3.7 LEGAL REQUESTS

### 3.7.1 WRITTEN OPINION

Any member of the Louisville Metro Police Department (LMPD) requesting a written legal research opinion from the Legal Advisor must submit the request to the Chief of Police, through the appropriate chain of command, to be approved and prioritized.

Members shall not ask for written opinions pertaining to department-related matters from outside sources without approval from the Chief of Police.

### 3.7.2 ORAL OPINION

Members may contact the Legal Advisor directly when seeking an oral legal opinion in regards to department-related matters. If the Legal Advisor cannot be contacted, then the employee may direct his/her question to the First Assistant to the County Attorney, who shall either provide the answer or refer the member to the appropriate Assistant County Attorney.

Nothing in this policy shall prevent an employee from discussing his/her case with the appropriate prosecuting attorney.

### 3.7.3 ATTORNEY GENERAL OF THE COMMONWEALTH OF KENTUCKY

If a member seeks to obtain the legal opinion of the Attorney General in regard to department-related matters, he/she must first submit a written request to do so, through the appropriate chain of command, to the Chief of Police. The officer may proceed with his/her inquiry only after receiving written permission from the Chief of Police, or his/her designee.

### 3.7.4 OPEN RECORDS REQUESTS (KACP 20.2b)

Kentucky Revised Statute (KRS) 61.872(5), regarding open records, requires public agencies to make available any non-exempt public records maintained by the agency, when presented with an appropriate open records request. Public agencies, including the LMPD, upon receipt of any request for records, made under KRS open records requirements, must comply within three (3) days after the receipt of the request or notify the person making the request of the decision to deny the request.

Any member who receives a request for open records shall immediately notify his/her commanding officer or supervisor. The commanding officer or supervisor shall immediately forward the request, without delay, to the Open Records Coordinator's Office.

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Chapter: Communications	
Subject: Legal Requests	

## 3.7.4 OPEN RECORDS REQUESTS (CONTINUED)

All open records requests shall be handled by the Open Records Coordinator's Office, with the exception of departmental photographs, which shall be handled by the Photo Lab, and media requests, which shall be handled by the Media and Public Relations Office. The Open Records Coordinator's Office and Media and Public Relations Office may consult with the Legal Advisor, as needed, if there is a question as to whether the records are exempt by statute.

Requests for Computer Aided Dispatch (CAD) records related to departmental calls for service shall be processed with assistance from MetroSafe (KACP 28.7).

Open records requests for departmental photos from attorneys, insurance companies and any other individual shall be handled by the Photo Lab. The Open Records Request Photo Request form (LMPD #10-0005) and payment are required for this type of open records request. If no pending investigation or prosecution is found, a supervisor shall approve the request and the Photo Lab shall notify the requesting party of the costs of the photos. Once the payment is received, the requesting party may pick up the photos from the Photo Lab. If there is a pending investigation or prosecution, the requesting party shall be notified that no photos can be released at the present time.

KRS describes public records as:

- Books
- Papers
- Maps
- Photographs
- Cards
- Tapes
- Discs
- Diskettes
- Recordings
- Software
- Any other documentation, regardless of the physical form or characteristic, which is prepared, owned, used, in the possession of, or retained by, a public agency. Specific LMPD records that might be subject to request include, but may not be limited to:
  - Investigative files
  - Accident reports
  - Incident reports
  - Arrest records
  - Crime statistics
  - Digital/video images
  - CAD records (through MetroSafe)

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## 3.7.5 DEPARTMENTAL PHONE RECORDS

Requests for records related to departmental telephones, including departmentally-issued cell phones, shall be granted based on applicable federal and state laws.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 3.8
	Effective Date: 07/30/05 Prv. Rev. Date: 12/10/11 Revised Date: 01/09/12
	Accreditation Standards: CALEA: 81.2.4 KACP: 17.8, 28.5
Chapter: Communications	
Subject: Communications Equipment Usage	

## 3.8 COMMUNICATIONS EQUIPMENT USAGE (KACP 17.8)

### 3.8.1 POLICY

Departmental personnel shall operate all radio and Mobile Data Terminal (MDT) communications equipment in compliance with applicable sections of the Federal Communications Commission (FCC) Rules and Regulations and the Communications Act of 1934. All radio and MDT communications shall be restricted to official business, using appropriate and concise language, professional demeanor and proper procedures.

### 3.8.2 RADIO PROCEDURES (CALEA 81.2.4a)

Members shall abide by the following radio procedures:

- All members shall clearly acknowledge, by voice transmission, any voice communication directed to them. No voice transmission shall be considered received until a voice acknowledgement is made by the person to whom the transmission was sent.
- All radio calls shall be answered on the first call with the unit number and location. In the case of hold-up alarms, radio calls shall be answered on the first call, but a location is not needed.
- When initiating radio communication involving protracted information, such as calling off on a traffic stop or other situations where MetroSafe will need to capture substantial information, the member shall give his/her unit number and wait for MetroSafe acknowledgment before proceeding with further transmission.
- All calls for service shall be made without delay.
- No member may refuse any dispatched call for service without his/her commanding officer's approval.
- Information that might compromise police operations should be communicated by telephone or MDT.
- Members shall notify the dispatcher, by radio, of self-initiated police activity as soon as practicable.
- Off-duty officers shall use the term "X-ray" followed by his/her call number for all radio communications.
- Members shall notify the dispatcher, by voice transmission, when clearing from a call for service. The primary unit may clear all assigned units at one time, by voice transmission, if all units are clearing at the same time. Members may switch to their assigned service channel, if necessary, to clear during periods of heavy radio activity.
- Members may not call out of service or back in service by phone, without prior approval of a commanding officer.

### 3.8.3 MDT PROCEDURES (CALEA 81.2.4a)

Members shall notify the dispatcher, by radio, of self-initiated police activity as soon as practicable, even if the activity is entered into CAD by the member, via their MDT. This also applies when a member voluntarily takes a call for service, that he/she observes on his/her MDT screen, that has not yet been assigned by the dispatcher or when members voluntarily backup a primary unit on an assigned call for service.

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Chapter: Communications	
Subject: Communications Equipment Usage	

## 3.8.3 MDT PROCEDURES (CONTINUED)

Members clearing from the scene of a call for service, including self-initiated activities, shall notify the dispatcher by voice transmission. Members may clear from the scene, via their MDT, during periods of heavy radio activity, but shall also notify their dispatcher by voice transmission as soon as possible. Each unit shall ensure that the dispatcher is advised when they have cleared from the scene. The primary unit may clear all assigned units at one time, by voice transmission, if all units are clearing at the same time.

## 3.8.4 BOLO BROADCASTS

In requesting a "be-on-the-lookout (BOLO)" broadcast, members shall differentiate between the following:

- If the subject is wanted for questioning in a case, the radio broadcast shall be, "Locate for investigative purposes and contact lead investigator to obtain further information on..."
- If the subject has been definitively identified and has an arrest or bench warrant out for them, the radio broadcast shall be, "Wanted for arrest based on warrant for..."

BOLOs that are lengthy or complicated, due to containing detailed information or multiple subjects, should be called in to MetroSafe by phone, if possible.

The following phonetic alphabet shall be used for spelling out unusual names of persons and locations. It shall also be used when calling in license plate numbers and registrations.

A - Adam	N - Nora
B - Baker	O - Ocean
C - Charlie	P - Paul
D - David	Q - Queen
E - Edward	R - Robert
F - Frank	S - Sam
G - George	T - Tom
H - Henry	U - Union
I - Ida	V - Victor
J - John	W - William
K - King	X - X-ray
L - Lincoln	Y - Yankee
M - Mary	Z - Zebra

## 3.8.5 ALERT TONES

The following transmissions shall be preceded by the major crime alert tone:

- Member in trouble (10-30)
- Vehicular pursuits
- Life-threatening injuries

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Chapter: Communications	
Subject: Communications Equipment Usage	

## 3.8.5 ALERT TONES (CONTINUED)

- A unit out of service on a dispatched or self-initiated incident, that is not responding to a status check
- Any incident, involving the reported use of weapons, that is currently in-progress

### Holdups

MetroSafe will not engage the major crime alert tone while officers are responding to a confirmed holdup or a reported holdup alarm. The major crime alert tone shall be activated after the first responding officer advises the radio operator that he/she has arrived at the scene or is about to arrive at the scene.

If there is any indication that the holdup is in progress, or life-threatening injuries have occurred, this information shall be included at the time of the dispatch and the operator may engage the major crime alert tone. Once the alert tone is activated, only priority traffic for that specific incident shall be transmitted, until MetroSafe advises to resume normal traffic. Members may switch to their assigned service channel for immediate radio communications, regarding other activities, or MetroSafe may direct members to another channel. If a commanding officer requests the cancellation of the major alert tone, the operator may comply with the request and continue to update the responding units with necessary information.

## 3.8.6 USE OF PLAIN LANGUAGE AND TEN CODES

Plain language shall be used for all radio communication, with the exception of those 10-Codes listed below, for member safety situations. Members using communication systems that are interoperable with other agencies, while operating as part of a multi-agency unified command, shall use plain language for all transmissions, regardless of the nature (CALEA 81.2.4d).

Approved 10-Codes for member safety include:

- 10-12 Are you alone?
- 10-30 Member in Trouble (Needs Help)
- 10-85 Wanted Person
- 10-86 Situation Under Control
- 10-98 Requesting Backup Unit, Code 1

Due to the inherent risk involved with Code 3 responses, a member shall communicate 10-30 only when the member believes that he/she, or another member, is in imminent danger of assault, or is being assaulted. The transmission of 10-30 shall result in an emergency response to assist the member, as directed by the appropriate commanding officer.

10-98 shall be used when there is no imminent danger of assault to the member, but the member would like assistance before taking a police action and it is possible for the member to be overheard by a suspect. If members are in situations where they need additional assistance for other police activities, they should simply request assistance by using plain language so that an officer, or officers, can respond in a non-emergency fashion.

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## 3.8.7 RADIO CHANNEL ASSIGNMENT

Under routine operations, departmental units will be assigned to the following radio operations channels:

- Police 1 – Divisions 6 and 7
- Police 2 – Divisions 3 and 8
- Police 3 – Divisions 1 and 2
- Police 4 – Divisions 4 and 5
- Traffic CIS – Traffic Unit, Major Crimes Division and Vehicle Impoundment Unit

In addition to the assigned channels, there are two (2) service channels, Service 1 and Service 2, which, like the operations channels, are monitored by a dispatcher 24/7.

Car-to-car (C2C) communications may be conducted on one (1) of four (4) channels identified as PD C2C 1 through 4. Unless advised otherwise, patrol division members should use the C2C channel that corresponds to their operations channel (e.g. Divisions 6 and 7 should normally use PD C2C1 for car-to-car communications).

Four (4) tactical (TAC) channels, PD TAC1 through 4, are available for conducting special operations, if requested by a commanding officer. The commanding officer must contact MetroSafe if they want the TAC channel monitored by a dispatcher.

If a radio channel is needed for an event, the following procedures shall be followed:

- The request shall be made by a commanding officer.
- The request shall be made by emailing Jody Johnson at [Jody.Johnson@louisvilleky.gov](mailto:Jody.Johnson@louisvilleky.gov) AND Angela Downes at [Angela.Downes@louisvilleky.gov](mailto:Angela.Downes@louisvilleky.gov) at least 24 hours before the channel is needed, if possible.
- The request shall include an explanation of the kind of event, along with the dates and times needed.
- The request shall include the need for a dispatcher, if required.
- MetroSafe will “assign” a channel for the specific request and will send an email confirmation.

If, for some reason, these procedures cannot be followed and a channel is needed immediately, the commanding officer shall make the request via phone by contacting Jody Johnson at 502-475-3577 or the on-duty MetroSafe supervisor at 502-574-2117.

These procedures prevent the overlapping of radio channels by multiple agencies.

## 3.8.8 SCENE SECURE

Fire/EMS personnel are prohibited from entering the scene of an incident in-progress until officers have arrived and declared the scene safe. Therefore, officers are authorized to respond Code 3 to incidents in-progress that demand immediate attention by Fire/EMS personnel in order to protect human life (e.g. domestic disturbance with a house fire). Officers are encouraged to request that MetroSafe provides specific details regarding the run and will be required to articulate their reasoning for the use of a Code 3 response. A Code 3 response does not relieve an officer from the duty to drive with due regard for the safety of others. Officers shall be held



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	Accreditation Standards: CALEA: 81.2.4 KACP: 17.8, 28.5
Chapter: Communications	
Subject: Communications Equipment Usage	

## 3.8.8 SCENE SECURE (CONTINUED)

accountable for their actions (refer to SOP 8.7.4). Once officers secure a scene and it appears that there is no danger from criminal violence, he/she should advise the MetroSafe dispatcher, "scene secure."

## 3.8.9 PORTABLE RADIOS (KACP 28.5)

Members who are required to use the radio communications system will be issued a departmental portable radio. All departmental vehicles will be equipped with a mounted portable radio charger. All departmentally-approved accessories will be issued with the portable radio. Members are prohibited from using any non-issued, unapproved accessories or replacement parts with the portable radio (e.g. earpiece). Members requesting to use or replace any portable radio accessory or part, shall complete a MDT/Portable Radio Request form (LMPD #10-0004) and forward it, through the appropriate chain of command, to the Planning and Technology Lieutenant. Certain specialized unit members may be issued portable radios equipped with additional frequencies, which are available only to those units. If a member leaves a specialized unit, the specialized unit commander is responsible for notifying MetroSafe of the change of status and ensuring that the appropriate changes are made.

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	Accreditation Standards: CALEA: 11.4.5, 12.1.4, 15.3.1, 42.2.4 KACP: 17.1, 30.5, 30.7
Chapter: Communications	
Subject: Internal Communications	

## 3.9 INTERNAL COMMUNICATIONS (CALEA 12.1.4, KACP 17.1)

### 3.9.1 COMMUNICATIONS POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to support continuous communication, coordination and cooperation between all levels of the department. This may be accomplished through either oral or written types of communication. Communication shall flow both upward, and downward, through the appropriate chain of command, and laterally between bureaus, divisions, sections, units, platoons, officers and other personnel.

### 3.9.2 COMMUNICATION METHODS

Communication, coordination and cooperation between individual members and other members or units within the department may be accomplished through a variety of methods. These methods of communication include, but are not limited to, the following:

- Routine oral exchange of information
- Car-to-car exchange through MetroSafe
- Daily platoon and unit roll calls
- Periodic joint roll calls with detectives, other units or platoons within a division (CALEA 42.2.4)
- Bureau, division, section and unit staff meetings
- COMPSTAT meetings (CALEA 15.3.1c)
- Briefings/mailings related to active or upcoming special events
- Departmental electronic mail (email) messages containing specific details regarding criminal activity, Wanted or Attempt to Locate flyers, Be On the Lookouts (BOLOs) or requests for identification of unknown subjects (refer to SOP 4.21)
- Offense reports and summaries
- Organizer in the I/Leads Records Management System (RMS)
- Division beat blogs (refer to SOP 4.29)
- AgencyWeb

All members shall log into their departmental email account and the AgencyWeb system every workday in order to review their calendar and check for incoming communications.

### 3.9.3 WANTED FLYER

The following guidelines should be met prior to distributing a Wanted flyer:

- Probable cause must exist for a felony arrest, or
- The suspect has an outstanding arrest/bench warrant

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### 3.9.3 WANTED FLYER (CONTINUED)

If the criteria for a Wanted flyer are met and supervisory approval has been obtained, the member shall internally disseminate a Wanted flyer (LMPD #06-0046). No other forms shall be permitted.

Information contained in Wanted flyers is privileged, confidential and intended for **OFFICIAL USE ONLY**. Wanted flyers may be distributed to other law enforcement individuals/agencies for official law enforcement purposes.

Wanted flyers distributed to non-law enforcement individuals/agencies or for public viewing (e.g. LMPD website) shall have approval from a commanding officer, with a rank of lieutenant or higher, and authorization from the Media and Public Relations Office, with the exception of the Louisville's Most Wanted flyers. The suspects depicted in these wanted flyers shall have active arrest/bench warrants. These wanted flyers, including Louisville's Most Wanted flyers, shall not contain sensitive personal identification information (e.g. Social Security Numbers, dates of birth, addresses, victim's name, victim's address, etc.) and are not intended for official use.

Any requests for revisions to the LMPD website (e.g. adding information, changes, deletions, etc.) shall be recorded on the Website Content Change form (LMPD #05-0001) and submitted to the Research and Development (R&D) Unit Supervisor or the Planning and Technology Lieutenant.

### 3.9.4 ATTEMPT TO LOCATE FLYER

If a member is seeking a subject or a vehicle for questioning or an investigation, he/she shall internally disseminate an Attempt to Locate flyer (LMPD #06-0047), after supervisory approval. No other forms shall be permitted.

After locating a subject from an Attempt to Locate flyer, a member can only ask the subject to remain at the location. He/she cannot detain the subject if the subject refuses to remain at the location.

If the subject refuses to remain at that location, the member shall seek basic personal information (e.g. address, date of birth, phone number, etc.) regarding the subject.

An Attempt to Locate flyer shall be used in situations where there is no warrant or probable cause to arrest the subject.

In order to impound a vehicle listed on an Attempt to Locate flyer, the member shall refer to SOP 7.9.

Information contained in Attempt to Locate flyers is privileged, confidential and intended for **OFFICIAL USE ONLY**. Attempt to Locate flyers shall not be distributed to non-law enforcement individuals/agencies.

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## 3.9.5 SIGNIFICANT ACTIVITY NOTIFICATION

LMPD produces a Significant Activity Report to provide timely notification of significant activities that occurred during the previous 24 hour period during the regular workweek, and a Monday morning recap of significant activities that occurred between 0700 hours Friday and 0700 hours Monday.

The Significant Activity Report shall be compiled by the Crime Information Center (CIC) and shall be disseminated to all LMPD sworn members.

The Significant Activity Report, and items therein, shall be considered law enforcement sensitive and a preliminary report, and shall not be distributed or disseminated outside LMPD without the permission of competent authority. For the purpose of this policy, competent authority shall be at the level of the unit commander responsible for the investigation into the reported matter. The Chief of Police, or his/her designee, may authorize the dissemination of the Significant Activity Report to other members and/or external criminal justice agencies.

In order for the department to generate a daily Significant Activity Report, supervisors whose members are dispatched on, or otherwise involved in, any of the following shall send a notification email to "LMPD Significant Activities," located in the email distribution list, as well as to their division/section/unit command distribution list (e.g. LMPD 1<sup>st</sup> Division Command Staff, LMPD CIS CO's, etc):

- Homicide/life-threatening assault/suspicious death (to include child deaths)
- Use of deadly force
- High-profile arrest
- Fire death/life-threatening injury due to a fire
- Business burglary (e.g. unusual, part of a pattern, a large dollar value stolen)
- Business robbery
- Felony sexual assault where the suspect is a stranger to the victim
- Fatal/life-threatening traffic accident
- Injury accident involving departmental vehicles
- Injured officer(s)/member(s)
- Search warrant
- Methamphetamine lab
- AMBER Alert or other missing children (KACP 30.7)
- Missing person, of any age, with serious health/mental issues and/or a developmental disability (e.g. Golden Alert) (KACP 30.5)
- Missing person, of any age, under suspicious circumstances
- Hazardous material (HAZMAT) incident
- Unusual incident (e.g. hate crime, large scale criminal mischief, dog attack, etc.)

The notification email shall contain sufficient information for the reader to be fully informed of the event, given the facts known at the time of the email. Information that shall not be included in email notifications include:

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## 3.9.5 SIGNIFICANT ACTIVITY NOTIFICATION (CONTINUED)

- Very specific information that could jeopardize an informant's safety.
- Unique details regarding an ongoing critical investigation. As an example, members should not include information regarding specific trauma, or a suspected cause of death in a homicide investigation where few details have been released to the general public.

Nothing in this policy shall prevent division/section/unit commanders from requiring their personnel to send notification emails on incidents not contained in this list.

## 3.9.6 COMMAND NOTIFICATION PROCEDURE (CALEA 11.4.5)

The Chief of Police, or his/her designee, shall be contacted as soon as possible, via a Command Page through MetroSafe, in the event of any incident that is extraordinary, may result in a liability issue, have an adverse impact on the department or may spark increased public or media attention. These incidents may include, but are not limited to:

- Serious injury or death of a member
- Death caused by a violent criminal act or traffic crash
- Use of force incident
- Major disaster
- Civil disturbance
- Major situation of a sensitive nature

## 3.9.7 I/LEADS ORGANIZER

The I/Leads Organizer allows members to send messages regarding suspect information, case files, "alerts", etc. All members who use I/Leads shall check their I/Leads Organizer inbox a minimum of once per tour of duty and approve or fix errors on any reports that are in their inbox, as needed. The I/Leads Organizer is to be used only for information contained in the I/Leads RMS.

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	Effective Date: 02/10/08 Prv. Rev. Date: 02/10/11 Revised Date: 12/08/11
	Accreditation Standards:
Chapter: Communications	
Subject: Interpreter Procedures	

## 3.10 INTERPRETER PROCEDURES

### 3.10.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to provide a consistently high level of service to all members of this community, including those citizens who are deaf, hard of hearing or Limited English Proficient (LEP). The purpose of this policy is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA), for departmental personnel to follow when providing services to, or interacting with, individuals who are deaf, hard of hearing or LEP.

### 3.10.2 DEFINITIONS

**Americans with Disabilities Act (ADA):** Federal civil rights law that guarantees equal opportunity for individuals with disabilities in state and local government services, public accommodations, employment, transportation and telecommunications.

**Interpretation:** The act of listening to a communication in one (1) language and orally converting it to another language while retaining the same meaning.

**Limited English Proficiency (LEP):** LEP designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English.

**Primary Language:** The language in which an individual most effectively communicates.

**Qualified Interpreter:** A person who is capable of interpreting and translating criminal, civil or administrative proceedings for people who are deaf, hard of hearing or LEP and provide their responses. The qualified interpreter must be able to interpret effectively, accurately and impartially using any necessary specialized vocabulary and be available as a witness.

**Telecommunications Device for the Deaf (TDD):** A device used by individuals with hearing or speech disabilities to communicate on the telephone using a keyboard with a display for receiving typed text that can be attached to a telephone.

**Telecommunications Relay Service:** An operator-based service that a hearing impaired person may use to contact a person or business not equipped with a text telephone (TTY) or telecommunications device for the deaf (TDD).

**Title VI of Civil Rights Act of 1964:** National law that protects persons from discrimination based on their race, color or national origin in programs and activities that receive Federal financial assistance.

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## 3.10.3 HARD OF HEARING OR DEAF PERSONS

The department must provide communication aids and services needed to communicate with people who are deaf or hard of hearing, except when a particular service would fundamentally alter the nature of law enforcement activity or cause an undue administrative or financial burden. The ADA requires that the expressed choice of the individual with the disability, who is in the best position to know his/her needs, should be given primary consideration in determining which communication aid to provide. The department should honor the individual's choice, unless it can demonstrate that another effective method of communication exists. A commanding officer may make this determination and should consult with his/her division commander, if necessary. A person who is deaf or hard of hearing cannot be charged for communication aids or services provided. However, the department does not have to provide personally-prescribed devices, such as hearing aids.

Members have an obligation to provide qualified interpreters to people who are deaf or hard of hearing, who are under arrest, prior to any questioning. If the legality of a conversation will be questioned in court (e.g. where Miranda warnings were issued, Public Integrity Unit (PIU) complaint, witness to a crime, etc.), a sign language interpreter may be necessary. In general, if an individual who does not have a hearing disability would be subject to police action without interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

Failure to protect the rights of deaf or hard of hearing individuals during arrests and interrogations presents risks to the integrity of the investigation. Departmental personnel must recognize that miscommunication during the interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation, or taking of a formal statement where the suspect's or witness' legal rights could be adversely impacted.

When encountering a hard of hearing or deaf person, members shall use, but are not limited to, the following steps:

- Determine if the person is hard of hearing or deaf.
- Get the person's attention with a wave of the hand or a gentle tap on the shoulder before speaking.
- Speak in a well lit area, facing the person with his/her mouth visible and with minimal distractions.
- If the person cannot understand, write a note and ask what communication aid, or service, is needed.
- Use auxiliary aids to communicate with this person. The type of aid that will be required for effective communication will depend on the individual's usual method of communication and the nature, importance and duration of the communication. Auxiliary aids include:
  - Use of gestures or visual aids to supplement oral communication
  - Exchange of written notes
  - Use of a computer or typewriter
  - Use of assistive listening devices to amplify sound
  - Use of the Video Relay Service (1-866-FAST-VRS)
  - Use of qualified oral or sign language interpreters
- Use a paid interpreter, if necessary.

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### 3.10.3 HARD OF HEARING OR DEAF PERSONS (CONTINUED)

Members should contact a MetroSafe supervisor, via the service channel or by phone, to request an American Sign Language (ASL) interpreter and advise where the interpreter should go.

Caution should be used when family members or children are utilized as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively.

### 3.10.4 PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

The department must provide communication aids and services needed to communicate with people with LEP, except when a particular service would fundamentally alter the nature of law enforcement activity or cause an undue administrative, or financial, burden. A commanding officer may make this determination and should consult with his/her division commander, if necessary. A person who is LEP cannot be charged for communication aids or services provided.

Members have an obligation to provide qualified interpreters to people with LEP, who are under arrest, prior to any questioning. If the legality of a conversation will be questioned in court (e.g. where Miranda warnings were issued, PIU complaint, witness to a crime, etc.), an interpreter may be necessary.

Failure to protect the rights of LEP individuals during arrests and interrogations presents risks to the integrity of the investigation. Departmental personnel must recognize that miscommunication during the interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation, or taking of a formal statement, where the suspect's or witness' legal rights could be adversely impacted.

When encountering a LEP person, members shall use, but are not limited to, the following steps:

- Determine if the person is LEP and their level of understanding of the English language.
- Show the Language Identification Form (found in the Interpreters folder in the Online Forms folder) to the person to determine the language needed for interpretation.
- Call MetroSafe for an on-duty member who speaks the language required. If there is a member available, make a request to the member's commanding officer to utilize him/her for the interview. A list of members and the language(s) they speak (other than English) can be found in the Interpreters folder in the Online Forms folder.

If the time needed for interpretation is less than 30 minutes and an on-duty officer is unavailable for interpretation, utilize the telephone language service, contracted by Metro Government, if possible. The telephone language service can be accessed through MetroSafe, via a call taker. Officers may call from any phone and bypass the automated system by calling (502) 574-3759. The call taker will transfer the officer to the language line, and stay on the line until the connection is complete. The call will be placed on hold by MetroSafe for recording and documentation purposes. In over-the-phone interpretation, the telephone language service interpreter listens to the LEP person, analyzes the original message and accurately conveys the original meaning to the member seeking the interpretation. Try to utilize this resource, whenever possible, with minor issues including, but not limited to:



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## 3.10.4 PERSONS WITH LIMITED ENGLISH PROFICIENCY (CONTINUED)

- o Lost motorist
  - o Serious, but solvable, issues
  - o Report a missing child
  - o Initial contact by an officer needing to determine the language required to determine whether it is a domestic violence (DV) case
  - o Calls for service
- Use a paid interpreter, if necessary.

Members should contact MetroSafe, via the service channel, to request an interpreter. Members shall let MetroSafe know what kind of language interpreter is needed and where the interpreter should go.

Caution should be used when family members or children are utilized as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively.

Exigent circumstances may require some deviations from the above procedures. In such circumstances (e.g. obtaining information on a fleeing suspect or identifying information on an injured person), departmental personnel are to use the most reliable, temporary interpreter available. However, once the exigent circumstances have passed, all personnel are expected to revert to the above general procedures.

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	Accreditation Standards: CALEA: 17.5.2, 41.3.8, 83.2.2 KACP: 20.2, 30.8
Chapter: Uniforms and Equipment	
Subject: Mobile Video System	

## 4.1 MOBILE VIDEO SYSTEM (CALEA 83.2.2)

### 4.1.1 POLICY

The Louisville Metro Police Department (LMPD) has adopted the use of in-car audio/video recording systems for the purpose of documenting official actions taken by officers of the department. In-car recording equipment enhances officer safety, assists in the documentation of events made during motor vehicle stops and other critical incidents and enhances the prosecution of law violations.

The department currently uses two (2) Mobile Video Systems (MVSs). One (1) system records data onto a VHS tape by a Mobile Vision camera and the other system records data digitally using the Panasonic Arbitrator digital camera.

The Property Room shall be responsible for the distribution, secured storage, erasure and destruction of all recordings used in these systems (CALEA 17.5.2).

### 4.1.2 PURPOSE

This policy establishes guidelines for the use of mobile audio/video recorders in departmental vehicles and establishes a systematic protocol regarding the storage, viewing, release and retention of recordings.

### 4.1.3 DEFINITIONS

**Mobile Video System (MVS):** A vehicle-mounted camera system with audio and video recording capability.

**Arbitrator Digital Camera:** An in-car video system with the ability to digitally record audio and video transmissions. The data is stored on a memory card, with limited capacity, which requires the user to upload the stored information onto the server by way of a wireless access point.

**Wireless Access Point:** Devices that upload data from the Arbitrator Digital Camera to the server when the user comes into range. The process is initiated manually by the user.

### 4.1.4 STATUTORY PROVISIONS/DUI ONLY (CALEA 41.3.8a)

Kentucky Revised Statutes (KRS) 189A.100 specifically addresses the procedures for securing, reviewing, maintaining and destroying video or audio evidence in Driving Under the Influence (DUI) cases.

Recordings of field sobriety tests, administered at the scene of an arrest, for a violation of KRS 189A.010 (DUI) or such tests at a police station, jail or other facility shall be subject to the following conditions:

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## 4.1.4 STATUTORY PROVISIONS/DUI ONLY (CONTINUED)

- The testing is recorded in its entirety (except for blood alcohol and analysis testing); and
- The recording shall be used for official purposes only, which shall include:
  - Viewing in court;
  - Viewing by the prosecution and defense in preparation for a trial; and
  - Viewing for purposes of administrative proceedings.

Recordings shall otherwise be considered confidential records.

Recordings taken as a result of a DUI shall, upon order of the District Court, be destroyed after the latter of the following (CALEA 41.3.8c):

- 26 months after a decision has been made not to prosecute any case upon which an arrest has been made, or a citation issued as a result of the recording, and there is no appeal of any criminal or traffic case filed as a result of the recording; or
- All appeals have been exhausted, arising from any criminal or traffic case filed as a result of the recording; or
- At the conclusion of any civil case, arising from the events depicted on the recording; or
- At the conclusion of all appeals from any law enforcement agency's administrative proceedings, arising from events depicted on the recording.

Officers utilizing, or showing, recordings of DUI arrests, other than as permitted in this section, or permitting others to do so, shall be in violation of KRS 189A.100(2)(g).

When an officer makes a recording of a transaction and a citation is issued, or an arrest is made, for DUI, the officer shall note on the uniform citation that a recording has been made of the transaction. Officers using a VHS camera shall place the sequential number of the VHS tape on the uniform citation in the narrative section. Officers using the digital camera shall bookmark the recording by selecting the bookmark button on their Mobile Data Terminal (MDT) screen.

## 4.1.5 PRE-OPERATION PROCEDURES

Officers shall be trained in the operation of the MVS, as required by the department, before engaging in the use of the equipment. MVS equipment installed in a vehicle is the responsibility of the officer assigned to that vehicle and shall be operated according to the manufacturer's recommendations.

MVSs, MDTs and body microphones installed in marked patrol vehicles and unmarked traffic vehicles are assigned to the vehicles and shall remain with the vehicle when the vehicle is reassigned from one (1) officer to another. All other MDTs are assigned to individual sworn personnel. Upon being transferred from a vehicle with a MVS, the officer giving up possession of the car is responsible for removing, and depositing, the VHS tape or downloading digital data onto the server. The officer taking possession of the vehicle is responsible for securing a new VHS tape and checking the operability of the camera. If the car is equipped with a digital camera, the

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## 4.1.5 PRE-OPERATION PROCEDURES (CONTINUED)

officer shall report to MDT Central, located at 3515 Newburg Road, Building B, to have the camera reformatted to include a "login name change" and to have the "officer name display" corrected to reflect the current officer.

Prior to their tour of duty, officers shall perform a routine check of their MVS equipment. The routine check shall be recorded on the MVS system. The routine check shall include, but is not limited to:

- In the case of the digital system, the related MDT software functionality.
- A verification that the login information is correct, including:
  - Member name (first and last)
  - Code number
  - Agency (not available in the older Model 10 or Model 15 Arbitrator units)
  - Unit (radio call sign) (not available in the older Model 10 or Model 15 Arbitrator units)
  - Shift (day, mid, late)
  - Area (division)
  - Vehicle ID (equipment number)
- Testing of microphone function and synchronization with the MVS unit.
- Ensuring that the video display is properly functioning.
- The amount of storage space remaining on the VHS tape or digital media. VHS tapes shall be replaced if there is less than one (1) hour of storage remaining. In the case of a digital system, any stored video shall be uploaded.

All of the above shall also be included in the monthly vehicle inspections by the division/section/unit commanders, or their designees (refer to SOP 4.18.5).

If the MVS is not functioning properly, officers shall immediately notify their on-duty supervisor. The on-duty supervisor shall immediately make arrangements to have any improperly functioning MVS equipment repaired by authorized MetroSafe personnel, if the repair is installation-related, or by Metro Technology Services (MTS), if the repair is related to software. If the repair issues are discovered outside of the normal operating hours of MetroSafe or MTS, the supervisor shall make arrangements for the repairs on the next business day. MVS equipment shall not be disconnected, removed or repaired by anyone except an authorized service technician from MetroSafe or MTS.

## 4.1.6 OPERATIONAL PROCEDURES (CALEA 41.3.8a)

MVS equipment automatically activates when the vehicle's emergency lights are utilized. The digital cameras equipped with GPS capability also activate when the vehicle reaches 80 mph and will stay activated until manually deactivated. The digital cameras will record data 30 seconds before they are activated and will continue recording for 30 seconds after being deactivated.

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## 4.1.6 OPERATIONAL PROCEDURES (CONTINUED)

Officers shall activate video recording equipment when operating in emergency mode, for all traffic stops and for all pursuits. The MVS should be properly positioned, and adjusted, to record events.

Officers shall ensure that the view of the video recording equipment is not obstructed by anything that would impede its operation. Officers shall not block or cover the lens of any camera on their MVS.

Officers shall not deactivate the MVS until the traffic stop, or enforcement action, is complete, such as when the officer or subject pulls away from the traffic stop.

Backup or secondary units are not required to record a traffic stop, or enforcement action, unless requested by the primary unit or a commanding officer.

The equipment may be manually deactivated during non-enforcement activities, such as protecting an accident scene or taking an accident report.

The wireless microphone shall be activated at all times, when using the MVS, to provide narration with the video recording.

Officers may turn on their audio and visual equipment, when outside of their vehicle, if there is a need to utilize the microphone to document official actions, such as at a domestic violence (DV) scene or other call for service.

When two (2) officers occupy a vehicle equipped with a MVS, the microphone may be worn by either officer. The officer wearing the microphone shall be considered the "primary officer."

Officers shall not alter MVS equipment in any way. This shall include, but is not limited to, the GPS functions of the system. Repairs shall only be made by authorized service technicians from MetroSafe or MTS.

Officers are required to record the following in its entirety:

- All traffic stops.
- Pursuits.
- Code 3 emergency vehicular operations.
- Transportation of all prisoners, in vehicles with only one (1) camera, the camera shall be pointed to the rear seat area of the police vehicle to record the prisoner during transportation. For vehicles with both front and backseat cameras, the front camera does not need to be pointed to the rear seat area of the vehicle because the backseat camera will record the prisoner seated in the back of the vehicle.
- Transportation of a person suffering from a mental illness, or other disorder, to a medical facility for treatment (KACP 30.8). This includes persons who are taken into custody pursuant to a Mental Inquest Warrant (MIW) and persons who voluntarily agree to be transported, in vehicles with only one (1) camera, the camera shall be pointed to the rear seat area of the police vehicle to record the prisoner during transportation. For vehicles with both front and backseat cameras, the front camera does not need to be pointed to the rear seat area of the vehicle because the backseat camera will record the prisoner seated in the back of the vehicle.

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## 4.1.6 OPERATIONAL PROCEDURES (CONTINUED)

Officers are encouraged to use their MVS equipment to:

- Record the reason for their current, or planned, enforcement action.
- Record the actions of suspects during interviews, or when placed into custody.
- Record the circumstances at a crime or accident scene, or other pertinent events such as the confiscation of evidence or contraband.
- Record the audio portion of a conversation with a citizen.
- Record situations which arise where the officer, by reason of training and experience, determines that the incident should be documented.

Nothing in this section implies that officers should disregard officer safety for the purpose of being in a position for visual recording.

Officers shall only use videotapes issued by the LMPD Property Room and are responsible for ensuring that they have enough videotapes to complete their tour of duty.

## 4.1.7 OPERATIONAL USE/RETENTION (CALEA 41.3.8a-c)

Officers shall not erase, destroy, alter or tamper with MVS recordings.

Recordings generated on departmental equipment shall be erased, or destroyed, after a period of 12 months, if not designated as evidence or otherwise bookmarked for keeping. Digital recordings bookmarked for keeping shall be stored on the server for four (4) years from the date of recording, unless otherwise required (e.g. on-going case, statutory requirement, etc.). It shall be the responsibility of the officer responsible for maintaining the evidence to notify MTS of the need to hold digital video for a longer period. Recordings containing DUI video evidence shall be maintained and destroyed pursuant to KRS 189A.100.

Recordings generated on departmental equipment are the exclusive property of the LMPD and shall be available for departmental use in accordance with applicable legal restrictions, or upon direct authority of the Chief of Police, or his/her designee.

Officers shall not be required to discontinue recording an event, situation or circumstance for anyone other than the officer in control of the camera, or upon the instructions of a commanding officer.

## 4.1.8 RECORDINGS: CONTROL AND MANAGEMENT (CALEA 41.3.8b)

The Mobile Vision cameras use a VHS tape and each tape shall have a sequential number. The primary officer's name, secondary officer's name (if applicable), code number, beginning date and ending date shall be noted on all tapes.

Shift supervisors shall be responsible for the distribution, and documentation, of tapes issued to officers.

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## 4.1.8 RECORDINGS: CONTROL AND MANAGEMENT (CONTINUED)

Officers shall use a tape until approximately one (1) hour of recording time remains, with the following exceptions:

- All DUI arrests
- Use of force
- Pursuits
- Traffic accidents (the event actually recorded)
- Assaults on officers; or
- At the discretion of a commanding officer

When turning in recorded tapes, officers shall remove them from the MVS unit, when appropriate, and deposit them into designated containers, which are located at each division, by the end of the officer's tour of duty. All tapes shall be processed as evidence, with the primary officer attaching a Mobile Videotape Chain of Custody form (LMPD #03-04-0027) to the tape, which shall be used to document the chain of custody in the processing, handling, transportation and storage of the recording. It is the responsibility of the officer to note on the form that the recording must be retained for evidence. An assigned evidence officer from each division or unit shall transport recorded tapes to the Property Room on a weekly basis.

Officers using the digital mobile video camera shall ensure that they have enough memory on the camera memory card to complete their tour of duty. The memory card will hold between eight (8) and 32 hours of recordings, depending on the camera model. The officer in control of the vehicle shall monitor remaining memory and upload the data onto the server using one (1) of the wireless access points, at least once per shift or more frequently as necessary. The officer's supervisor shall check a database provided by MTS to ensure officers are uploading their videos in compliance with this policy. The link to the database shall be located on the LMPD homepage. The supervisor shall check at least once every five (5) days for each officer equipped with a digital mobile video camera.

There is a bookmark button located on the MDT screen that officers shall use to document recordings that should not be deleted from the server. The older camera model has four (4) bookmark buttons (A-B-C-D). Users of this camera may bookmark the data by selecting any one of the buttons. The bookmarks shall be used for recordings containing any of the following:

- Evidence
- Recorded traffic accident
- Use of force
- Pursuits
- DUI

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## 4.1.9 USE OF RECORDINGS FOR OFFICERS AND SUPERVISORY REVIEW (CALEA 41.3.8b)

The copying of recordings that have been submitted to the Property Room, or stored on the server, shall only be done for official purposes. Officers shall not disseminate a recording in any manner except for official purposes.

Officers needing a copy of a recording for an official purpose shall request a copy from the Property Room by emailing the Mobile Video System Request form (LMPD #05-0021) to the "LMPD Mobile Video System Video Request" email distribution list.

When a duplicate recording is made, no chain of custody is required to be maintained on the duplicate copy. When the duplicate copy is no longer needed, the tape or CD shall be returned to the Property Room where the VHS tapes will be cleaned and reused and the CDs will be destroyed.

## 4.1.10 DISTRIBUTION OF RECORDINGS TO OUTSIDE AGENCIES OR PERSONS

Recordings generated on departmentally-owned equipment are the property of the LMPD. Copying or reproducing any recording, or segment of any recording, generated by the LMPD, or the removal of any recording outside of the LMPD, without the written authorization of the Chief of Police, or his/her designee, is prohibited.

Open records requests for copies of recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to the Open Records Coordinator's Office. Open records requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (KACP 20.2b).

Recordings provided to persons or agencies outside of the LMPD shall be duplicated on new tapes or CDs and shall be provided by the department for a reasonable fee.

Only that portion of a recording which contains a specific contact in question shall be reproduced. When any recording, or any portion of a recording, is to be reproduced for use by an outside person or agency, the officer who generated the video shall be notified, in writing, by the Chief of Police, or his/her designee, of the planned reproduction.

Nothing in this section prevents officers from securing, or releasing, copies to the Jefferson County Attorney's Office and the Office of the Commonwealth's Attorney for official purposes.



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	Accreditation Standards: CALEA: 22.2.5, 26.1.1, 41.3.4 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Uniform Guidelines	

## 4.2 UNIFORM GUIDELINES (CALEA 22.2.5, 26.1.1, KACP 12.1)

### 4.2.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to present a positive and professional image to the community while serving in an official capacity. Therefore, members shall adhere to the prescribed uniform requirements while on-duty or working secondary employment.

### 4.2.2 UNIFORM TYPES

There are five (5) uniforms authorized by the LMPD. The wearing of each uniform shall be directed by duty assignment or by approval of the Chief of Police.

- Class A Uniform (refer to SOP 4.3)
- Class B Uniform (refer to SOP 4.4)
- Class C Uniform (refer to SOP 4.5)
- Class D Uniform (refer to SOP 4.6)
- Class E Uniform (refer to SOP 4.7)

Specialty unit uniforms shall be chosen by the unit commander and forwarded to the Chief of Police for approval.

All uniform items shall be in accordance with the current LMPD uniform contract specifications, which can be found on the LMPD Intranet. Click on the Research and Development link, click on the Contracts and Civil Service link and click on the Uniform Contracts folder.

### 4.2.3 GUIDELINES FOR UNIFORMED MEMBERS

- All uniformed members shall wear the uniform as designated by the Chief of Police.
- All members are required to maintain a Class A uniform at all times.
- The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer's assignment.
- Members have the option of wearing the long sleeve or short sleeve uniform shirt year-round. This applies to all classes of uniforms, unless otherwise instructed by the Chief of Police, or his/her designee.
- A member may, at his/her own expense, purchase a Class B or C uniform for normal duty wear and to wear while working secondary employment. Each respective uniform must be worn in its entirety and be approved, through the chain of command, by the Chief of Police.
- The uniform shall be worn only during on-duty hours, while in court, when working secondary employment and on other occasions as approved by the Chief of Police (e.g. awards banquets, memorial services, etc.).
- Members shall wear only the uniform prescribed for their position and assignment.

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## 4.2.3 GUIDELINES FOR UNIFORMED MEMBERS (CONTINUED)

- A member of the rank of lieutenant or above may wear, in lieu of a gun belt and accessories, a departmentally-approved Clarino trouser belt with a gold buckle, a departmentally-approved holster and a departmentally-approved pistol.
- Civilian clothing shall not be worn with any distinguishable part of the uniform.
- The uniform should fit well and be neat, clean and properly pressed. All metal and leather shall be polished.
- The uniform shall not be worn with jewelry or personal ornamentation other than those authorized by policy.
- Members are prohibited from carrying any equipment that has not been authorized by competent authority (CALEA 41.3.4).

## 4.2.4 OWNERSHIP OF ISSUED UNIFORM EQUIPMENT

All sworn members shall possess and maintain a Class A uniform as outlined in SOP 4.3.

Upon a member's termination of service, issued uniform equipment listed on the Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301) shall be returned to the department. Probationary members must return all issued uniform clothing and departmentally-issued articles prior to an extended leave of absence.

## 4.2.5 REPLACEMENT OF UNSERVICEABLE UNIFORM ARTICLES

Uniformed members are responsible for replacing issued uniform articles that become unserviceable due to normal duties. Uniformed members possessing issued uniform articles that become unserviceable due to direct enforcement action must:

- Submit a Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180).
- Take the damaged article to the member's immediate supervisor and to the division/section/unit commander, who shall inspect the article to determine if the damage is irreparable and that the incident occurred as reported. The immediate supervisor and the division/section/unit commander shall review the request for replacement.
- The division/section/unit commander shall forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau.
- If the claim is substantiated and the article is found to be unserviceable, a replacement article shall be furnished to the member by the department, as required by the current applicable collective bargaining agreement.

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## 4.2.6 HAIR

A member's hair, regardless of style, shall not at any time interfere with the proper wearing of any of his/her equipment or the function of any police duties. Extreme hairstyles or radical hair coloring is prohibited.

The following guidelines apply to male uniformed member's hair:

- Hair shall be neatly trimmed and shall not be worn in a style that extends more than one (1) inch from the head.
- The back of the hair shall not extend beyond the top of the uniform shirt collar when the head is held erect.
- Hair shall not extend over any part of the ear.
- Sideburns shall be neatly trimmed and shall not extend below the lower opening of the ear.
- Mustaches shall be neatly trimmed and shall not extend down over the upper lip or past either side of the mouth.
- Beards and goatees are prohibited.

Female uniformed members shall wear their hair cut to a length that does not extend below the shirt collar or worn in a style (e.g. ponytails, French braids) that does not extend below the shirt collar.

## 4.2.7 JEWELRY

Members should use discretion in the wearing of jewelry. Choker type necklaces shall not be worn with the uniform. Religious, ornamental or identification type necklaces may be worn with the uniform, but the necklace and any item connected must be concealed. Members shall be limited to one (1) ring per hand. Wedding sets shall be considered one (1) ring. Female members shall be limited to wearing one (1) ¼" post earring per ear while in uniform. Male members shall not wear earrings unless in a covert capacity and with prior approval of their supervisor.

## 4.2.8 UMBRELLAS

Umbrellas are not considered approved equipment and shall not be used by a member in uniform.

## 4.2.9 BODY ART

Body art is defined as procedures used to alter the body's appearance such as branding, piercing (other than the earlobe for standard earrings), scarification, tongue splitting or tattoos. For the wearing of jewelry, please refer to SOP 4.2.7.

In order to present a positive and professional image to the community, body art on the hands, neck, face or any part of the head is prohibited. Members are prohibited from having visible body art, excluding tattoos, on any

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## 4.2.9 BODY ART (CONTINUED)

part of the body, while in uniform or while performing an official duty in non-uniformed attire, unless otherwise approved by the Chief of Police. This includes off-duty employment in an official capacity.

Sleeve tattoos are likewise prohibited. A sleeve tattoo is a very large tattoo, or a collection of smaller tattoos, that covers, or almost covers, a member's entire arm or leg. Half-sleeve or quarter-sleeve tattoos that are visible to the eye, while in uniform or while performing official duty in non-uniformed attire are likewise prohibited. A half-sleeve or quarter-sleeve tattoo is defined as a very large tattoo, or a collection of smaller tattoos that covers, or almost covers, the entire portion of an arm or leg above or below the elbow or knee.

Tattoos that are sexist, racist, vulgar, anti-social, gang-related, extremist group-related or may bring discredit upon the LMPD are prohibited. Whether a tattoo's content is deemed appropriate or inappropriate, shall be at the discretion of the Chief of Police.

Members with prohibited body art have the following options:

- Cover the body art with clothing/uniform
- Cover the body art with a neutral colored patch or neutral colored elastic bandage
- Have the body art removed at the member's expense.

Members hired prior to May 21, 2009, who had a visible tattoo(s) before that date that may be prohibited by the above policy, may request an exemption from the Chief of Police. The Chief of Police, or his/her designee, shall review photographic evidence of the tattoo(s) and shall notify the employee if the tattoo(s) is considered to have inappropriate content or content not considered inappropriate. If the Chief of Police, or his/her designee, determines that the content of the tattoo(s) is inappropriate, the member shall be required to cover or remove the tattoo(s) as detailed above. If the Chief of Police, or his/her designee, determines that the content of the tattoo(s) is not considered inappropriate, the photographic documentation shall be placed in the member's medical file in Police Human Resources and the documented tattoo(s) shall be considered grandfathered and shall not need to be covered or removed as detailed above.

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	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class A Uniform	

## 4.3 CLASS A UNIFORM (CALEA 22.2.5, 41.3.4)

### 4.3.1 DEFINITION

The Class A uniform is the standard uniform to be worn by all officers, both on-duty and while engaging in secondary employment. All Class A uniform items shall be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Contracts and Civil Service" link and double click on the "Uniform Contracts" folder.

### 4.3.2 SERVICE HAT

- Shall be worn as directed by competent authority.
- Must be available to uniformed officers at all times, unless otherwise designated.
- Shall be worn in military manner, level on the head, with the proper cap shield for rank, side buttons, cap strap and grommets.
- The visor shall be shiny black, with oak leaves adorning the visor of majors or higher ranks.
- Black or clear cap covers may be worn during inclement weather.

### 4.3.3 SHIRTS

- Navy in color and made of the approved material and design.
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered with the shoulder epaulet and shall be worn ½ inch below the top shoulder seam.

### 4.3.4 T-SHIRTS

A white t-shirt with a plain ribbed crew neck, or white mock turtleneck of no more than two (2) inches, shall be worn under the short sleeve uniform shirt. V-neck t-shirts are prohibited with the short sleeve uniform shirt. The sleeve of the t-shirt shall not be visible when wearing a short sleeve shirt.

A black t-shirt with a plain ribbed crew neck, or black mock turtleneck of no more than two (2) inches, shall be worn under the long sleeve uniform shirt. No lettering, logo or other marking may be visible.

Unless specifically authorized for a particular uniform, full turtleneck shirts are not permitted.

### 4.3.5 PANTS

- Navy in color and made of the approved material and design.
- The hem shall be of appropriate length, so there is no break in the front seam and no exposure of the sock.

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Chapter: Uniforms and Equipment	
Subject: Class A Uniform	

## 4.3.5 PANTS (CONTINUED)

- The pants shall not be tucked into footwear.

## 4.3.6 SOCKS

- Black or navy in color.

## 4.3.7 FOOTWEAR

- Must be black, smooth, plain-toed, leather, low quarter shoes or boots, with heels and soles no greater in height than 1½ inches.
- “Cowboy” type boots are prohibited.
- Shoes must be clarino or highly polished leather.
- Boots, overshoes or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

## 4.3.8 INNER BELT

- Must be smooth leather and black in color.

## 4.3.9 GUN BELT

- Black clarino leather with hidden snaps.
- Belt shall be smooth with four (4) rows of stitching.
- Buckle shall be silver for officers and gold for commanding officers.
- Accessories must be the same style.

## 4.3.10 GUN BELT ACCESSORIES

Gun belt accessories shall be organized based on the preference of the individual officer.

- A maximum of one (1) double ammunition pouch, containing fully-loaded magazines.
- Departmentally-approved holster.
- Departmentally-approved pistol.
- Departmentally-approved handcuffs and case.
- Departmentally-approved ECW and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers of the rank of lieutenant and above).
- Departmentally-approved ECW holster, if applicable. The ECW holster shall be positioned on the opposite side of the belt from the firearm.

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Chapter: Uniforms and Equipment	
Subject: Class A Uniform	

## 4.3.10 GUN BELT ACCESSORIES (CONTINUED)

- Minimum of three (3) belt keepers.

In addition, uniformed officers are strongly encouraged to wear both a departmentally-approved impact weapon and OC spray as intermediate weapons. However, if a uniformed officer is physically unable to fit all of the equipment on the duty belt, or if wearing both OC spray and an impact weapon causes physical discomfort or problems with weapon accessibility, the officer shall wear a departmentally-approved impact weapon. If OC spray is not carried, it must be readily available in the officer's vehicle. The following are departmentally-approved impact weapons:

- Standard baton. The baton shall be black in color, with the length no less than 20 inches or more than 24 inches. The baton diameter shall be no less than 1½ inches or no more than 1¾ inches.
- ASP expandable baton and holder.
- Monadnock expandable baton and holder.

## 4.3.11 OPTIONAL UNIFORM ITEMS

### Necktie

- Must be clip-on type or quick disconnect-type and navy in color.
- May only be worn with the long sleeve Class A uniform shirt or v-neck sweater. If a necktie is worn, it must be tucked beneath the shirt between the second and third buttons from the collar.

### Jackets

- Heavy winter jackets shall be navy in color. Previously issued black is acceptable, until such time that it is necessary to replace the jacket, or until such time as the Chief of Police deems appropriate.
- "Chill Chaser" lightweight jackets (windbreaker style) shall be black or navy in color.
- Polyester soft-shell jackets shall be black in color.

All of the above jackets shall have LMPD shoulder patches, a badge patch (silver for officers, gold for commanding officers) on the left breast area and a name strip (silver for officers, gold for commanding officers) on the right breast area. All jackets shall be of the material and design of current contract standards. Any of the above jackets may be worn year-round at the discretion of the member.

### Sweater

- May be either v-neck or crew neck, black in color, long sleeve pullover type.
- Either sweater may be worn with Class A or Class B uniform only.

### Gloves

- Black in color, smooth leather.

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Chapter: Uniforms and Equipment	
Subject: Class A Uniform	

## 4.3.11 OPTIONAL UNIFORM ITEMS (CONTINUED)

### Winter Hats

- Black fur, trooper in design.
- Toboggans may be worn, but they must be black, "watch cap" military design. Toboggans must fit close to the head.
- Black earmuffs may be worn.

### Scarves

- Black or navy scarves may be worn if tucked inside the jacket.

### Rain Jacket

- Black/yellow reversible style with optional hood.



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Standard Operating Procedures	SOP Number: 4.4
	Effective Date: 07/12/03 Prv. Rev. Date: 03/10/13 Revised Date: 04/29/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class B Uniform	

## 4.4 CLASS B UNIFORM (CALEA 22.2.5, 41.3.4)

### 4.4.1 OVERVIEW

The Class B uniform is an optional tactical patrol uniform that may be purchased, and worn, by any officer, regardless of rank, at his/her discretion. All Class B uniform items shall be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Contracts and Civil Service" link and double click on the "Uniform Contracts" folder.

The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer's assignment.

### 4.4.2 UTILITY CAP

- Shall be a navy blue, baseball-type cap.
- The Metro Police patch shall be embroidered on the front and the word "POLICE" shall be embroidered on the back. Lettering shall be white for officers and gold for commanding officers.
- Shall be worn with the bill facing forward at all times.

### 4.4.3 SHIRTS

- Navy 5.11 Brand Tactical Series—TacLite Class B shirt made of the approved material and design, or navy Propper Brand Tactical shirt made of lightweight ripstop material.
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered on the shoulder epaulet and shall be worn ½ inch below the top shoulder seam.
- Officers shall have a silver badge and commanding officers shall have a gold badge embroidered on the left breast area.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be white for officers and gold for commanding officers.

### 4.4.4 T-SHIRTS

A white t-shirt with a plain ribbed crew neck, or white mock turtleneck of no more than two (2) inches, shall be worn under the short sleeve uniform shirt. V-neck t-shirts are prohibited with the short sleeve uniform shirt. The sleeve of the t-shirt shall not be visible when wearing a short sleeve shirt.

A black t-shirt with a plain ribbed crew neck, or black mock turtleneck of no more than two (2) inches, shall be worn under the long sleeve uniform shirt. No lettering, logo or other marking may be visible.

Unless specifically authorized for a particular uniform, full turtleneck shirts are not permitted.

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Chapter: Uniforms and Equipment	
Subject: Class B Uniform	

## 4.4.5 PANTS

- Navy 5.11 Brand Tactical Series—TacLite Class B pants made of the approved material and design, or navy Propper Brand Tactical pants made of lightweight ripstop material.
- The hem shall be of appropriate length, so there is no break in the front seam and no exposure of the sock.
- The pants shall not be tucked into footwear.

## 4.4.6 SOCKS

- Black or navy in color.

## 4.4.7 FOOTWEAR

- Black, smooth, plain-toed leather low quarter shoes or boots, with the heels and soles no greater in height than 1½ inches.
- “Cowboy-type” boots are prohibited.
- Shoes must be highly polished leather.
- Boots, overshoes or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

## 4.4.8 INNER BELT

- Black in color and made of the approved material.

## 4.4.9 GUN BELT

- Officers have the option of black nylon or clarino leather.
- Accessories must be the same style.

## 4.4.10 GUN BELT ACCESSORIES

Gun belt accessories shall be organized based on the preference of the individual officer and must match the style of the gun belt.

- A maximum of one (1) double ammunition pouch, containing fully loaded magazines.
- Departmentally-approved holster.
- Departmentally-approved pistol.
- Departmentally-approved handcuffs and case.
- Departmentally-approved Electronic Control Weapon (ECW) and one (1) spare cartridge (optional for

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Chapter: Uniforms and Equipment	
Subject: Class B Uniform	

## 4.4.10 GUN BELT ACCESSORIES (CONTINUED)

members assigned to plainclothes units and commanding officers of the rank of lieutenant and above).

- Departmentally-approved ECW holster, if applicable. The ECW holster shall be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton shall be black in color, with the length no less than 20 inches or more than 24 inches. Diameter shall be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Departmentally-approved OC spray and case.

## 4.4.11 OPTIONAL UNIFORM ITEMS

Optional items that may be worn are the same as for the Class A uniform (refer to SOP 4.3.11).

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	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class C Uniform	

## 4.5 CLASS C UNIFORM (CALEA 22.2.5, 41.3.4)

### 4.5.1 OVERVIEW

The Class C uniform is an optional uniform that may be purchased, and worn, by any officer, regardless of rank, at his/her discretion. All Class C uniform items shall be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Contracts and Civil Service" link and double click on the "Uniform Contracts" folder.

The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer's assignment.

### 4.5.2 UTILITY CAP

- Shall be a navy blue, baseball-type cap.
- The Metro Police patch shall be embroidered on the front and the word "POLICE" shall be embroidered on the back. Lettering shall be white for officers and gold for commanding officers.
- Shall be worn with the bill facing forward at all times.

### 4.5.3 SHIRTS

- Heather gray short sleeve polo shirt.
- Officers shall have a silver badge and commanding officers shall have a gold badge embroidered on the left breast area.
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered on the shoulder, ½ inch below the seam.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be navy for officers and gold for commanding officers.
- "METRO POLICE" shall be printed in navy lettering, centered on the back of the shirt.

### 4.5.4 SHORTS

- Navy 5.11 Brand Tactical Series—TacLite Class C shorts made of the approved material and design, or navy Proper Brand Tactical shorts made of lightweight ripstop material.

### 4.5.5 SOCKS

- White, black or navy low cut cotton.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.5
	Effective Date: 07/12/03 Prv. Rev. Date: 03/10/13 Revised Date: 04/29/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class C Uniform	

## 4.5.6 FOOTWEAR

- Solid black athletic shoes. Shoes shall be kept in good condition and without dirt or mud.

## 4.5.7 INNER BELT

- Black in color and made of the approved material.

## 4.5.8 GUN BELT

- Black nylon web gear.
- Accessories must be the same style.

## 4.5.9 GUN BELT ACCESSORIES

Gun belt accessories shall be organized based on the preference of the individual officer.

- A maximum of one (1) double ammunition pouch containing fully loaded magazines.
- Departmentally-approved holster.
- Departmentally-approved pistol.
- Departmentally-approved handcuffs and case.
- Departmentally-approved Electronic Control Weapon (ECW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers of the rank of lieutenant and above).
- Departmentally-approved ECW holster, if applicable. The ECW holster shall be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton shall be black in color, with the length no less than 20 inches or more than 24 inches. Diameter shall be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Departmentally-approved OC spray and case.

## 4.5.10 OPTIONAL UNIFORM ITEMS

Only the jackets, gloves and rain jacket outlined in SOP 4.3.11 may be worn.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.6
	Effective Date: 07/12/03 Prv. Rev. Date: 10/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class D Uniform	

## 4.6 CLASS D UNIFORM (CALEA 22.2.5, 41.3.4)

### 4.6.1 DEFINITION

The Class D uniform is an optional uniform that may be worn by any officer with prior approval of the Chief of Police, or his/her designee. All Class D uniform items shall be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Contracts and Civil Service" link and double click on the "Uniform Contracts" folder.

### 4.6.2 UTILITY CAP

- Shall be a navy blue, baseball-type cap.
- The Metro Police patch shall be embroidered on the front and the word "POLICE" shall be embroidered on the back. Lettering shall be white for officers and gold for commanding officers.
- Shall be worn with the bill facing forward at all times.

### 4.6.3 SHIRTS

- White, black, gray, navy or red polo shirt (short or long sleeve).
- The Metro Police patch shall be embroidered on the left breast area.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be navy (on white, gray or red shirts) or silver (on black and navy shirts) for officers and gold for commanding officers.
- Standard shoulder patches are optional and may be worn on each sleeve. The patch shall be centered on the shoulder, ½ inch below the top shoulder seam.

### 4.6.4 PANTS

- Navy six (6) pocket cargo pants.

### 4.6.5 SOCKS

- Black or navy in color.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.6
	Effective Date: 07/12/03 Prv. Rev. Date: 10/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class D Uniform	

## 4.6.6 FOOTWEAR

- Black, smooth, plain-toed leather low quarter shoes or boots, with the heels and soles no greater in height than 1½ inches.
- “Cowboy-type” boots are prohibited.
- Shoes must be highly polished leather.
- Boots, overshoes or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

## 4.6.7 INNER BELT

- Black in color and made of the approved material.

## 4.6.8 GUN BELT

- Black nylon web gear.
- Accessories must be the same style.

## 4.6.9 GUN BELT ACCESSORIES

Gun belt accessories shall be organized based on the preference of the individual officer.

- A maximum of one (1) double ammunition pouch containing fully loaded magazines.
- Departmentally-approved holster.
- Departmentally-approved pistol.
- Departmentally-approved handcuffs and case.
- Departmentally-approved ECW and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers of the rank of lieutenant and above).
- Departmentally-approved ECW holster, if applicable. The ECW holster shall be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton shall be black in color, with the length no less than 20 inches or more than 24 inches. Diameter shall be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Departmentally-approved OC spray and case.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.6
	Effective Date: 07/12/03 Prv. Rev. Date: 10/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class D Uniform	

## 4.6.10 OPTIONAL UNIFORM ITEMS

Only the jackets, gloves and rain jacket outlined in SOP 4.3.11 may be worn.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.7
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class E Uniform	

## 4.7 CLASS E UNIFORM (CALEA 22.2.5, 41.3.4)

### 4.7.1 DEFINITION

The Class E uniform is an optional uniform that shall be worn by any departmentally-certified bike or Electric Standup Vehicle (ESV) officer with prior approval of the Chief of Police, or his/her designee. All Class E uniform items shall be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Contracts and Civil Service" link and double click on the "Uniform Contracts" folder.

### 4.7.2 UTILITY CAP

- Shall be a navy blue, baseball-type cap.
- The Metro Police patch shall be embroidered on the front and the word "POLICE" shall be embroidered on the back. Lettering shall be white for officers and gold for commanding officers.
- Shall be worn with the bill facing forward at all times.

### 4.7.3 SHIRTS

- Gray short or long sleeve bike shirt. Navy blue bike shirts are optional.
- Officers shall have a silver badge and commanding officers shall have a gold badge embroidered on the left breast area.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be navy (on gray shirts) or white (on navy shirts) for officers and gold for commanding officers.
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered on the shoulder, ½ inch below the top shoulder seam.
- "METRO POLICE" shall be printed in reflective lettering, centered on the back of the shirt.
- A white t-shirt or mock turtleneck may be worn under either bike shirt.

### 4.7.4 PANTS/SHORTS

- Navy cycling pants or bike shorts made of the approved material and design.

### 4.7.5 SOCKS

- Black low-cut cotton.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.7
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class E Uniform	

## 4.7.6 FOOTWEAR

- Solid black athletic shoes. Shoes shall be kept in good condition and without dirt or mud.

## 4.7.7 INNER BELT

- Black in color and made of the approved material.

## 4.7.8 GUN BELT

- Black nylon web gear.
- Accessories must be the same style.

## 4.7.9 GUN BELT ACCESSORIES

Gun belt accessories shall be organized based on the preference of the individual officer.

- A maximum of one (1) double ammunition pouch containing fully loaded magazines.
- Departmentally-approved holster.
- Departmentally-approved pistol.
- Departmentally-approved handcuffs and case.
- Departmentally-approved ECW and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers of the rank of lieutenant and above).
- Departmentally-approved ECW holster, if applicable. The ECW holster shall be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.
- ASP expandable baton and holder or departmentally-approved OC spray and case.
- Departmentally-approved radio case.
- Departmentally-approved mini flashlight and case.

## 4.7.10 JACKET

- Light navy over dark navy cycling jacket (bolero type).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.7
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniforms and Equipment	
Subject: Class E Uniform	

## 4.7.11 OPTIONAL PACKABLE RAIN JACKET

- Royal blue in color with LMPD patches embroidered on each sleeve.
- Officers shall have a silver badge and commanding officers shall have a gold badge embroidered on the left breast area.
- "POLICE" shall be printed in reflective lettering on the right breast.
- "METRO POLICE" shall be printed in reflective lettering, centered on the back of the jacket.

## 4.7.12 SAFETY EQUIPMENT

- Prescription or wrap-around polycarbonate protective eyewear.
- Black protective helmet with white "POLICE" lettering.
- Black cycling gloves.

## 4.7.13 OPTIONAL SWEATSHIRT

- Heather-gray, pullover sweatshirt made of the approved material and design.
- Officers shall have a silver badge and commanding officers shall have a gold badge embroidered on the left breast area.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be navy for officers and gold for commanding officers.
- "METRO POLICE" shall be printed in reflective lettering, centered on the back of the sweatshirt.
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered on the shoulder, ½ inch below the top shoulder seam.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.8
	Effective Date: 07/12/03 Prv. Rev. Date: 01/24/11 Revised Date: 06/10/11
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniform and Equipment	
Subject: Formal and Dress Uniforms	

## 4.8 FORMAL AND DRESS UNIFORMS (CALEA 22.2.5, 41.3.4)

### 4.8.1 DRESS UNIFORM

The dress uniform shall be worn by officers attending functions requiring a more professional appearance, such as funerals and awards ceremonies.

The dress uniform shall consist of a Class A uniform worn with a long-sleeved uniform shirt and a necktie.

Officers with the rank of major and above may choose to wear the formal uniform rather than the dress uniform.

### 4.8.2 FORMAL UNIFORM

Only the Chief of Police, colonels, lieutenant colonels and majors are authorized to wear the formal uniform and may do so at their own discretion. The Class A gun belt shall not be worn with the formal uniform.

The formal uniform shall consist of the following:

#### Hat

- Shall be worn as directed by competent authority.
- Shall be worn in a military manner, level on the head, with the proper cap shield for rank, side buttons, cap strap and grommets.
- The visor shall be shiny black with oak leaves adorning the visors.
- Black or clear cap covers may be worn in inclement weather.

#### Dress shirt

- White in color and made of the approved material and design.
- Standard shoulder patches should be worn on each sleeve. The patch shall be centered and worn ½ inch below the top shoulder seam.
- Rank insignia shall be worn on the collar, as outlined in the policy regarding insignia and badge placement (refer to SOP 4.10).

#### Jacket

- Navy in color and of the approved material and design with gold buttons.
- Gold ½ inch braided piping shall adorn the cuffs. The amount of piping shall be dependent upon the rank. Majors shall have two (2) lines of piping, lieutenant colonels shall have three (3), colonels shall have four (4) and the Chief of Police shall have five (5).
- Standard shoulder patches shall be worn on each sleeve. The patch shall be centered with the shoulder epaulet and shall be worn ½ inch below the top shoulder seam.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.8
	Effective Date: 07/12/03 Prv. Rev. Date: 01/24/11 Revised Date: 06/10/11
	Accreditation Standards: CALEA: 22.2.5, 41.3.4
Chapter: Uniform and Equipment	
Subject: Formal and Dress Uniforms	

## 4.8.2 FORMAL UNIFORM (CONTINUED)

- Rank insignia shall be worn on the jacket, as outlined in the policy regarding insignia and badge placement (refer to SOP 4.10).
- The appropriate metal badge shall be worn on the left breast area.
- A gold nameplate, bearing the individual's first initial and last name, shall be worn on the right breast area.

### Tie

- Navy in color.

### Pants

- Navy in color and made of the approved material and design with black, braided stripes along the outside seams.
- The hem shall have no exposure of the sock when standing.

### Belt

- Black leather with a gold buckle.

### Firearm

- A departmentally-approved firearm shall be worn concealed in a holster.

### Socks

- Black or navy in color.

### Footwear

- Black dress shoes made of the approved material and design.

### Medals and Awards

- Shall not be worn with the formal uniform.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.9
	Effective Date: 07/12/03 Prv. Rev. Date: 02/10/13 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4, 61.3.2 KACP: 10.5
Chapter: Uniform and Equipment	
Subject: Specialized Uniforms & Equipment	

## 4.9 SPECIALIZED UNIFORMS & EQUIPMENT

### 4.9.1 SPECIALIZED UNIT UNIFORMS

Specialized units may require uniforms designed for their particular function within the department. All uniforms worn by specialized units must be approved by the unit commander and the Chief of Police.

### 4.9.2 HIGH-VISIBILITY APPAREL (CALEA 22.2.5, 61.3.2g, KACP 10.5b)

The department shall provide members, whose job description requires them to perform duties in roadways or other areas affected by vehicular traffic, with a high-visibility vest that complies with current Federal Highway Administration/Department of Transportation (DOT) standards (ANSI/ISEA 207-2006). Members, while on-duty, off-duty or performing secondary employment, regardless of whether on public or private property, shall wear the high-visibility vest while performing the following traffic control duties:

- Directing traffic
- Stationary traffic checkpoints
- All motor vehicle accident scenes, except those where all involved vehicles have been removed from the roadway, to a parking lot or location where exposure to vehicular traffic is limited
- While performing any task outside of his/her vehicle on any interstate highway/expressway
- Any other situation where he/she is exposed to vehicular traffic for an extended period of time
- At the direction of a commanding officer

Members shall put on the high-visibility vest at the first reasonably practical time, after arriving at the scene of an incident requiring the vest. Members are not required to wear the high-visibility vest on routine traffic or pedestrian stops or during other enforcement actions where it is impractical to wear the vest. Nothing in this policy shall prevent a member from wearing the high-visibility vest in other situations not listed, where he/she feels it would enhance officer safety. However, consideration should be given to those situations where a member might be exposed to added danger as a result of wearing the high-visibility vest (e.g. possible armed subject).

During inclement weather, when rainwear or a jacket is worn, the high-visibility vest shall be worn over the rainwear or jacket. Members may use personally-owned high-visibility rainwear or jackets, purchased at their own expense, instead of the departmentally-issued vest, as long as they meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies (CALEA 41.3.4).

### 4.9.3 LICENSE PLATE READER

License Plate Reader (LPR) equipment consists of a camera(s), computer and computer software used to automatically scan and interpret the characters on vehicle license plates. This data is then compared with law enforcement data. This equipment may be affixed, either permanently or temporarily, to a law enforcement vehicle or to a fixed object.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.9
	Effective Date: 07/12/03 Prv. Rev. Date: 02/10/13 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 22.2.5, 41.3.4, 61.3.2 KACP: 10.5
Chapter: Uniform and Equipment	
Subject: Specialized Uniforms & Equipment	

## 4.9.3 LICENSE PLATE READER (CONTINUED)

The use of the LPR equipment is intended to provide Louisville Metro Police Department (LMPD) officers with a tool to identify vehicles, license plates, registered owners and documenting the operations of those vehicles, via digital photographic image, without direct intervention. The equipment shall provide information for official law enforcement purposes including, but not limited to:

- Locating stolen or wanted vehicles
- Stolen license plates
- Gang and narcotic interdictions
- Missing persons/wanted persons
- Undercover operations

The LPR may be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and the recovery of stolen property. The LPR shall be utilized only by officers who are trained in the use of the LPR equipment.

The use of the LPR equipment and access to its database records is restricted and shall be used in accordance with the manufacturer's recommendations and this policy. Because such data may contain confidential information, it is not open to public review. Officers shall not use or authorize the use of the LPR database records for reasons that are not legitimate law enforcement purposes. Misuse of this equipment and associated databases may result in disciplinary action. The LPR systems, associated database records and any associated media are the property of the LMPD and are intended for official law enforcement purposes only.

The Auto Theft Unit shall be responsible for receiving and approving requests for use of the LPR. Once a request is approved, the division/section/unit making the request shall arrange for the Auto Theft Unit to train personnel who will be utilizing the system and to install the equipment, either to a vehicle or a fixed object. The Auto Theft Unit shall keep a log of who has the equipment, when it was checked out and when it was returned. The Auto Theft Unit shall forward documentation on who has been trained for inclusion in their training file.

Damage to LPR equipment shall be reported by submitting a Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180) to the officer's immediate supervisor. The immediate supervisor and the division/section/unit commander shall review the form. The division/section/unit commander shall forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. Under no circumstances shall a LPR operator attempt to modify the LPR equipment or software operating system. LPR cameras must first be removed from the vehicle prior to entering an automatic car washing facility.

Data shall be handled in accordance with state, federal and local laws. Data shall be disposed of when any related court cases have been adjudicated or law enforcement actions have been completed.

# Louisville Metro Police Department

<b>Standard Operating Procedures</b>	SOP Number: 4.10
	Effective Date: 07/12/03 Prv. Rev. Date: 04/04/11 Revised Date: 02/10/13
	Accreditation Standards: CALEA: 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

## 4.10            **INSIGNIA AND BADGE PLACEMENT** (CALEA 26.1.1, KACP 12.1)

### 4.10.1            **POLICY**

In order to present a professional appearance, the following guidelines shall be applied to uniformed members.

### 4.10.2            **BADGE/INSIGNIA MATERIAL**

A metal badge/insignia with appropriate nametag shall be worn with the Class A or Formal Dress uniform. Silver shall be worn for officers/detectives and gold shall be worn for commanding officers. All other uniforms shall utilize the cloth badge/insignia with appropriate nametag.

### 4.10.3            **RANK AND COLLAR INSIGNIA TYPE**

All members shall wear the appropriate rank insignia on their uniform as specified below:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Chief of Police</li> <li>• Deputy Chief of Police (Colonel)</li> <li>• Assistant Chief of Police (Lieutenant Colonel)</li> <li>• Major</li> <li>• Captain</li> <li>• Lieutenant</li> <li>• Police Training Sergeant</li> <br/> <li>• Sergeant</li> <br/> <li>• Police Training Officer</li> <br/> <li>• Officer</li> <li>• Recruit</li> </ul> | <ul style="list-style-type: none"> <li>Silver Star</li> <li>Silver Eagle</li> <li>Silver Oak Leaf</li> <li>Gold Oak Leaf</li> <li>Two (2) Gold Bars</li> <li>One (1) Gold Bar</li> <li>Three (3) Gold Chevrons/Diamond Gold Metro Insignia</li> <li>Three (3) Gold Chevrons Gold Metro Insignia</li> <li>One (1) White Chevron/Diamond Silver Metro Collar Pins</li> <li>Silver Metro Collar Pins</li> <li>Silver Metro Collar Pins</li> </ul> |
|--|--|

A cloth replica of the appropriate rank insignia should be sewn on the Class B uniform shirt.

### 4.10.4            **CHIEF OF POLICE SHIRT**

Stars shall be worn on the left and right collar points, with a single point of the star directed upwards. They shall be positioned so that a line bisecting the center of each star would be parallel to the front edge of each collar. The star shall also be centered between the top and bottom collar edges, with their centers positioned one (1) inch from the collar's front edge.



# Louisville Metro Police Department

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	Accreditation Standards: CALEA: 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

## 4.10.4 CHIEF OF POLICE SHIRT (CONTINUED)

### Jacket

Stars shall be worn on each shoulder so that one (1) star point is pointed toward the center and its edge is  $\frac{3}{4}$  inch from the sleeve. They shall also be centered directly over the shoulder seams.

## 4.10.5 DEPUTY CHIEF OF POLICE (COLONEL) SHIRT

The eagles shall be worn on the left and right collar points in a horizontal position with the head up, beak to the front, in such a manner that a line bisecting the center of the body and head would be parallel to the front edge of the collar. The insignia shall be centered between the top and bottom edges of the collar with the front wing tip positioned  $\frac{1}{2}$  inch from the collar's front edge.

### Jacket

One (1) eagle shall be worn on each shoulder, positioned so that the head points to the center with the beak to the front. Each eagle shall also be centered over the shoulder seam with the feet  $\frac{3}{4}$  inch from the sleeve seam.

## 4.10.6 ASSISTANT CHIEF OF POLICE (LIEUTENANT COLONEL) AND MAJOR SHIRT

Oak leaves shall be worn on the left and right collar points, with the tops of the leaves pointing upwards. They shall be positioned so that a line bisecting the center of each leaf would be parallel to the front edge of each collar. The leaves shall also be centered between the top and bottom collar edges, with their centers positioned one (1) inch from the collar's front edge.

### Jacket

Oak leaves shall be worn on each shoulder so that the top point of each leaf points toward the center and its edge is  $\frac{3}{4}$  inch from the sleeve. They shall also be centered directly over the shoulder seams.

## 4.10.7 CAPTAIN AND LIEUTENANT SHIRT

The insignia shall be worn on the left and right collar points, with the front edge of the insignia  $\frac{1}{2}$  inch from the front of the collar. The insignia shall be centered between the top and bottom of the collar.

### Jacket

The insignia shall be worn on each shoulder, centered directly over the shoulder seam so that the edge of the outer bar is  $\frac{3}{4}$  inch from, and parallel with, the sleeve seam.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.10
	Effective Date: 07/12/03 Prv. Rev. Date: 04/04/11 Revised Date: 02/10/13
	Accreditation Standards: CALEA: 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

## 4.10.8 SERGEANT SHIRT

Gold Metro collar pins shall be centered on each collar point between the top seam and the bottom edge. The front edge of the insignia shall be ½ inch from, and parallel with, the front edge of the collar.

Three (3) gold cloth chevrons on a black background shall be worn on each sleeve, with the topmost point of the chevron centered one (1) inch below the bottom point of the shoulder patch.

### Jacket

Three (3) gold metal chevrons, approximately 1⅛ inch in width, shall be worn on each shoulder so that the apex points toward the neck and the bottom of the chevron is ¾ inch from the sleeve seam and centered on the epaulet.

## 4.10.9 POLICE OFFICER SHIRT

Silver Metro collar pins shall be centered on each collar point between the top seam and the bottom edge. The front edge of the insignia shall be ½ inch from, and parallel with, the front edge of the collar.

Police training officers (PTOs) are authorized to wear a PTO insignia. The PTO insignia is a one-stripe cloth chevron with a white diamond, white in color on a black background. It shall be sewn on both sleeves of the uniform shirt, with the topmost point of the chevron centered one (1) inch below the bottom point of the shoulder patch.

## 4.10.10 SHOULDER PATCHES

Shoulder patches are to be worn on the appropriate uniform items. The patch shall be centered with the shoulder epaulet and shall be worn ½ inch below the top shoulder seam.

## 4.10.11 BADGE PLACEMENT

The proper metal badge, depending on the rank, shall be worn with the Class A uniform, centered above and perpendicular to the left breast pocket. A white or gold cloth badge, depending on the rank, shall be worn on all Class B and Class E uniform shirts, winter jackets, lightweight jackets, sweaters and raincoats. Cloth badges shall be properly centered on the left breast of the garment.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.10
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	Accreditation Standards: CALEA: 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

## 4.10.12 NAMEPLATE

A silver or gold nameplate, depending on the rank, shall be worn on the Class A uniform shirt of all officers. Uniform nameplates shall be made of the approved metal and shall be centered just above the right breast pocket. The bottom edge of the nameplate shall touch the top edge of the right pocket flap. A cloth nameplate, white or gold in color, depending on the rank, shall be worn on all Class B uniform shirts, lightweight jackets, winter jackets and sweaters. All nameplates, other than recruit nameplates, shall bear the member's first initial and last name. The nameplate shall also bear the words "SERVING SINCE" followed by the year that the officer was sworn in as a peace officer.

## 4.10.13 SERVICE HASH MARKS

Service hash marks are optional and may be worn on the left sleeve of the long sleeve uniform shirt. The hash marks must meet the following guidelines:

- Each hash mark represents five (5) years of completed service. For sworn members, years of service are calculated from the date sworn in as an officer.
- The number of hash marks shall reflect the number of years, as indicated by the "SERVING SINCE" date listed on the nameplate.
- Hash marks should be 1 $\frac{3}{8}$  inch long with a  $\frac{1}{4}$  inch space between each hash mark.
- Hash marks shall be white for officers and gold for commanding officers.
- Hash marks shall not be worn on sweaters.

## 4.10.14 MEDALS AND BREAST BARS

All service recognition medals and breast bars previously awarded to members of the Louisville Division of Police (LPD) and the Jefferson County Police Department (JCPD) are approved for wear. These decorations are only to be worn with the Class A uniform.

Medals and breast bars may be worn  $\frac{1}{4}$  inch above, parallel and centered on the nameplate. If more than one (1) decoration is worn, they should be worn side-by-side, parallel and centered on the nameplate with the highest decoration worn to the extreme right.

If both medals and breast bars are worn at the same time, the medals shall be worn  $\frac{3}{8}$  inch above, and parallel to, the breast bars. All should be centered on the nameplate.

## 4.10.15 SERVICE MEDAL PIN

The service medal pin may be worn on the right uniform pocket flap, with the top edge of the pin  $\frac{1}{2}$  inch under, and parallel with, the center of the nameplate.

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Standard Operating Procedures	SOP Number: 4.10
	Effective Date: 07/12/03 Prv. Rev. Date: 04/04/11 Revised Date: 02/10/13
	Accreditation Standards: CALEA: 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

## 4.10.16 INSTRUCTOR PINS

Instructor pins may be worn on the left uniform pocket flap, parallel to the top edge of the pocket and centered between the left and right edges. If more than one (1) instructor pin is worn, they should be placed side-by-side.

## 4.10.17 SPECIALIZED UNIT INSIGNIA

Specialized unit insignias may be worn on the left uniform pocket flap, parallel to the top edge of the pocket and centered between the left and right edges. If more than one (1) insignia is worn, they should be placed side-by-side.

## 4.10.18 MARKSMANSHIP MEDAL

Marksmanship medals may be worn centered over the left uniform pocket flap, directly beneath the badge.

## 4.10.19 AMERICAN FLAG PIN

An American flag pin may be worn on the left uniform pocket flap, centered between the bottom and top edges. The flag should measure no more than ½ inch by ½ inch.

## 4.10.20 SUPPORTING HEROES PIN

The Supporting Heroes pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

## 4.10.21 KENTUCKY ASSOCIATION OF CHIEFS OF POLICE (KACP) ACCREDITATION PIN

The KACP Accreditation pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

## 4.10.22 CONCERNS OF POLICE SURVIVORS (C.O.P.S.) PIN

The C.O.P.S. pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

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## 4.10.23 LOUISVILLE METRO POLICE OFFICERS ASSOCIATION (LMPOA) PIN

The LMPOA pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

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Standard Operating Procedures	SOP Number: 4.11
	Effective Date: 09/25/03
	Accreditation Standards: CALEA: 17.5.2, 22.2.5, 41.3.5, 41.3.6 KACP: 10.5
Chapter: Uniforms and Equipment	
Subject: Body Armor	

## 4.11 BODY ARMOR (CALEA 41.3.5)

### 4.11.1 POLICY

All officers are strongly encouraged to wear body armor while performing police functions. Although body armor is not mandatory, officers may be required to wear it under certain circumstances, such as the execution of search warrants or high-risk details (CALEA 41.3.6).

### 4.11.2 BODY ARMOR ISSUANCE (CALEA 17.5.2, 22.2.5, KACP 10.5a)

The department shall issue body armor to all officers. Officers may purchase alternate body armor to be worn while on-duty. The decision to wear non-issued body armor should be based on the individual needs of each officer.

Issued body armor, regardless of assignment, shall be readily available to all officers during on-duty hours.

### 4.11.3 BODY ARMOR MAINTENANCE

All officers are responsible for the care and safekeeping of his/her issued body armor, in accordance with the manufacturer's instructions.

Officers shall not wear body armor which has sustained the impact of a gunshot or when the ballistic panel has been damaged.

### 4.11.4 BODY ARMOR REPAIRS, ALTERATIONS AND REPLACEMENT

No repairs or alterations to issued body armor shall be made without the approval of the Range Supervisor.

Officers whose body armor is damaged in the line of duty shall contact the Range Supervisor to obtain the temporary loan of another protective vest.

Officers may be held responsible for the replacement of issued body armor if it is lost, stolen or damaged beyond serviceability due to negligence.

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Standard Operating Procedures	SOP Number: 4.12
	Effective Date: 07/12/03 Prv. Rev. Date: 09/29/12 Revised Date: 01/07/13
	Accreditation Standards: CALEA: 22.2.5, 22.2.7, 26.1.1 KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Dress and Equipment Requirements for Plainclothes Sworn Personnel	

## 4.12 DRESS AND EQUIPMENT REQUIREMENTS FOR PLAINCLOTHES SWORN PERSONNEL (CALEA 22.2.5, 26.1.1, KACP 12.1)

### 4.12.1 POLICY

All plainclothes officers shall abide by this policy with the exception of units specified by the Chief of Police, or his/her designee.

### 4.12.2 DRESS

Officers shall be neat, clean and well-groomed. Clothing shall consist of a business-like appearance that promotes a professional image of the department.

Male plainclothes officers shall wear a shirt, tie and dress slacks. Sweaters, sports jackets or suits are optional. Earrings are prohibited.

Female plainclothes officers shall wear appropriate dress slacks, blouse, sweater, skirt or dress.

Solid-colored polo shirts, with the official Louisville Metro Police Department (LMPD) patch embroidered on the left breast area, may be worn at the discretion of the division/section/unit commander. The officer's first initial and last name shall be embroidered on the right breast area. Division/section/unit commanders are responsible for approving the shirt colors. The departmental patch may only be worn on the approved polo shirts and corresponding attire shall maintain casual business standards.

### 4.12.3 HAIR

Male officers' hair shall not extend completely over the ears or below the top of the shirt collar. Extreme hair styles or radical hair coloring is prohibited.

Sideburns shall be neatly trimmed and not extend below the lower opening of the ear. Mustaches shall not extend down over the upper lip or past either side of the mouth and must be kept trimmed at all times. Beards and goatees are prohibited.

Female officers' hair must be neat in appearance. Extreme hairstyles or radical coloring is prohibited.

If secondary employment dictates that a uniform is to be worn, an officer whose normal duty assignment is non-uniform shall conform to the more stringent requirement.

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Subject: Dress and Equipment Requirements for Plainclothes Sworn Personnel	

#### 4.12.4 EQUIPMENT

Plainclothes officers shall carry the following equipment:

- Firearm with at least one (1), fully-loaded spare magazine
- ASP, baton, OC spray or ECW (carrying an ECW while in plainclothes is optional)
- Appropriate badge and identification card (CALEA 22.2.7b)
- Handcuffs

Plainclothes officers are prohibited from carrying equipment that has not been authorized by competent authority.

#### 4.12.5 FIREARMS

Officers wearing civilian attire must have their firearms concealed at all times, unless a tactical situation necessitates otherwise.

#### 4.12.6 BADGE AND IDENTIFICATION (CALEA 22.2.7b)

Patrol officers permanently assigned to a detective position shall be assigned a detective badge and identification card. Unless approved by the Chief of Police, or his/her designee, only the following sworn personnel shall be assigned a detective badge and identification card:

- Major Crimes Division detectives
- Narcotics Division detectives
- Patrol Services detectives, including the Violent Incident Prevention, Enforcement and Response (VIPER) Unit
- Patrol Services flex platoon detectives
- Crime Information Center (CIC) detectives

If a detective is temporarily assigned to a detail or performs secondary employment requiring a uniform, he/she shall wear the detective badge, in accordance with SOP 4.10.2. If a detective is permanently transferred or reassigned to a uniform position, or if an officer is permanently transferred or reassigned to a detective position, he/she shall contact the Assistant Chief of Police/Administrative Bureau, or his/her designee, within seven (7) days to obtain an appropriate replacement badge. Officers and detectives are prohibited from exchanging badges with each other.

Officers and detectives permanently transferred or reassigned to, or from, a uniform or detective position shall also go to the LMPD Photo Lab within seven (7) days and obtain an appropriate identification card. Uniformed officers temporarily assigned to a state, federal or departmental task force shall not be issued a detective badge or identification card.



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## 4.12.7 LIGHT DUTY

Officers on light duty shall dress appropriately for the assignment. If the assignment requires contact with the public, clothing shall consist of a business-like appearance that promotes a professional image of the department (refer to SOP 4.12.2 and SOP 4.19).

## 4.12.8 TEMPORARY ASSIGNMENT

Officers who are temporarily assigned to a unit shall dress appropriately for the assignment.

## 4.12.9 COURT ATTIRE

Officers shall appear in court in uniform or appropriate business attire (refer to SOP 8.2.8).

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Subject: Firearms	

## 4.13 FIREARMS

### 4.13.1 AUTHORIZATION TO CARRY

Officers are authorized to carry concealed deadly weapons under Kentucky Revised Statute (KRS) 527.020(3) and Louisville Metro Code of Ordinances (LMCO) 41.03 and 135.06 (CALEA 1.2.2).

Authorized firearms are those that comply with the department's specifications (KACP 1.9). Authorized firearms shall be properly inspected and registered with the Firearms Training Center before being approved for service (CALEA 1.3.9c).

It shall be the policy of the Louisville Metro Police Department (LMPD) to ensure that all sworn personnel are trained and qualified in the use of departmentally-approved weapons and ammunition. All sworn personnel shall have access to the departmental Standard Operating Procedures (SOPs) and shall be instructed in the use of force prior to being authorized to carry a weapon (CALEA 1.3.12, KACP 1.3e).

Officers and recruits shall receive departmental training on the proper and safe use of authorized firearms. Training shall be conducted and documented by certified firearms training instructors (CALEA 1.3.11a-b, 33.4.1, KACP 1.10b). As required by the Firearms Training Center, officers must qualify with authorized firearms, twice annually, one of which will be in night/low light conditions. This shall be done before the officer is authorized to carry the weapon (CALEA 1.3.10, KACP 1.10a).

Records of weapons qualifications and results, including the make, model, caliber and serial number of each firearm, shall be maintained by the Training Division. This shall apply to all departmentally-approved weapons whether on-duty, off-duty and/or backup weapons (CALEA 1.3.9e).

### 4.13.2 OFFICIAL DEPARTMENT FIREARMS (CALEA 1.3.9a)

All firearms shall meet the required specifications determined by the Firearms Training Center. The "grandfathered" pistols below are only authorized for former suburban officers who currently own these weapons. Officers electing to carry a Glock model pistol must complete a Glock Transition Course.

The following are the official firearms of the department:

#### Class A Service Pistols

- Glock Model 22
- Glock Model 23

#### Plainclothes Service Pistols - OPTIONAL

- Any of the pistols listed above
- Glock Model 27

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## 4.13.2 OFFICIAL DEPARTMENT FIREARMS (CONTINUED)

### Grandfathered Class A Service Pistols (Former Suburban Only)

- Sig Model P-220
- Sig Model P-225
- Sig Model P-226
- Sig Model P-228
- Sig Model P-229

### Grandfathered Plainclothes Service Pistols (Former Suburban Only)

- Sig Model P-230
- Sig Model P-239
- Sig Model P-245

**Shotgun:** Remington 870. All shotguns must meet departmental specifications and be inspected by the Firearms Training Center.

**Rifle:** AR-15 Police Carbine chambered for an approved caliber. All rifles must meet departmental specifications and be inspected by the Firearms Training Center.

### Non-Lethal/Less-Lethal Weapons (CALEA 1.3.4):

- SA2000 Jay-Cor pepper ball system
- 12 gauge less-lethal shotgun
- Def-Tech 40 mm less-lethal launcher
- 37 mm gas gun with bean bag

If a division/section/unit does not have an adequate supply of replacement gas canisters for the pepper ball gun or they are unavailable for replacement, officers shall obtain a replacement from the Property Room.

**Specialty Unit Weapons:** All specialty unit weapons shall comply with standards established by the team commander, Firearms Training Center and approved by the Chief of Police. Only authorized members shall use specialty unit weapons. Specialty unit members, possessing weapons approved by the Firearms Training Center, shall attend and successfully complete all applicable training courses and be recertified on these weapons twice annually.

## 4.13.3 OFF-DUTY/BACKUP WEAPONS

Officers may carry a maximum of two (2) handguns on their person while on-duty. Off-duty/backup weapons shall be carried in a holster.

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## 4.13.3 OFF-DUTY/BACKUP WEAPONS (CONTINUED)

While within Jefferson County, an officer must carry an approved pistol of .380 caliber or larger, which has a minimum of a five (5) shot capacity, with which he/she has qualified. To be approved, the weapon must be from a reputable manufacturer that is ISO 9001 certified and the weapon must be inspected by the Firearms Training Center staff prior to being placed into service.

Officers shall carry the pistol in a concealed manner. When an officer's activity is such that concealment is not practical, the weapon shall be kept as readily accessible as circumstances permit.

The possession of a Carry Concealed Deadly Weapon (CCDW) license by an officer does not relieve him/her of the pistol requirement listed above.

## 4.13.4 H.R. 218 – THE LAW ENFORCEMENT OFFICERS' SAFETY ACT

Officers traveling outside of Kentucky shall abide by H.R. 218 (Law Enforcement Officers Safety Act of 2004) in regards to the carrying of concealed firearms. H.R. 218 exempts qualified active law enforcement officers from local and state prohibitions on the carrying of concealed firearms. However, the following laws are still applicable to qualified active law enforcement officers:

- Federal laws or regulations governing the carrying of firearms onto aircraft, federal buildings, federal property and national parks
- State laws which prohibit the carrying of firearms onto state or local government property
- State laws which allow private entities to prohibit firearms on their private property

The Law Enforcement Officers Safety Act excludes machine guns, firearm silencers and other destructive devices from the definition of firearms.

In order to qualify for H.R. 218, an officer must have his/her departmentally-issued ID card on his/her person. Therefore, if an officer's police powers have been suspended for any reason, he/she will not be in compliance with H.R. 218. Additionally, an officer will not be covered under this act if he/she is under the influence of alcohol or drugs.

Officers carrying concealed firearms in accordance with H.R. 218 are further restricted by the department to carry only their Class A service pistol and/or the off-duty/backup pistol on which they are currently qualified.

If a member does not meet the standards as outlined above and is traveling outside of Kentucky, he/she shall abide by all firearms regulations of the jurisdiction through which he/she travels.

## 4.13.5 ALTERING

Authorized firearms shall not be altered in any way, unless approved by the Firearms Training Center. Such alterations would include the addition of laser sights on any of the authorized pistols. These sights are prohibited.

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## 4.13.6 AMMUNITION

Officers shall carry only ammunition issued or approved by the Firearms Training Center in all authorized firearms and extra ammunition pouches (CALEA 1.3.9b, KACP 1.9). Ammunition shall not be altered. Uniformed officers shall carry two (2) complete reloads for their on-duty weapon. Plainclothes officers shall carry at least one (1) complete reload. Weapons shall be loaded to maximum recommended capacity.

## 4.13.7 APPROPRIATE DEPLOYMENT OF LONG BARRELED WEAPONS

Officers shall be held strictly accountable for the deployment of all long barreled weapons. Officers shall handle long barreled weapons as inconspicuously as possible given the totality of the circumstances.

Situations calling for the deployment of long barreled weapons may include, but are not limited to:

- Potentials for mass violence (e.g. active aggressor).
- Perimeter containment in barricaded suspect situations with a known weapon potential.

## 4.13.8 FIREARMS ABOARD COMMERCIAL AIRCRAFT

Officers shall abide by all Federal Aviation Administration (FAA), Transportation Security Administration (TSA) and individual airline regulations regarding weapons on aircraft. The Law Enforcement Officers Flying Armed form (LMPD # 08-0020) shall be completed when a sworn member will be carrying a departmentally-approved firearm on a commercial aircraft and sent to NCIC. NCIC shall forward the necessary information to the FAA, who in return shall forward a receipt message with a unique alphanumeric identifier to be used, by the officer, at the airport on the day of travel.

## 4.13.9 FIREARMS IN COURTROOM

Officers may be armed in a courtroom at the discretion of the presiding judge (CALEA 1.2.2). When a presiding judge prohibits a firearm in his/her court, the officer shall secure the weapon in a locked receptacle as close to the courtroom as possible.

## 4.13.10 FIREARMS IN RESTRICTED AREAS

When an officer enters an area of another government agency that restricts or has regulations governing firearms (e.g. correctional facilities, Central State Hospital, Hall of Justice), he/she shall abide by that agency's regulations. However, under all circumstances, the weapon shall be properly secured. Pursuant to state law, officers may carry their firearms on private property (i.e. malls, schools, restaurants) even if a weapons prohibition is posted (CALEA 1.2.2).

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## 4.13.11 CARE OF FIREARMS (CALEA 1.3.9f)

Officers shall not use or handle firearms in a careless or imprudent manner. Long barreled weapons shall be carried in a vehicle's trunk or in a locking device inspected and approved by the Firearms Training Center. Public Works technicians shall install the locking device. Firearms shall be maintained and stored in such a manner that they will be clean and in serviceable condition.

The armorer has the responsibility to remove from service any weapon determined to be unsafe or nonfunctional. Any officer issued a loaner weapon, under these circumstances, shall qualify with that weapon, prior to carrying it on or off-duty (CALEA 1.3.9d).

## 4.13.12 ACCIDENTAL DISCHARGE OF FIREARMS (CALEA 1.3.6a-b, KACP 1.11a-b)

Officers are required to immediately report any instance of an accidental discharge of an authorized firearm to their division/section/unit commander. The division/section/unit commander shall be responsible for the investigation of accidental discharges of firearms. If someone is injured as the result of an accidental discharge of an authorized firearm, the Public Integrity Unit (PIU) shall be responsible for the investigation. This investigation shall include the completion of an Administrative Incident Report (AIR) (LMPD #03-03-0001) as required by SOP 3.1. All findings and recommendations shall be forwarded, through the appropriate chain of command, to the Chief of Police (KACP 1.11a).

## 4.13.13 FIREARMS QUALIFICATION (CALEA 1.3.10, 1.3.11a-b)

### Class A Service Pistols/Plainclothes Service Pistols

All officers shall qualify with their Class A service pistols on a schedule determined by the Firearms Training Center. At a minimum, these qualifications shall be held twice annually. Qualifications shall be based on proficiency standards scored on a pass/fail basis (KACP 1.10a).

Officers in plainclothes assignments may qualify with an approved plainclothes service pistol. The qualification course shall be the same as the Class A service pistol qualification. A plainclothes assignment does not alleviate the officer from his/her requirement to qualify with a Class A service pistol.

Officers experiencing difficulty passing the Class A service pistol qualification course shall immediately be given remedial training after each attempt (CALEA 1.3.11c). Failure to qualify after three (3) attempts shall result in a non-disciplinary suspension of police powers. Should an officer fail to qualify with his/her Class A service pistol, he/she shall be prohibited from carrying the pistol, on or off-duty, until a passing score is achieved at the next scheduled qualification course. The officer shall surrender his/her departmentally-issued ammunition to the senior firearms instructor. Additionally, the officer shall immediately contact a division/section/unit supervisor to arrange the surrender of his/her vehicle and departmental ID.

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## 4.13.13 FIREARMS QUALIFICATION (CONTINUED)

After being placed on non-disciplinary suspension, officers shall be given additional opportunities to meet the qualification standard. This entails three (3) qualification attempts per day on two (2) different dates, or six (6) opportunities in total. Prior to the final scheduled opportunity to qualify, the officer shall receive individualized firearms instruction from a departmental firearms instructor.

### Off-Duty/BackUp Pistols

Officers shall qualify with their off-duty/backup pistols on a schedule determined by the Firearms Training Center. At a minimum, these qualifications shall be held annually. Officers failing to qualify after the initial three (3) attempts shall be given additional opportunities to meet the qualification standard as the Firearms Training Center staff's time allows. Should an officer fail to qualify with an off-duty/backup pistol, he/she shall be prohibited from carrying the pistol, on or off-duty, until a passing score is achieved at the next scheduled qualification course.

### Long Barrel Weapons

All officers shall qualify with their departmentally-approved shotgun and/or patrol rifle on a schedule determined by the Firearms Training Center. At a minimum, these qualifications shall be held annually. Qualifications shall be based on proficiency standards scored on a pass/fail basis (KACP 1.10a).

Officers failing to qualify after three (3) initial attempts shall be given additional opportunities to meet the qualification standard as the Firearms Training Center staff's time allows. Should an officer fail to qualify with his/her departmentally-approved shotgun and/or patrol rifle, he/she shall be prohibited from carrying it, on- or off-duty, until a passing score is achieved at the next scheduled qualification course.

### Administrative Leave

If an officer is returning to duty after being on administrative leave and is issued a temporary or loaned firearm, he/she shall successfully qualify with this firearm prior to returning to duty.

## 4.13.14 WEAPONS INSPECTIONS

Weapons inspections shall be the responsibility of the firearms training staff. All weapons shall be inspected during regular qualifications, at a minimum of once a year (CALEA 53.1.1b, KACP 27.3), by certified firearms instructors. Weapons shall not be inspected at the division/section/unit level during formal or informal inspections.

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	Accreditation Standards: CALEA: 17.5.2, 41.3.3 KACP: 17.10, 21.4
Chapter: Uniforms and Equipment	
Subject: Departmental Vehicle Assignment and Usage	

## 4.14 DEPARTMENTAL VEHICLE ASSIGNMENT AND USAGE

### 4.14.1 POLICY (KACP 17.10)

The department maintains a 24-Hour Patrol Vehicle Program. Use of assigned vehicles shall be considered a privilege and not an employment right. The Chief of Police shall have the right to assign, deny, suspend or remove any member from the 24-Hour Patrol Vehicle Program.

### 4.14.2 DEFINITIONS

**Departmental vehicle:** A car, truck, trailer, bus, boat, motorcycle, off-road all-terrain vehicle (ATV), bicycle, Electric Standup Vehicle (ESV), aircraft or any other vehicle owned, confiscated, leased, rented, maintained or borrowed by the department.

**Administrative Bureau:** The Administrative Bureau, working in conjunction with Metro Fleet Services, is responsible for the daily operations (e.g. maintaining records of assignment, maintenance, recalls and service) of departmental vehicles. The Assistant Chief of Police/Administrative Bureau retains the power to remove any vehicle from use if, in his/her opinion, further operation of the vehicle is unsafe or may cause damage to the vehicle. The Assistant Chief of Police/Administrative Bureau has the authority to make decisions regarding vehicle assignment, equipment, maintenance, repairs or service to all departmental vehicles.

**24-Hour Patrol Vehicle Program:** A program whereby officers are assigned departmental take-home vehicles to increase police presence in the community. Officers assigned take-home vehicles are mandated to respond, as needed, to any calls for service as well as to render assistance to the public, in accordance with departmental policy.

**Take-home vehicle:** A departmental vehicle assigned to a specific member that may be used during off-duty periods, in accordance with the guidelines set forth in this policy.

### 4.14.3 ASSIGNMENT OF TAKE-HOME VEHICLE (CALEA 17.5.2)

Officers who have completed three (3) years of sworn service with the Louisville Metro Police Department (LMPD) may be assigned a departmental vehicle. Officers residing within the boundaries of Jefferson County, Kentucky shall be allowed take-home use of their assigned vehicle. Officers residing outside of Jefferson County shall not take their assigned vehicle home. Instead, they shall park the vehicle within Jefferson County, in a location approved by their division/section/unit commander. In times of need, vehicles assigned to non-residents may be used as pool vehicles. Supervisors shall perform a pre- and post-inspection of any vehicle used in such a fashion to ensure accountability for any damage that may have occurred during temporary use.



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## 4.14.4 POOL VEHICLES

Each division/section/unit shall maintain a fleet of vehicles for use by on-duty members not yet eligible for the 24-Hour Patrol Vehicle Program. These vehicles are at the discretionary use of the division/section/unit commander. The division/section/unit commander may temporarily issue such vehicles to members who qualify for the 24-Hour Patrol Vehicle Program, while their assigned vehicle is undergoing maintenance. The division/section/unit commander shall designate a member of his/her staff to oversee the maintenance schedule for these pool vehicles. Pool vehicles shall not be temporarily issued to members for the purpose of secondary employment.

## 4.14.5 REASSIGNMENT (CALEA 17.5.2)

If an officer is reassigned to another division/section/unit, the commander of division/section/unit that the officer is leaving shall determine if his/her currently assigned vehicle will remain in the division/section/unit or if the vehicle will go with the officer. If the vehicle is to remain in the division/section/unit and assigned to a different officer, the Vehicle Change of Status form (LMPD #03-00-0065) shall be completed and emailed to the Metro Fleet Services Vehicle Coordinator at "LMPD Fleet Management," located within the department's email distribution list. If the officer's currently assigned vehicle is to remain in the division/section/unit that the officer is leaving, that division/section/unit shall provide another vehicle for the officer to take to his/her new assignment. The Vehicle Change of Status form shall be completed and emailed to the Metro Fleet Services Vehicle Coordinator at "LMPD Fleet Management," located within the department's email distribution list. In the case of a vehicle leased by Metro Government, that vehicle shall remain with the division/section/unit. Any variation from this policy must be approved by the Assistant Chief of Police/Administrative Bureau.

## 4.14.6 USE OF VEHICLE DURING LEAVE

Any member, who will be off-duty and/or out-of-town for more than seven (7) consecutive days, is required to inform his/her division/section/unit commander in advance. If needed, the member shall turn in his/her vehicle prior to leaving town, as directed by his/her division/section/unit commander.

Sworn members, with the rank of major or above, have the authority to allow a member on extended vacation leave in excess of seven (7) days to keep his/her vehicle at his/her residence, if he/she lives within the county. A member who lives out of the county must secure his/her vehicle at his/her respective division/section/unit when on leave in excess of seven (7) days.

If a member is on Family Medical Leave Act (FMLA) or sick leave, he/she shall be required to turn in his/her take-home vehicle to his/her division/section/unit. If a member is on light-duty, every effort will be made to allow the member to keep his/her take-home vehicle, but the vehicle may need to be turned in to the division/section/unit.

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## 4.14.6 USE OF VEHICLE DURING LEAVE (CONTINUED)

Take-home vehicle privileges may be suspended for members in the following situations:

- Extended leave
- Light-duty
- Suspension

The revocation of vehicle privileges shall be determined by policy, the needs of the department or at the discretion of the Chief of Police. In such cases, the vehicle shall be turned in to the appropriate division/section/unit commander.

## 4.14.7 VEHICLE USAGE

The following guidelines shall apply to all members:

- Members shall adhere to all policies, procedures, laws, rules and regulations as they pertain to vehicle usage, equipment, operation and maintenance.
- Members using departmental vehicles in an unauthorized manner or permitting the unauthorized use of a departmental vehicle may be subject to disciplinary actions.
- Members using a departmental vehicle shall exercise good judgment and avoid any conduct likely to cause unfavorable comment or embarrassment to the department.
- No member shall use a departmental vehicle to further personal interests relative to any off-duty employment or enterprise without written permission from the Chief of Police.
- Members assigned a departmental take-home vehicle for any month, or portion thereof, shall be required to pay a fee, which is assessed according to the fee schedule described in SOP 2.4.3, to offset the cost of gasoline and wear-and-tear incurred during personal use of the vehicle for secondary employment, even if the personal use is limited to driving to and from secondary employment. This fee shall be paid through payroll deduction.
- If a member loses the privilege of using an assigned departmental take-home vehicle, the member's division/section/unit commander shall send an email to the Police Human Resources (HR) director that includes notice of the loss of the vehicle privilege, the member's name, code number and the date that the member was removed from the department's take-home vehicle program. If the member had use of the vehicle for any portion of the month, he/she shall be assessed the usage fee.
- Members whose privilege of using an assigned departmental take-home vehicle, which has been suspended or revoked, shall not borrow a departmental vehicle from another member or from a division/section/unit vehicle pool, for purposes other than on-duty responsibilities.
- Members shall not loan their departmentally-assigned vehicle to any other member who has lost their take-home car privileges.
- Members shall not loan their departmentally-assigned vehicle to any other member, even for legitimate departmental use, without the approval of a commanding officer.
- Members assigned a departmental take-home vehicle that is unavailable to the member for any reason (e.g. repairs), shall not borrow a departmental pool vehicle for secondary employment, without the written approval of their division commander.

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## 4.14.7 VEHICLE USAGE (CONTINUED)

- If a member is eligible to be assigned a departmental take-home vehicle and the member decides that he/she does not wish to be assigned such a vehicle, he/she shall inform his/her division/section/unit commander, who shall send an email to the Police HR director that includes notice of the voluntary removal from the department's take-home vehicle program, the member's name, code number and the date that the member opted out. If the member had use of the vehicle for any portion of the month, he/she shall be assessed the usage fee.
- Any member who chooses not to participate in the take-home car program shall not use a pool vehicle for secondary employment purposes.

In addition to the above LMPD vehicle usage requirements and prohibitions, Louisville Metro Government vehicle use policies state, in part, that Metro Government employees shall not engage in writing, sending, searching or reading text-based communication on electronic wireless communications devices, whether such devices are owned by Metro Government or by the employee, including, but not limited to, a cell phone, personal data assistant, "Blackberry", pager, laptop or tablet (e.g. iPad), when operating a moving Louisville Metro vehicle, when driving a personal vehicle on official Louisville Metro business or when using electronic equipment supplied by Louisville Metro Government, while driving. Talking on a cell phone while driving is also strongly discouraged, unless hands free methods (e.g. speaker phone, headset, Bluetooth) are utilized (refer to SOP 4.30).

Mobile Data Terminals (MDTs) assigned to LMPD vehicles are considered an exempt device under the provisions of the Metro policy prohibitions, when safely used to receive, accept or clear from calls for service, or to perform other legitimate police functions (e.g. rolling license plate check). Members operating a departmental vehicle shall not needlessly type or otherwise manually enter data, which is not related to a dispatched call for service or other legitimate police function (e.g. text messaging or instant messages), into a MDT while the vehicle is in motion. If the safe operation of the vehicle is impaired by the reading or viewing of the MDT screen (e.g. heavy traffic, higher speed conditions), members should stop the vehicle in a safe location to use the MDT.

The following guidelines shall apply to all volunteers authorized to operate unmarked departmental vehicles:

- All volunteers must obtain prior authorization from the Community Relations Unit Commander before being allowed to operate any departmental vehicle.
- Volunteers, authorized to operate unmarked departmental vehicles, shall adhere to all policies, procedures, laws, rules and regulations as they pertain to vehicle usage, equipment, operation and maintenance.
- Volunteers may operate only unmarked departmental vehicles.
- Volunteers shall be authorized to operate an unmarked departmental vehicle only after a thorough background check has been conducted, which shall include, but is not limited to, operator license status and driving record.
- All volunteers who are driving unmarked departmental vehicles must sign the Agreement to Volunteer and be Subject to the Workers' Compensation Laws of Kentucky form.
- Volunteers are strictly prohibited from driving any departmental vehicles for personal use.

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## 4.14.7 VEHICLE USAGE (CONTINUED)

- The Covenant Not to Sue form (LMPD #03-08-0200) shall be signed by any volunteer wishing to do a ride-along with sworn personnel. The Covenant Not to Sue form shall take precedence over other forms during the ride-along.
- Division/Section/Unit commanders shall verify that volunteers under their command have a valid operator's license in their possession while operating a departmental vehicle (refer to SOP 5.1.44).

## 4.14.8 OPERATIONAL JURISDICTIONS OF VEHICLES

Members shall not operate a departmental vehicle outside of Jefferson County without proper authorization from a commanding officer.

Exceptions not requiring a commanding officer's prior approval include:

- Making a turnaround to return to the jurisdictional boundaries of the department
- The authorized pursuit of a suspect or vehicle (refer to SOP 12.1)

## 4.14.9 LOCAL TRAVEL

Trips for official business, utilizing a departmental vehicle not requiring an overnight stay, shall be considered local travel. Requests for local travel shall be approved by a commanding officer with the rank of lieutenant or higher (refer to SOP 2.18).

Additionally, local travel may be authorized for the following reasons:

- Training
- Official business in Frankfort or Richmond
- Firearms enhancement at Knob Creek Gun Range
- Firearms enhancement at OpenRange Indoor Gun Range
- Investigations of crimes committed within Jefferson County
- Testifying in court cases outside of Jefferson County related to duties performed as a departmental member

Members seeking the use of a departmental vehicle for official business requiring an overnight or extended stay shall refer to SOP 2.18.

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## 4.14.10 ALCOHOLIC BEVERAGES/INTOXICATING SUBSTANCES

Members are prohibited from:

- Operating a departmental vehicle with any measurable amount of alcohol or any other substance in their system that could impair their ability to operate a vehicle.
- Transporting any intoxicant or illegal drugs in a departmental vehicle, except as required in an official capacity.
- Parking a departmental vehicle within the proximity of any establishment that serves alcoholic beverages as its main source of income, unless in an official capacity.

## 4.14.11 TOBACCO USE

In accordance with Metro Government Personnel Policy 1.18(3), smoking of tobacco products is prohibited in all departmental vehicles, which are defined in section 4.14.2 of this policy.

## 4.14.12 EATING

No more than two (2) marked vehicles and one (1) unmarked vehicle may be parked at any given time at a restaurant or other related establishment while on-duty. On-duty members are prohibited from eating at establishments whose primary source of income is derived from the sale of alcoholic beverages. On-duty members shall refrain from eating at the bar area of any establishment.

## 4.14.13 USE OF SAFETY BELTS (CALEA 41.3.3, KACP 21.4)

Members are required to wear seatbelts while operating or riding in a departmental vehicle, unless a tactical situation dictates otherwise. Passengers are required to wear seatbelts, unless physical handicaps prevent proper usage. Small children and infants shall always be secured in a child restraining device or seatbelt, as required by law, and shall be positioned in the rear seats due to airbag concerns.

All prisoners being transported in either marked or unmarked departmental vehicles shall be secured with a seatbelt unless physical handicaps prevent the proper use of a seatbelt (refer to SOP 10.5.5).

## 4.14.14 OFF-DUTY POLICE ACTION

Off-duty officers operating a departmental vehicle shall monitor the police radio and take appropriate action to offenses that occur in their presence or requests for assistance from other officers.

Appropriate action is that which is both necessary, considering the totality of the circumstances and within his/her ability to handle at the time (e.g. availability of weapon, radio communication, physical condition).

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## 4.14.14 OFF-DUTY POLICE ACTION (CONTINUED)

At a minimum, an off-duty officer shall brief on-duty officers of pertinent information (e.g. license number, descriptions, circumstances).

## 4.14.15 PASSENGERS

A member may use his/her assigned vehicle while off-duty to transport persons who he/she might normally transport in a personally-owned vehicle, in accordance with the following:

- If possible, off-duty officers responding to a serious offense or emergency shall have any passengers exit the vehicle at a safe and secure location before proceeding to the call.
- Members shall be held accountable for the appearance and conduct of their passengers.

On-duty officers are authorized to transport the following:

- Civilian riders (refer to SOP 8.10)
- Prisoners (refer to SOP 10.5)
- Civilians under police-related circumstances (refer to SOP 7.10)
- Other departmental members

## 4.14.16 PARKING

Members are prohibited from parking in handicapped zones, fire lanes, no parking or stopping zones (including peak time no parking), turning lanes, tow away zones or bus stops.

Members shall not utilize parking meters in the downtown area unless they are on official business or they pay the appropriate parking fee. The downtown area is defined as the area bounded by Roy Wilkins Boulevard (9<sup>th</sup> Street), Brook Street, Broadway and the Ohio River. Official business is defined as handling a call for service, taking some type of self-initiated activity, conducting criminal investigations or attending meetings at the direction of competent authority. Members on official business must display their "official business" parking permit on the dash of the departmental vehicle.

Official business privileges shall not be extended to members attending court, the Grand Jury or official meetings at the Jefferson County Attorney's Office or Office of the Commonwealth's Attorney.

Members attending court or meetings near the courthouse buildings may park in the lot provided by the Fraternal Order of Police (FOP), via the lease agreement with Metro Government, or in the Advocacy Parking Garage, located at 701 W. Jefferson Street, but are prohibited from parking in the back parking lot of LMPD Headquarters. Members who are authorized to park their vehicles in the back parking lot of LMPD Headquarters shall be issued a parking permit and shall display their parking permit on the driver's side dash or rearview mirror of their vehicle. Members are prohibited from loaning their parking permit to other members without prior

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## 4.14.16 PARKING (CONTINUED)

approval of the Administrative Services Division Commander. The Administrative Services Division Commander shall be responsible for parking enforcement in the back parking lot of LMPD Headquarters.

If a member, who is in control of a departmental vehicle, receives a parking citation while not on official business, he/she shall pay the fine in the same manner as a private citizen. The fine must be paid within seven (7) working days. Nothing in this policy shall prevent a member from appealing a parking citation, using the same appeals process as a private citizen.

If a member, who is in control of a departmental vehicle, receives a parking citation while conducting official business, he/she shall write a letter that states when and where the citation was issued prior to the end of his/her next tour of duty. The letter shall also state the nature of the official business and the reason for parking in the particular location. The letter and a copy of the parking citation shall be sent, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. Any member, who fails to pay a parking citation, when required to do so or to make the proper written notifications if the parking was justified, shall be subject to disciplinary action.

## 4.14.17 UNATTENDED VEHICLES

Members shall not leave departmental vehicles unsecured or running unattended. If circumstances are such that the officer is unable to secure the vehicle, the vehicle shall be secured as soon as possible.

## 4.14.18 IDLING

Members shall not leave vehicle engines idling for extended periods, unless required for operational reasons, such as for the safety of police canines or human occupants or the active use of emergency lighting. Members shall adopt fuel conservation practices, including reducing unnecessary engine idling.

## 4.14.19 VEHICLE APPEARANCE

Members shall be responsible for the appearance and cleanliness of their vehicle, regardless of whether the vehicle is a temporary or permanent assignment.

Members may take their vehicles to a vendor under contract with Metro Government no more than once every two (2) weeks. Members may also wash and clean the vehicles themselves or pay for a commercial car wash, as needed.

Some vehicles may require detailed cleaning. In such cases, the division/section/unit commander shall request that the Assistant Chief of Police/Administrative Bureau, or his/her designee, inspect the vehicle and decide if the expense is justified. Departmental vehicles shall not be used for the transportation of bulk material protruding from the trunk or interior compartment. Exceptions to this standard would include departmental equipment or evidence.

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## 4.14.20 DAMAGE TO DEPARTMENTAL VEHICLES

Members shall complete a Vehicle Damage Report form (LMPD #03-07-0190) and submit it electronically to the "LMPD Vehicle Damage Notification," located within the department's email distribution list (refer to SOP 7.7.4). Any other paperwork (e.g. uniform citation) associated with the damage to his/her LMPD vehicle shall be submitted with the form.

Members with damaged departmental vehicles shall contact the Metro Fleet Services supervisor within 14 days of the damage to arrange for the vehicle's evaluation and/or repair estimate. Members with rental vehicles shall contact the leasing vendor within 14 days of the damage.

## 4.14.21 VEHICLE MAINTENANCE

Members shall refer to SOP 4.15 for departmental vehicle maintenance procedures.



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## 4.15 VEHICLE MAINTENANCE (KACP 21.5)

### 4.15.1 OPERATIONAL MAINTENANCE

Members shall be responsible for maintaining any departmental vehicles under their control. A departmental vehicle is defined as a car, truck, trailer, bus, boat, motorcycle, off-road all-terrain vehicle (ATV), bicycle, Electric Standup Vehicle (ESV), aircraft or any other vehicle owned, confiscated, leased, rented, maintained or borrowed by the department. Maintenance includes, but is not limited to, the following:

- Tire pressure
- Tire treadwear
- Brake performance
- Emergency equipment
- Vehicle wiper blades
- Vehicle fluid levels
- Vehicle operational lighting (e.g. headlights, taillights, side marker lights, parking lights, turn signals, etc.)
- Vehicle safety devices (e.g. seatbelts, safety barrier, horn, hitch, etc.)
- Any other item required for the safe operation of the vehicle

Each division/section/unit shall maintain and store oil, transmission and window washer fluids for the vehicles within their respective fleets. An operational maintenance record shall be established and maintained by each division/section/unit to ensure that maintenance is performed on pool cars. Divisions/sections/units shall retain the original form for their records and make it available for inspection, upon request.

If a member discovers any equipment defects, the member shall contact Metro Fleet Services or MetroSafe Communication Services to arrange repairs as soon as practicable.

If the defect renders the operation of the vehicle unsafe, the member shall not operate the vehicle and shall immediately notify his/her commanding officer.

### 4.15.2 PREVENTIVE MAINTENANCE

Metro Fleet Services shall develop a preventive maintenance (PM) schedule for departmental vehicles. Members are responsible for ensuring that preventive maintenance is performed on their assigned vehicles as directed by the Metro Fleet Services PM schedule:

- Severe Service (Emergency Response Vehicles) – every 4,000 miles or four (4) months. These vehicles include marked police interceptor patrol vehicles, traffic enforcement vehicles, Vehicle Impoundment Unit (VIU) wreckers and any marked patrol-related vehicles.
- Normal Service (Emergency Response Vehicles) – every 5,000 miles or five (5) months. These vehicles include administrative use vehicles, detective and Flex vehicles, sport utility vehicles (SUVs), trucks, vans and other non-pursuit vehicles.

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## 4.15.2 PREVENTIVE MAINTENANCE (CONTINUED)

Appointments for service should be made before taking the vehicle to the repair facility.

Members requesting repairs and/or regular preventive maintenance shall complete a Metro Vehicle Defects Report form. The forms are available at the maintenance facility or in the Vehicle folder in the Louisville Metro Police Department (LMPD) Online Forms folder. Members shall present the form and the vehicle to their designated maintenance facility or contract vendor.

## 4.15.3 TRAVEL: EMERGENCY REPAIRS

When minor repairs (e.g. headlight, taillight, fuse, hose, belt, etc.) are required on departmental vehicles that are being utilized for out-of-town travel, members may take the vehicle to a local repair facility or perform the repairs themselves. When requesting reimbursement for repairs or replacement parts, the member shall complete a Purchase Request form (LMPD # 06-0049) and submit it, through the appropriate chain of command, to the Business Administrator, Office of Management and Budget (OMB), located at 611 West Jefferson Street.

When major repairs are required for departmental vehicles utilized during out-of-town travel, members shall contact their supervisor and inform him/her of the situation. The supervisor shall contact the Metro Fleet Services Vehicle Coordinator to authorize any major repairs. The supervisor shall then contact the member with the appropriate information.

## 4.15.4 REPAIR OR MAINTENANCE AFTER HOURS

A member may deliver a vehicle to its designated repair facility during non-working hours. The member shall place the vehicle's keys and a completed Metro Vehicle Defects Report form in the drop box.

If the vehicle is inoperable and towed to the shop, the member shall contact Metro Fleet Services or complete the Metro Vehicle Defects Report form by the next business day.

## 4.15.5 PICKING UP REPAIRED VEHICLES

After repairs have been made, a member may pick up his/her vehicle, at any time, in a designated parking lot. Members shall follow the designated repair facility's preferred method of retrieving the key during normal business hours.

## 4.15.6 MANUFACTURER RECALL

Metro Fleet Services shall be responsible for notifying the Administrative Bureau of any recall affecting departmental vehicles. The Administrative Bureau shall then notify departmental members when their vehicles are affected by a manufacturer's recall. Upon notification, the member shall take the vehicle to the

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## 4.15.6 MANUFACTURER RECALL (CONTINUED)

dealer/location for repairs and forward any resulting paperwork to the Administrative Bureau. A designated division/section/unit member shall handle pool cars affected by recalls.

## 4.15.7 DEPARTMENTAL ROADSIDE SERVICES

Departmentally designated wreckers shall provide roadside services (e.g. tire changes, jump-starts) to all on-duty officers. Off-duty officers may request a departmentally designated wrecker for service. However, MetroSafe may classify an off-duty request as a lower priority. Off-duty officers may utilize civilian roadside services for their departmental vehicles at their own expense. When the reason for roadside assistance is a flat tire, officers shall be responsible for taking the flat tire to their vehicle's designated repair facility, at their earliest convenience.

## 4.15.8 VEHICLE FUELING

All departmental patrol vehicles shall be maintained with a minimum of one-half (½) tank of fuel at all times.

A member shall enter the current mileage of a departmental vehicle and his/her four-(4) digit code number or specially assigned number when refueling. No reimbursement shall be given to officers purchasing fuel from providers not contracted with the department.

Contracted fuel providers shall assign each departmental vehicle its own fuel card, specifically coded for that vehicle, for the purchase of regular unleaded fuel. Members are prohibited from using a fuel card to put gas in any other vehicle. A spare fuel card shall be stored in each division/section/unit in case an assigned fuel card becomes lost, stolen or unreadable.

Each month, the division/section/unit commander, or his/her designee, shall ensure that all pool vehicles and rental cars have a working fuel card.

## 4.15.9 LOST, STOLEN AND DAMAGED FUEL CARDS

Members shall promptly report lost, stolen or damaged fuel cards to their immediate supervisor. The member's commanding officer must notify Metro Fleet Services at (502) 574-5334 to deactivate and/or issue a new card. Metro Fleet Services shall contact the member when the replacement card is available. All replacement fuel cards require the signature of the receiving member. Broken or damaged cards shall be turned in before the replacement shall be issued.

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## 4.16 VEHICLE EQUIPMENT

### 4.16.1 COMMUNICATION SERVICES

MetroSafe Communication Services personnel are responsible for installing and repairing departmentally-approved non-factory electronic equipment on departmental vehicles (CALEA 17.5.2).

Electronic equipment, except for that outlined in section 4.16.8, which is installed in a member's departmental vehicle and which was not installed by MetroSafe Communication Services personnel, shall be inspected by a MetroSafe Communication Services technician for proper installation before being used.

### 4.16.2 EMERGENCY EQUIPMENT (CALEA 17.5.2)

Members seeking to repair, replace or augment any equipment on their assigned vehicles shall submit the Vehicle Marking/Equipment Change form (LMPD #04-04-0187) to the Assistant Chief of Police/Administrative Bureau, through the appropriate chain of command.

Divisions/sections/units are prohibited from purchasing additional lighting or other emergency equipment for a departmental vehicle, including a specialty vehicle, without coordination through the Fleet Coordinator and prior approval from the Assistant Chief of Police/Administrative Bureau, or his/her designee.

### 4.16.3 MARKED VEHICLES (CALEA 41.3.1, 41.3.2)

Marked patrol vehicles shall be conspicuously decalated with departmentally-approved insignias and shall be equipped with the following:

- Fully-charged fire extinguisher
- 12 or more road flares
- Mobile two-way radio charger
- Public address (PA) system
- Exterior-mounted emergency lighting package
- Alternating flashing headlight system
- Siren system
- Flashlight charger
- Spare tire and jack (unless removed by the Fleet Coordinator)

Vehicle equipment that needs to be repaired, replaced or replenished shall be taken to Metro Fleet Services or to MetroSafe Communication Services for communication or lighting issues (CALEA 17.5.2).

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## 4.16.4 UNMARKED VEHICLES (CALEA 41.3.1, 41.3.2)

Unmarked vehicles should be used primarily for investigative and administrative purposes. Unmarked vehicles shall not normally be used for routine patrol. All unmarked vehicles shall be equipped with:

- Fully-charged fire extinguisher
- 12 or more road flares
- Mobile two-way radio charger
- Emergency lighting package
- Alternating flashing headlight system (except on models that are not compatible with aftermarket flashers, e.g. projector lens, etc.)
- Siren system
- Spare tire and jack

Vehicle equipment that needs to be repaired, replaced or replenished shall be taken to Metro Fleet Services or to MetroSafe Communication Services for communication or lighting issues (CALEA 17.5.2).

## 4.16.5 SPECIALTY UNMARKED VEHICLES

Surveillance or undercover cars shall be equipped to suit the needs of the division/section/unit (CALEA 61.1.6c).

## 4.16.6 SPECIAL PURPOSE VEHICLES (KACP 21.3)

The term "special purpose vehicle" shall include the following:

- Bomb Squad truck
- Canine Unit vehicles
- Mobile Command Post
- Educational display police cars
- Expressway/traffic patrol (CALEA 61.1.6c)
- School buses
- Dive Team boat
- River Patrol boats
- Helicopter
- Special Weapons and Tactics (SWAT) Team van (KACP 19.6b)
- Hostage Negotiation Team (HNT) van (KACP 19.7b)
- Police Report Technician (PRT) vehicles
- All-terrain vehicles (ATVs)
- Police mountain bikes (weather permitting)
- Electric standup vehicles (ESVs)
- Crime Scene Unit (CSU) vehicles

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## 4.16.6 SPECIAL PURPOSE VEHICLES (CONTINUED)

Special purpose vehicles shall be marked and equipped to suit the needs of the specialty unit and the department. Special purpose vehicles may only be operated as emergency vehicles when equipped with lights and sirens, as required by state law.

Members must have authorization from an appropriate commanding officer prior to operating a special purpose vehicle (CALEA 41.1.3a). The appropriate specialized driver's license and/or specialized training are required for the operation of certain special purpose vehicles, if required by law (CALEA 41.1.3b). Officers assigned as full or part-time bike, ESV or ATV officers shall be assigned at the discretion of the appropriate division commander. Bike officers must complete the Louisville Metro Police Department (LMPD) 40-hour Police Mountain Bike In-Service Training class and comply with safety equipment requirements (refer to SOP 4.7). ESV and ATV officers must complete a departmentally-approved training course and shall wear a Department of Transportation (DOT)-approved helmet. ATVs may be operated on roadways only if equipped with emergency lights and a siren.

In order to act as the Pilot in Command, officers assigned as a LMPD Air Unit pilot must possess at least a Private Rotorcraft License and be rated for the particular type of aircraft to be flown. It is the responsibility of the Chief Pilot to ensure that each pilot remains current with Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regulations in order to ensure that crew members may continue to perform their prescribed duties.

Officers assigned to the LMPD River Patrol or Dive Team shall successfully complete the Kentucky Department of Fish and Wildlife Boating Safety Course (8.0 hours).

## 4.16.7 FIREARMS

Only departmentally-approved firearms may be stored in a departmental vehicle. The long barrel weapons shall either be stored in a departmentally-approved "in-car" mount or secured in the trunk (refer to SOP 4.13). When storing a handgun in a vehicle, the handgun must be concealed from plain view and the vehicle must be locked. Officers shall not leave any firearm in an unattended department vehicle when the vehicle is being serviced. However, officers having their cars washed may leave firearms in their vehicles if the firearms have been secured in the trunk or "in-car" mount.

## 4.16.8 ALTERATIONS TO DEPARTMENT VEHICLES

Members shall not affix any decal, insignia, ornament, bumper sticker, front license plate, window stickers or items of a similar nature to departmental vehicles, unless approved by the Chief of Police, or his/her designee. Additionally, members are prohibited from installing trim rings, wheel-covers, fog/driving lights, additional external antennas, trailer hitches, additional lights, window tinting or other equipment of a similar nature. Members requesting additional departmental equipment or the use of personally-owned equipment shall complete the Vehicle Marking/Equipment Change form (LMPD #04-04-0187) and submit it, through the

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## 4.16.8 ALTERATIONS TO DEPARTMENT VEHICLES (CONTINUED)

appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. Items that derive their power from a cigarette plug/adaptor, and are not permanently mounted to the vehicle (e.g. cell phone chargers, personal laptops) are exceptions. If there are any doubts as to whether or not an item or piece of equipment would require authorization, the member shall seek clarification from a commanding officer. The Assistant Chief of Police/Administrative Bureau shall consider each request on a case-by-case basis, taking into account the needs of the member and the division/section/unit. MetroSafe personnel will not install or modify any additional equipment without an approved form. MetroSafe personnel will not be responsible for the installation, calibration, maintenance and/or repair of any personally-owned equipment.

## 4.16.9 RADAR UNITS (KACP 22.6b)

The department shall use speed detection devices (radar) as one (1) technique in its traffic law enforcement program (CALEA 61.1.1d).

Officers who utilize radar units shall complete a training course with certified instructors. Operators of the radar unit shall know the function of the radar unit by setting up the radar device, testing the device to verify that the radar unit is working properly and reading the radar device to obtain a true speed measurement. A copy of this training certificate shall be kept in the officer's training file in the Training Division (CALEA 33.1.6, 61.1.9e, KACP 22.6c).

Departmentally-owned radar equipment shall comply with all federal and state standards and shall be issued only to officers who are fully trained on the unit (CALEA 61.1.9a, e). Radar operators shall be responsible for first-line maintenance and care of assigned units (CALEA 61.1.9c). Departmentally-owned radar units shall be certified annually, by a repair agency, to ensure that all units meet calibration standards. The certificate of calibration shall be placed within a file at the officer's division/section/unit and a copy of the certification shall stay with the radar unit case (CALEA 61.1.9d).

Officers shall follow all operational procedures as outlined in the training manual. Radar units shall be tested before and after each use. Radar units shall be turned off and secured in their mounts, or carrying racks, when not in use. The units shall be kept in their assigned vehicle unless submitted for repair, or as approved by the division/section/unit commander (CALEA 61.1.9b, KACP 22.6a).

Officers shall, at all times, be aware of potential traffic hazards created by stopping violators and shall exercise good judgment with regard to safe stopping areas (CALEA 61.1.9b).

If an officer wishes to install personally-owned radar equipment in a departmental vehicle, he/she shall follow the procedures outlined in section 4.16.8 and attach a memorandum to the Vehicle Marking/Equipment Change Request form (LMPD# 04-04-0187), which includes the following information:

- Name, code number and assignment
- Certificate of training for radar operation (CALEA 61.1.9e)

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## 4.16.9 RADAR UNITS (CONTINUED)

- Vehicle equipment number
- Brand and model number of the unit (CALEA 61.1.9a)
- Certification of calibration and the date of last calibration (CALEA 61.1.9d)
- Information on how the unit will be installed
- Information on who will perform the installation

Officers shall be responsible for the overall care, maintenance and calibration of their personally-owned radar unit (CALEA 61.1.9c-d). Only personally-owned radar units that derive power from a permanently-mounted cigarette lighter plug or power adapter shall be considered for approval.



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## 4.17 VEHICLE INSURANCE (CALEA 22.2.2d, KACP 2.2)

### 4.17.1 POLICY

Off-duty members of the Louisville Metro Police Department (LMPD) operating departmental vehicles shall be covered under the Metro Government's self-insured automobile liability program. This liability insurance offers up to \$100,000 per accident for any bodily injury or property damage caused by the member's negligent operation of a Metro vehicle. This coverage is dependant upon the member's cooperation with Metro Government in its investigation or defense of any suit. This insurance will not cover the member for amounts exceeding the \$100,000 limit. Therefore, it is recommended that each member purchase supplemental insurance coverage at his/her own expense.

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## 4.18 INSPECTIONS AND COMPLIANCE

### 4.18.1 PURPOSE

It is the purpose of this policy to establish guidelines for inspections to ensure that all personnel, facilities, equipment and unit operating procedures are in compliance with Louisville Metro Police Department's (LMPD) Standard Operating Procedures (SOPs).

### 4.18.2 INSPECTIONS & COMPLIANCE UNIT (ICU) RESPONSIBILITIES

The Inspections & Compliance Unit (ICU) shall report to the Administrative Services Division Commander. The ICU shall conduct inspections, including personnel, facilities and equipment.

The ICU's responsibilities shall include:

- Assuring compliance with the department's SOPs, the Kentucky Association of Chiefs of Police (KACP) and the Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation standards. This shall apply to personnel, facilities and equipment, including the maintenance of stored equipment in a state of operational readiness, the accessibility of required vehicle equipment and the responsibility for monitoring compliance with the department's inventory policy (KACP 8.7, 27.3).
- Collaborating with the LMPD Research and Development (R&D) Unit Supervisor to ensure that all LMPD personnel are in compliance with the acknowledgement of all new and revised Louisville Metro and LMPD policies and procedures, using monthly VigilEnt reports.
- Conducting regular inspections to ensure that all members are in compliance with policy and equipment standards and that the departmental facilities are properly maintained. The ICU may conduct inspections as directed by the Chief of Police, or his/her designee, and these inspections may be announced or unannounced.
- Overseeing all secondary employment (refer to SOP 2.4) (CALEA 22.3.5d, KACP 10.3d).
- Conducting an audit of the Property Room, jointly with the new Property Room Commander, upon a change in command (CALEA 84.1.6b).
- Conducting an announced annual audit of property and evidence held by the department (CALEA 84.1.6c, KACP 27.3).
- Conducting an unannounced annual inspection of the property and evidence held by the department (CALEA 84.1.6d).
- Conducting an in-depth staff inspection of every division/section/unit at least once every three (3) years (CALEA 53.2.1a, e).
- Conducting an administrative review of temporary detention areas/interview rooms at divisions and other locations at least once every three (3) years and reviewing the procedures for those areas at least once every three (3) years (CALEA 71.4.3) (refer to SOP 8.30).
- Forwarding a copy of all annual audits and staff inspections to the Accreditation Manager for proof of compliance for accreditation.

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## 4.18.2 INSPECTIONS & COMPLIANCE UNIT (ICU) RESPONSIBILITIES (CONTINUED)

- Overseeing the LMPD Health and Safety Officer(s) (HSOs).
- Maintaining the unit's annual budget.
- Serving as the LMPD Fleet Liaison with Metro Fleet Services.

## 4.18.3 STAFF INSPECTIONS

Staff inspections provide an objective review of facilities, property, equipment, personnel administration and operational activities in addition to the normal line inspections. This process shall ensure that all administrative procedures are being followed. Staff inspections shall be conducted throughout the department on a routine basis. Each division/section/unit shall be inspected at least once every three (3) years (CALEA 53.2.1e). The Chief of Police may order other inspections or spot-check inspections of any organizational component which does not appear to be functioning properly or as a matter of policy. Written notice of a formal inspection shall be provided to the commander of the division/section/unit to be inspected no less than five (5) days prior to the inspection. However, spot-check inspections shall be conducted on an unscheduled basis and require no advance notification. If the spot-check inspection reveals the need for a more comprehensive inspection, a pre-inspection notification shall be initiated prior to a formal inspection (CALEA 53.2.1b).

The ICU shall submit a written report to the Chief of Police at the conclusion of the inspection. The report shall identify areas where deficiencies were found, along with recommendation(s) for improvement and/or correction(s). It shall also identify areas that were found to be exemplary (CALEA 53.2.1c). The report shall be discussed with the commander of the division/section/unit prior to finalization. Further distribution of the report shall be at the discretion of the Chief of Police. When conditions warrant, the Chief of Police may require a written response by the command staff personnel held accountable for the conditions cited in the staff inspection report.

A follow-up written report shall be completed to report any deficiencies that cannot be immediately corrected at the time of the original inspection (CALEA 53.2.1d). This report shall be forwarded to the Chief of Police and a copy sent to the Accreditation Manager.

## 4.18.4 PERSONNEL INSPECTIONS

Supervisors are responsible for inspecting all personnel, under their direct supervision, at the beginning of each tour of duty (CALEA 53.1.1b). This process may be an informal procedure to verify compliance with policy standards regarding grooming, uniforms and proper equipment. Members in violation of policy shall be asked to correct the violation immediately (CALEA 53.1.1c) and a follow-up inspection shall be made to ensure that the appropriate corrective action has been taken (CALEA 53.1.1e). Members who have uniform articles that are damaged or not serviceable due to normal wear and tear shall have five (5) working days to repair or replace the item or to have a replacement ordered.

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#### 4.18.4 PERSONNEL INSPECTIONS (CONTINUED)

Supervisors shall conduct a formal inspection monthly (CALEA 53.1.1b, KACP 27.3) by following and completing the LMPD Personnel Inspection form (LMPD #05-402) (CALEA 53.1.1a, d). Personnel inspections shall be conducted to ensure compliance with policy standards regarding grooming, uniform and equipment and to ensure that officers have a valid driver's license and departmental ID card on their person. Copies of the previous month's LMPD Personnel Inspection forms shall be placed in the "Inspections and Compliance" folder, located on the J drive, by close of business on the 7<sup>th</sup> day of each month.

Members who have been on extended leave for more than 180 days shall be inspected by a supervisor upon return to duty. The LMPD Personnel Inspection form shall be completed and forwarded to the ICU.

#### 4.18.5 VEHICLE INSPECTIONS (KACP 21.5)

Inspection of vehicles should be an ongoing process; however, formal vehicle inspections shall be conducted monthly by division/section/unit commanders, or their designees, to ensure that they are serviceable and in compliance with the standards set forth in the vehicle policy (CALEA 53.1.1b, 41.3.2). Supervisors shall document the inspection by completing the LMPD Vehicle Inspection form (LMPD #05-401) (CALEA 53.1.1d). Copies of the previous month's LMPD Vehicle Inspection forms shall be placed in the "Inspections and Compliance" folder, located on the J drive, by close of business on the 7<sup>th</sup> day of each month.

Additionally, when performing vehicle inspections, the following equipment shall be inspected:

- Gas mask and riot helmet
- Vest
- Personal protective equipment (PPE) (refer to SOP 12.2)
- Fire extinguisher and flares

#### 4.18.6 FACILITIES AND INVENTORY (CALEA 17.5.1)

Facilities shall include buildings, grounds and furnishings. A visual inspection of facilities should be an ongoing, daily process. An inspection and inventory of LMPD facilities shall be conducted monthly and captured on the LMPD Monthly Building Inspection form (LMPD #11-0030). Copies of the previous month's LMPD Monthly Building Inspection forms shall be placed in the "Inspections and Compliance" folder, located on the J drive, by close of business on the 7<sup>th</sup> day of each month.

Departmental equipment that is stored (e.g. handcuffs, batons, radar, cameras, etc.) shall be maintained in a state of operational readiness. This includes care and cleaning, preventive maintenance, repair, workability and responsiveness of the equipment. Stored equipment shall be inspected at regular intervals (CALEA 17.5.3).

On a daily basis, division/section/unit commanders shall inspect and account for any equipment that is signed out on a regular basis (e.g. radios, flashlights, shotguns, etc.).

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## 4.18.6 FACILITIES AND INVENTORY (CONTINUED)

Agency equipment designated for use in unusual occurrence situations shall be inspected at least once a month to ensure operational readiness (CALEA 46.1.8, KACP 19.4).

Division/section/unit commanders, or their designees, shall be responsible for the following:

- Establishing and updating a division/section/unit inventory. A copy of the inventory shall be forwarded through the appropriate bureau commander to the ICU annually.
- Ensuring that equipment needed daily, or for special/unusual occurrences, is available, inventoried, properly maintained and stored.

## 4.18.7 SPECIALTY TEAM INSPECTIONS

Specialty team commanders shall be responsible for conducting annual inspections of team members, the equipment and uniforms specifically related to their specialty team tasks (CALEA 53.1.1b, KACP 27.3). These annual inspections shall be documented on the LMPD Personnel Inspection form (LMPD #05-402) (CALEA 53.1.1d). Copies of the previous month's LMPD Personnel Inspection forms shall be placed in the "Inspections and Compliance" folder, located on the J drive, by close of business on the 7<sup>th</sup> day of each month.

Specialty team commanders, or their designees, shall conduct annual inspections of vehicles specifically assigned to their unit. The vehicle inspection should coincide with personnel inspections. The LMPD Vehicle Inspection form (LMPD #05-401) shall be completed. Copies of the previous month's LMPD Vehicle Inspection forms shall be placed in the "Inspections and Compliance" folder, located on the J drive, by close of business on the 7<sup>th</sup> day of each month.

Specialty team commanders shall establish, and annually update, an inventory of equipment and vehicles assigned to their teams, and forward a copy to the ICU. A copy shall be kept on file at the specialty team level.

## 4.18.8 WEAPONS INSPECTIONS

Weapons inspections shall be the responsibility of the firearms training staff. All weapons shall be inspected during regular qualifications, at a minimum once a year (CALEA 53.1.1b, KACP 27.3), by certified firearms instructors. Weapons shall not be inspected at the division/section/unit level during formal or informal inspections.

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## 4.18.9 MEMBER RESPONSIBILITIES

### Damage to LMPD Equipment or Vehicle

Members are responsible for inspecting all uniform and equipment articles issued to them, or under their immediate control, in order to ensure serviceability, as well as checking for damage prior to each tour of duty.

Members are required to handle all equipment in accordance with training and manufacturer's guidelines. Members shall make appropriate efforts to prevent the loss, theft or damage of LMPD equipment. Members shall report lost, stolen, defective or damaged LMPD equipment to their immediate supervisor by completing the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180) before the end of their tour of duty. If the defective or damaged property is a LMPD vehicle, a Vehicle Damage Report form (LMPD #03-07-0190) shall be completed and sent electronically to LMPD Vehicle Damage Notification, located within the department's email distribution list (refer to SOP 7.7). Any other paperwork (e.g. uniform citation) associated with the damage to their LMPD equipment or LMPD vehicle shall be submitted with the appropriate form. A Uniform Incident Report shall be completed when departmental property has been lost, stolen or damaged as a result of criminal activity. The officer's immediate supervisor is responsible for contacting the Property Room or Firearms Training Center to replace the damaged, lost or stolen LMPD duty gear, if possible. Division commanders shall forward a copy of all paperwork, through the appropriate bureau commander for further distribution.

When off-duty or working approved secondary employment, if a member's LMPD equipment or vehicle is damaged, the member shall follow the steps outlined above. Any damage shall be reported to the member's immediate supervisor by completing the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form prior to the start of his/her next tour of duty.

### Damage to Personal Property

By contract, the LMPD shall only be responsible for the maximum reimbursement set forth in the contract for personal property which has been lost, stolen or damaged on duty. Weapons and uniforms are not included in this ceiling cap. Reimbursement for personal property shall be requested as follows:

- Complete a Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form.
- Attach all associated paperwork (e.g. uniform citation). If an arrest is made, the subject shall be charged with the appropriate criminal mischief.
- Submit all paperwork to the division commander, through the appropriate chain of command. Division commanders shall inspect the equipment or uniform item to determine if the item is still serviceable.
- The division commander shall determine if restitution or other forms of reimbursement (e.g. criminal court orders, insurance) can be obtained. If restitution can be made, the paperwork shall be returned to the officer. Once all avenues of restitution have been exhausted and reimbursement cannot be made, the officer shall complete the reimbursement section of the original Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form, indicating that reimbursement cannot be made. The officer shall include an accompanying explanation and re-submit the paperwork through the

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## 4.18.9 MEMBER RESPONSIBILITIES (CONTINUED)

appropriate chain of command. If the item is a uniform article, the LMPD Uniform Replacement Guide form (LMPD #07-0019) shall also be submitted. If restitution cannot be made (e.g. no arrest possible) and the explanation is satisfactory, the division commander shall approve the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form and forward the paperwork to the appropriate bureau commander.

- The officer's immediate supervisor shall be responsible for contacting the Property Room or the Firearms Training Center and determining if duty gear can be loaned to the officer until the officer can purchase new gear.
- If reimbursement has been made to the officer through means other than the LMPD, the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form does not have to be re-submitted.

If the request is approved and the uniform article or equipment is ordered, the officer has 30 days from the date of notification that the item is in, to pick up the item from the appropriate vendor. If the officer fails to pick the item up within the required time, the item shall be shipped back to the company from which it was ordered.

### Accreditation Standards

Members shall take all responsible and reasonable steps to preserve and enhance the credibility and integrity of the accreditation program through continued compliance with all applicable standards and tasks required by the Kentucky Association of Chiefs of Police (KACP) and the Commission on Accreditation for Law Enforcement Agencies (CALEA).

Division/section/unit commanders shall ultimately be responsible for compliance with accreditation standards, even if the responsibility for compiling accreditation proofs is delegated to the R&D Unit or other personnel. The division/section/unit commander shall coordinate accreditation work through the designated division/section/unit administrative commanding officer, under the direction of the Accreditation Manager.

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Chapter: Uniforms and Equipment	
Subject: Civilian Attire	

## 4.19 CIVILIAN ATTIRE (CALEA 26.1.1, KACP 12.1)

### 4.19.1 POLICY

Civilian members officially represent the department in their contacts with the public and with other professionals in the criminal justice community. It is imperative that these members present a neat, clean and professional appearance. Civilian members shall be dressed in attire that reflects a businesslike appearance and promotes a professional image of the department. Civilian members shall be neat, clean and well-groomed.

### 4.19.2 DRESS REQUIREMENTS FOR CIVILIAN ATTIRE

All civilian members shall abide by this policy unless job function or special situations allow for deviation. In such cases, prior approval must be obtained by the division/section/unit commander.

### 4.19.3 DRESS

Civilian members shall be required to follow the guidelines below on what is considered appropriate and inappropriate business attire:

#### Appropriate

- Blouses or collared shirts are recommended. Shirts must be properly fitted and non-offensive.
- Solid-colored polo shirts, with the official Louisville Metro Police Department (LMPD) patch embroidered on the left breast area, are acceptable. The member's first initial and last name shall be embroidered on the right breast area. Division/section/unit commanders are responsible for approving the shirt colors. The departmental patch may only be worn on the approved polo shirts and corresponding attire shall maintain casual business standards.
- Pants and dress slacks shall be free of tears and worn spots.
- Skirts shall be no shorter than two (2) inches from the top of the knee or have extreme slits. Denim skirts are permitted, provided they comply with the policy for skirts.
- Dresses shall be no shorter than two (2) inches from the top of the knee or have extreme slits. Denim dresses are permitted, provided they comply with the policy for dresses.
- Footwear shall be clean, in good repair and have a professional appearance. Footwear shall be appropriate for the assignment and comply with standards of safety and proper business attire.

#### Inappropriate

- T-shirts with team logos, obscene or slang slogans, cartoon characters or "advertising" printed on them are prohibited.
- Low revealing necklines, see-through material, halters, midriffs, crop tops and tube tops are prohibited.
- Sweatshirts shall not be worn as an outer garment.



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## 4.19.3 DRESS (CONTINUED)

- Bib overalls
- Sweatpants or exercise wear
- Stirrup pants and leggings
- Capri pants (except on *Casual Friday*)
- Shorts (e.g. athletic shorts, Bermuda shorts, cut-offs, skorts, suit shorts)
- Skirts/Mini-skirts (more than two (2) inches from the top of the knee)
- Flip-flops, jellies, shower shoes or bare feet
- Leather or canvas athletic shoes (except on *Casual Friday*)
- Hats are prohibited and shall not be worn inside of any Metro Government facility

Due to the fact that job duties, responsibilities and contact with the public vary according to assignment, clothing guidelines may also vary for civilian members. Civilian members shall conform to the dress requirements specified in this policy, unless otherwise directed by the division/section/unit commander.

If a member has any doubt as to whether or not an article of clothing is appropriate for work, the member should opt for a selection that is more conservative.

Supervisors of civilians shall be primarily responsible for the enforcement of this policy.

## 4.19.4 CASUAL FRIDAY

*Casual Friday* is at the discretion of the division/section/unit commander. Capri pants and denim pants (jeans) may be acceptable attire on *Casual Friday*. Denim shall not be torn or patched. Jeans shall be worn with an appropriate top or shirt. Athletic style shoes shall be allowed on *Casual Friday* only. It is expected that all clothing worn on *Casual Friday* shall meet the standards and restrictions as stated regarding lengths, proper fit and repair or condition.

## 4.19.5 HAIR

Civilian hairstyles shall be kept neat and clean. Facial hair should be trimmed and professional in appearance. Radical hairstyles or extreme coloring are prohibited.

Civilian members in uniform shall refer to SOP 4.2.6 regarding hair requirements.

## 4.19.6 BODY ADORNMENT

Civilian members may wear necklaces, bracelets, watches, rings, decorative pins, earrings and hair accessories in moderation. All other body piercings shall remain hidden from public view.

Body adornment of all types should be worn in a manner which does not alarm, offend or distract from the professional environment.

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Chapter: Uniforms and Equipment	
Subject: Computer Restrictions	

## 4.20 COMPUTER RESTRICTIONS

### 4.20.1 DEFINITIONS

**Information Resources:** Any and all computer printouts, online display devices, magnetic storage media and all computer-related activities involving any device capable of receiving email, browsing websites or otherwise capable of receiving, storing, managing or transmitting electronic data, including, but not limited to: mainframes, servers, personal computers, notebook computers, handheld computers, personal digital assistants (PDAs), pagers, distributed processing systems, network-attached and computer-controlled medical and laboratory equipment (e.g. embedded technology), telecommunication resources, network environments, telephones and smart phones, fax machines, printers and service bureaus. Additionally, it is the procedures, equipment, facilities, software and data that are designed, built, operated and maintained to create, collect, record, process, store, retrieve, display and transmit information.

**Metro Technology Services (MTS):** The Metro Government department responsible for computers, networking and data management.

### 4.20.2 OWNERSHIP

All information resources are owned by Metro Government and shall be used in accordance with the directives outlined in the Louisville Metro Police Department's (LMPD's) Standard Operating Procedures (SOPs) and Metro Government's computer policies. Messages, files and documents, including personal messages, files and documents located on information resources, are owned by the department. This data may be subject to open records requests and shall be accessed in accordance with this policy. Therefore, members should have no expectations of privacy in their email messages, whether sent or received, or in any other data files residing on Metro-owned hardware. Members shall report any incidents of possible misuse or violations directly to MTS.

In order to protect the department's interests and ensure the proper usage of information resources, MTS may use software to monitor and log each user's activity on departmental equipment. The software shall ensure that members are not using the information resources for personal benefit and may also be used to restrict access to certain programs. Use of the information resources for unauthorized purposes may lead to the immediate removal of information resources access and possible disciplinary action.

### 4.20.3 EQUIPMENT REQUIREMENTS

All computers/servers must have a Department of Technology standard core load operating system image and have the ability to be managed by MTS.

All computers/servers connected to the network must be in compliance with the Metro Government Network Access/Configuration policy.

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Chapter: Uniforms and Equipment	
Subject: Computer Restrictions	

## 4.20.3 EQUIPMENT REQUIREMENTS (CONTINUED)

Members shall not:

- Remove labels or change the labels placed on any equipment by MTS.
- Move or add equipment without the approval of MTS. This includes moving computers to another desk, printers, network equipment, etc. and installing software on Metro devices.
- Use external peripherals, such as USB devices, that are capable of storing data, unless approved by MTS.
- Purchase computer equipment for departmental use, without the approval of MTS.
- Purchase or install firewalls, routers, repeaters, switches, hubs or wireless access points, without the approval of MTS (CALEA 41.3.7a-b).
- Alter network hardware, in any way.
- Use personal computers as a routing device or to extend the network.

## 4.20.4 USAGE

To aid in the maintenance and security of the network, members shall:

- Log-off, but leave the computer turned on, while not in use.
- Not store data on a local hard drive (C: Drive). All LMPD data is required to be stored on the network drives (U: Drive) and shall be backed up by MTS. Data is backed up, via virtual libraries and offsite storage, on a regular basis, depending on the type of information. This could be on an hourly, nightly or weekly basis. MTS monitors this back-up to ensure that needed data is not lost (CALEA 82.1.6a-b). Data stored on a local hard drive will not undergo network backup, and therefore, may be lost. No attempt will be made to recover data from the local hard drive.
- Not store data on active desktops. Storing data on active desktop increases logon time and, if damaged, the data may be lost. Creating shortcuts on the desktop that point to data on the network drive is recommended.

MTS maintains a central data center and two (2) secondary data centers for high availability and disaster recovery capability (CALEA 82.1.6b).

## 4.20.5 USAGE RESTRICTIONS

Members are prohibited from using information resources:

- For personal benefit or profit.
- To engage in illegal activity in violation of local, state, federal or international law.
- To intentionally access, create, store or transmit material which the department deems offensive, indecent or obscene. The only permissible exception of this prohibition shall be for the purpose of an investigation with the explicit approval of the division/section/unit commander.
- To engage in activities contradictory to the mission and values of the department.

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## 4.20.5 USAGE RESTRICTIONS (CONTINUED)

- To access live Internet (streaming) video or audio sources or personal relationship sites/chat rooms.
- To violate the rights of any person or company protected by copyright, patent, other intellectual property or similar laws and regulations. This shall include, but is not limited to, the installation or distribution of "pirated", or other software products, that are not appropriately licensed for use by Metro Government (CALEA 41.3.7a-b).
- To create unauthorized copies of copyright material for which Metro Government, or the end user, does not have an active license. This includes, but is not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music and the installation of any copyrighted software (CALEA 41.3.7a-b).
- To provide information to parties outside of Metro Government regarding departmental members.

Members are prohibited from putting a victim's, suspect's or other's personally identifiable information (e.g. date of birth (DOB), Social Security Number (SSN), etc.) in the Computer Aided Dispatch (CAD) narrative from a Mobile Data Terminal (MDT) or other computer.

Due to the sensitive nature of the information, members are prohibited from copying, pasting or otherwise entering National Crime Information Center (NCIC) information from a NCIC Terminal, MDT or any other device into any other document, computer program or other electronic system. However, the information may be summarized and included in case documentation. Members are also prohibited from taking photographs/screen shots of NCIC information.

As a convenience to the department-user community, incidental use of information resources is permitted. The following restrictions shall apply:

- Incidental use of electronic mail, Internet access, fax machines, printers, copiers, etc. is restricted to departmentally-approved users only. This does not include members' family, friends or acquaintances.
- Incidental use that results in direct costs to the department is prohibited.
- Incidental use that interferes with the normal performance of a member's work duties is prohibited.
- No files or documents shall be sent, or knowingly received, that may cause legal action against, or discredit to, the department.

## 4.20.6 SECURITY RESTRICTIONS (CALEA 11.4.4. 82.1.6c)

Members shall report any weaknesses in departmental computer security, as well as any incidents of possible misuse or violations, directly to MTS.

Members shall not violate the security of the network by (CALEA 41.3.7a-b):

- Actively seeking out vulnerabilities/weaknesses in the network.
- Effecting disruptions of network communication (e.g. network sniffing, pinged floods, packet spoofing, denial of service and forged routing information).
- Introducing malicious programs into the network (e.g. viruses, worms, Trojan horses, email bombs).

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## 4.20.6 SECURITY RESTRICTIONS (CONTINUED)

- Attempting to access another member's account.
- Attempting to access data for which they do not have authorization or explicit consent. This includes, but is not limited to, data from this department and/or any outside source. Anyone attempting unauthorized access shall be considered in violation of KRS 434.853.
- Sharing accounts, passwords, personal identification numbers (PIN) or similar information or devices used for identification and authorization purposes. If a member contacts the MTS Service Desk for computer support, MTS technicians may be required to ask for a member's password in the troubleshooting process. If so, the password must be changed upon the user's next login.
- Using or installing any software (e.g. commercial, shareware or freeware) without explicit consent from MTS. Unauthorized software shall include, but is not limited to:
  - Any software that monitors users (e.g. Spyware or Adware)
  - Peer-to-Peer software (e.g. Napster, WinMX, Kazaa, Grokster and File Mule)
  - Instant Messaging software (e.g. AOL Instant Messenger or Yahoo Messenger)

MTS shall conduct audits, at least annually, to verify passwords, access codes and to determine possible access violations (CALEA 82.1.6d).

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	Accreditation Standards:
Chapter: Uniforms and Equipment	
Subject: Computer Email	

## 4.21 COMPUTER EMAIL

### 4.21.1 DEFINITION

Electronic mail (email) is an electronic system for sending and receiving messages via a computer network.

### 4.21.2 USAGE

The Louisville Metro Police Department (LMPD) provides technology resources for business purposes. Although members may use these resources occasionally for personal non-business purposes, such use shall be in strict compliance with this policy.

Due to limited amount of email storage space, all members must maintain their mailboxes in an appropriate manner. Organizing email into folders, and deleting unneeded email messages from the inbox and deleted items folders, makes file management easier and reduces the strain on the finite amount of storage space on departmental servers.

Departmental members shall read all messages from Metro Technology Services (MTS) regarding system issues (e.g. downtimes, upgrades) as they relate to the email system and other departmental applications.

### 4.21.3 EMAIL RESTRICTIONS

Members are prohibited from:

- Using departmental email for personal gain or profit, except for approved secondary employment. Members are prohibited from sending secondary employment requests to persons or agencies outside of the Louisville Metro Police Department (LMPD), including other agencies of Louisville Metro Government.
- Sending or forwarding email to the group email distribution lists of outside businesses or agencies, including other Louisville Metro Government agencies (e.g. Metro Corrections, etc.). Exceptions may be approved and sent or forwarded by a commanding officer with the rank of lieutenant or above. Exceptions may be made for LMPD business purposes only (e.g. Wanted and/or Attempt to Locate flyers, etc.).
- Using their departmental email as an email address for personal accounts (e.g. bank accounts, eBay), unless it has a direct relation to the member's departmental duties.
- Sending, forwarding or storing email that is intimidating, harassing, indecent or obscene, except to a supervisor or MTS, for reporting purposes.
- Sending, forwarding or storing unsolicited email messages, including the sending of "junk mail", "SPAM" or other advertising material to individuals who did not specifically request such material, except to a supervisor or MTS, for reporting purposes.
- Creating or forwarding "chain letters" or other "pyramid" schemes of any type.
- The unauthorized use or forging of email header information.

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### 4.21.3 EMAIL RESTRICTIONS (CONTINUED)

- Soliciting email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- Using a departmental email address to send or receive correspondence for a private company or business.
- Using email for the purpose of political lobbying or campaigning, except as allowed by the collective bargaining agreement with the Fraternal Order of Police, Lodge 614.
- Violating copyright laws by inappropriately distributing protected works.
- Emailing National Crime Information Center (NCIC) information inside or outside of the department due to its sensitive nature.
- Posing as another person, unless authorized by the division/section/unit commander, when conducting an investigation or when authorized to send messages on behalf of another when serving in an administrative support role.
- Accessing outside personal email accounts (e.g. Hotmail, Yahoo, AOL, etc.) unless approved for investigative purposes by the Assistant Chief of Police/Administrative Bureau, or his/her designee.
- Sending, forwarding or "broadcasting" messages or materials to numerous recipients without authorization from a commanding officer or civilian supervisor. Authorization shall only be granted for the following:
  - Messages with a demonstrable departmental business purpose.
  - Notifications and announcements of births, illness or death of members and their immediate family or retirements of members.
- Using unauthorized email software (e.g. Pegasus, Eudora) or "plug-ins" not approved by MTS.
- Transmitting hoaxes (e.g. "Do not use cell phones at gas pumps!" or virus warnings). If in doubt, contact MTS, who will verify and advise users of possible hoaxes.
- Sending or forwarding excessively large messages.
- Sending or forwarding email likely to contain computer viruses.
- Attempting to bypass the file blocking of email attachments.
- Attempting to bypass system virus protection.
- Divulging their usernames or passwords, via email. Exemptions must be approved by the MTS Service Desk or the Planning and Technology Lieutenant. If solicited, via email, for usernames or passwords, members shall assume that it is a scam. Members shall contact the MTS Service Desk at (502) 574-4444 and advise them of suspicious solicitations.
- Responding to any SPAM email received via departmental email. As a large organization, Metro Government is constantly under attack by SPAM emails. These emails search for valid accounts to direct more email or security threats to. Often, these emails contain a hyperlink to remove the recipient from the SPAM email list. These hyperlinks are frequently a ploy to gain additional information on the recipient.

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## 4.21.4 OUTSIDE CORRESPONDENCE

Email messages distributed outside of the department shall be viewed as direct correspondence from the department. Email users are prohibited from representing the department, either implicitly or explicitly, unless authorized by a commanding officer to do so. External emails shall automatically be accompanied with a general purpose email disclaimer, placing the content responsibility upon the sending or forwarding member.

If an email or an email attachment contains sensitive or private information (e.g. Social Security Numbers, personal identification information) appropriate steps to protect that information should be taken. Users shall include the phrase “[encrypt]” in the subject line to ensure that email containing sensitive materials is encrypted. Personal information contained in Wanted and/or Attempt to Locate flyers sent for law enforcement purposes to other law enforcement individuals/agencies is exempt. If in doubt, contact MTS for guidance.

## 4.21.5 GENERAL ANNOUNCEMENTS

The department shall provide members with folders on the Intranet (Announcements/General Announcements) that shall contain, but not be limited to, the following information:

- Off-duty employment opportunities
- Items that are free or for sale
- Fundraising opportunities
- Courtesy apartments

Members who post information in these folders shall be responsible for removing the item once it has been sold, filled, etc.



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	Effective Date: 11/19/04 Prv. Rev. Date: 03/30/06 Revised Date: 11/10/11
	Accreditation Standards:
Chapter: Uniforms and Equipment	
Subject: Computer Internet Usage	

## 4.22 COMPUTER INTERNET USAGE

### 4.22.1 DEFINITIONS

**Internet:** A global system interconnecting computers and computer networks. The computers and networks are owned separately by a host of organizations, governmental agencies, companies and colleges.

**Intranet:** A private network for communications and sharing of information that, like the Internet, is based on transmission control protocol/internet protocol (TCP/IP), but is accessible only to authorized users within an organization.

**Vendor:** Someone who exchanges goods or services for money.

**World Wide Web:** A system of Internet hosts that supports documents formatted in Hypertext Markup Language (HTML) and contains links to other documents (hyperlinks) and to audio, video and graphic images. Users can access the web with special applications called browsers, such as Netscape Navigator and Microsoft Internet Explorer.

### 4.22.2 MONITORING

In order to protect the department's interests and ensure the proper usage of information resources, Metro Technology Services (MTS) may use software to monitor and log each user's activity on departmental equipment. The software shall ensure that members are not using the information resources for personal benefit and may also be used to restrict access to certain programs. Use of the information resources for unauthorized purposes may lead to the immediate removal of information resources access and possible disciplinary action.

### 4.22.3 INTERNET USAGE RESTRICTIONS

The following restrictions of Internet usage and software apply:

- Additional software for browsing the Internet or Internet tool bars (e.g. Instant Messages or hot bars) shall be prohibited, unless authorized by MTS.
- All files downloaded from the Internet shall be scanned for viruses using the current virus detection software provided by MTS.
- Non-business related purchases made over the Internet are prohibited. Business-related purchases are subject to departmental policy.
- Personal use of Internet access is restricted to approved departmental users and shall not result in direct cost to the department.
- Internet use must not interfere with the normal performance of a member's work duties.

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## 4.22.3 INTERNET USAGE RESTRICTIONS (CONTINUED)

- No files or documents may be transmitted that may cause legal liability for, or embarrassment to, the department.
- Storage of personal files and documents within the department's information resources should be kept to a minimum.

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	Effective Date: 11/19/04 Prv. Rev. Date: 07/09/12 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 82.1.6
Chapter: Uniforms & Equipment	
Subject: Computer Passwords	

## 4.23 COMPUTER PASSWORDS

### 4.23.1 PASSWORD SECURITY

The network will automatically prompt users to change passwords every 90 days. Users will be notified several days in advance of the expiration date. If a password is allowed to expire, the user's account will be locked and the user will need to call the Metro Technology Services (MTS) Service Desk at (502) 574-4444 to reactivate his/her account. Passwords of at least eight (8) characters shall be constructed with at least three (3) of the following embedded:

- English upper-case characters (e.g. A-Z)
- English lower-case characters (e.g. a-z)
- Digits (e.g. 0-9)
- Non-alphabetic characters (e.g. @\$%^&\*()\_+)

When constructing a password, the following are not recommended:

- User's account name or parts of the user's full name that exceed two (2) consecutive characters
- Words found in English or foreign dictionaries
- Slang, dialect, jargon, etc.
- Previously used passwords
- Names of family members, pets, friends, coworkers, etc.
- Computer terms and names, commands, sites, companies, hardware, software
- Personal information (e.g. birthdays, addresses, phone numbers)
- Letter or number patterns (e.g. aaabbb, qwerty, 123321)
- Any of the above preceded or followed by a digit (e.g. 1secret, secret1)

Passwords are to be kept secure and confidential. Any suspected loss of password information must be immediately brought to the attention of the Planning and Technology Section, so a new one may be issued. At least annually, MTS shall conduct an audit of all personnel accessing the Louisville Metro Police Department (LMPD) network for verification of passwords and/or access codes or to determine possible access violations. If passwords and/or access codes do not meet these requirements, the user's account may be disabled (CALEA 82.1.6d).

### 4.23.2 PASSWORD RESTRICTIONS

Password users shall be held accountable for all actions taken with their account. Workstations must be secured anytime the computer is left unattended.

Employees must log off, lock the computer or activate a password-protected screen saver each time the workstation is left unattended. The use of the screen saver idle time lock activation is mandatory.

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Subject: Computer Passwords	

## 4.23.2 PASSWORD RESTRICTIONS (CONTINUED)

All passwords are to be considered confidential departmental information. To maintain password security, users shall not:

- Use the same password for departmental accounts as for personal accounts (e.g. ISP accounts, web mail, financial institutions)
- Reveal a password in an email, over the telephone, on questionnaires or on security forms
- Reveal a password to supervisors, family members, coworkers or others

## 4.23.3 CONTRACTUAL EMPLOYEE, UNPAID INTERNS AND VOLUNTEERS

It shall be the responsibility of the commanding officer of the contractual employee, unpaid intern or volunteer to notify the MTS Service Desk at (502) 574-4444 upon the contractual employee, unpaid intern or volunteer's departure from the department, so that his/her computer account can be disabled.

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	Effective Date: 11/06/06 Prv. Rev. Date: 06/10/13 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 17.5.2, 22.2.5, 46.2.3
Chapter: Uniforms & Equipment	
Subject: Gas Masks	

## 4.24 GAS MASKS (CALEA 46.2.3)

### 4.24.1 DEFINITION

**Gas Mask:** A full face-piece air purifying respirator (APR) which is used to reduce the wearer's risk of inhaling hazardous airborne particles, gases or vapors. The term gas mask, as used in this policy, refers to the National Institute for Occupational Safety and Health (NIOSH) approved chemical, biological, radiological or nuclear (CBRN) air purifying respirator and filter cartridge assembly currently issued by the Louisville Metro Police Department (LMPD) to all sworn officers and certain civilian members (e.g. Crime Scene Unit (CSU) personnel). It should be noted that gas masks will not protect a user against all hazardous particles, gases or vapors.

### 4.24.2 POLICY

Special equipment is needed in order to provide members with proper protection and to facilitate the successful resolution of tactical operations. In order to meet the need for respiratory protection of LMPD personnel, the department shall issue a NIOSH CBRN compliant respirator gas mask and two (2) filter canisters to members with a risk of exposure to certain hazardous materials (CALEA 22.2.5). The department's Health and Safety Officer (HSO) shall be responsible for providing for the maintenance, repair or replacement of the gas masks, if necessary (CALEA 17.5.2).

### 4.24.3 ACCESSIBILITY

Officers shall store their gas mask in their departmentally-assigned vehicle so that it is readily available during an emergency. On-duty members who do not have a departmentally-assigned vehicle shall have their gas mask readily available at their respective division/section/unit. All members shall have their gas mask readily available while assigned to a special detail.

### 4.24.4 APPROVED EQUIPMENT

Members shall only use issued gas masks and filter canisters for which they have received training on its use and have been annually fitted.

### 4.24.5 ANNUAL FIT TESTING

The department's HSO shall be responsible for coordinating annual fit testing of all members who are issued a gas mask. This shall be conducted based on Occupational Safety and Health Administration (OHSA) standards 1910.134 Appendix A: Fit Testing Procedures. Each member shall be allowed to pick the most acceptable gas mask from a sufficient number of gas mask models and sizes so that the gas mask correctly fits the user. Members who feel that their mask does not currently fit properly may contact the HSO to have fit testing completed at any time.

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Chapter: Uniforms & Equipment	
Subject: Gas Masks	

## 4.24.5 ANNUAL FIT TESTING (CONTINUED)

All members who are issued a gas mask shall submit the Hazardous Material Response Respiratory Medical Evaluation Questionnaire (LMPD #13-0006), either electronically or via interoffice mail, to the Health and Safety officer, before arriving for their annual fit test.

The fit test shall not be conducted if there is any hair growth between the skin and the face-piece sealing surface, such as stubble, beard, mustache or sideburns which cross the gas mask sealing surface. Any type of apparel which interferes with a satisfactory fit shall be altered or removed. If a member exhibits difficulty in breathing during the tests, he/she shall be referred to the departmental physician or other licensed healthcare professional, as appropriate, to determine whether the test subject can wear a gas mask while performing his/her duties. If the member finds that the fit of the gas mask is unacceptable, the member shall be given the opportunity to select a different gas mask and be retested. The gas mask shall be appropriately configured in consideration of whether the member is right or left handed.

Members who are issued a gas mask shall also receive annual training in the wearing, use and care of their assigned gas mask. This shall include a refresher on how to use the Emergency Response Guidebook (ERG), which is issued to each officer and is also located on the LMPD Intranet. To access the ERG, click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link and double click on the "HAZMAT" folder. Training shall be provided by certified departmental chemical agent instructors and/or departmental HSOs.

## 4.24.6 MAINTENANCE

Care shall be taken, in accordance with departmental training, to store and maintain assigned masks in such a manner as to avoid damage to the mask components and filter canisters. Members shall maintain their assigned gas mask in good working condition and clean them in accordance with departmental training guidelines after an exposure to a chemical agent environment.

While cleaning the gas mask, care should be taken to avoid getting liquids on the filter canister or valve parts of the mask. Any maintenance, other than routine cleaning, shall be done by a departmental HSO or a certified departmental chemical agent instructor.

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	Effective Date: 12/14/06 Prv. Rev. Date: 06/10/11 Revised Date: 09/29/12
	Accreditation Standards:
Chapter: Uniforms & Equipment	
Subject: Metro Watch Cameras	

## 4.25 METRO WATCH CAMERAS

### 4.25.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to install and utilize overt cameras, within public areas, for the purpose of public safety. The Metro Watch system shall utilize cameras, which are capable of transmitting video images to a secure server, installed within the LMPD. The cameras may be selectively monitored by departmental personnel. It shall also be the policy of the LMPD that operators of Metro Watch cameras shall be required to attend user training conducted by the LMPD's Technical Operations Team (TOT). Nothing in this policy shall apply to the use of covert cameras utilized to further undercover investigations.

### 4.25.2 ACCESSIBILITY TO VIDEO IMAGES

Video feeds or images from Metro Watch cameras may be accessed, or viewed, by individuals outside of the LMPD only for specific needs, if requested. All such requests from individuals outside of LMPD divisions/sections/units or from MetroSafe shall be made to, and approved by, the Chief of Police, or his/her designee.

### 4.25.3 VIDEO IMAGE ARCHIVE

Unless limited by technological constraints, the recordings shall be maintained in the Metro Watch system hard drive for a period of 30 days.

### 4.25.4 REQUESTING VIDEO IMAGES

The request for video research from the Metro Watch system must be authorized by a commanding officer. All requests for recorded video images by LMPD personnel shall be sent to the Narcotics Division Commander. If approved, the Narcotics Division Commander shall forward the request to the TOT. The TOT shall have the responsibility to provide the recorded video within 72 hours, unless urgent circumstances exist due to the investigative nature of the request. Requests shall be made by written memorandum or email and must contain the following information:

- Date and time of the incident
- Location of the incident
- The reason for the request
- The name and contact information of the requesting member
- The name of the authorizing commanding officer
- The requested date when the video will be needed (if urgent circumstances exist).
- The request should also include the following information, if applicable:
  - Nature or type of occurrence (accident, offense)
  - Description of suspect(s) or victim(s)

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Chapter: Uniforms & Equipment	
Subject: Metro Watch Cameras	

## 4.25.4 REQUESTING VIDEO IMAGES (CONTINUED)

- Significant landmarks or points of reference

Requests made by the news media for video images shall be forwarded to the Media and Public Relations Office for review. Requests shall be granted based on compliance with Kentucky Open Records Statutes (refer to Kentucky Revised Statutes (KRS) 61.870-61.884). Requests from other law enforcement agencies shall be forwarded to the Narcotics Division Commander for approval.

## 4.25.5 RETRIEVAL OF RECORDED INFORMATION

The authority to access, research and retrieve recorded information from the Metro Watch system shall be restricted to the members of the TOT and shall be released only to individuals who have made an appropriate request in compliance with the procedures outlined in this policy.

## 4.25.6 PROHIBITED USES

The operation or use of Metro Watch system cameras to observe known private areas or those where there may be a reasonable expectation of privacy is prohibited. All reasonable efforts shall be taken in order to protect the privacy rights of individuals in areas not accessible to the public.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 4.26
	Effective Date: 11/11/07 Prv. Rev. Date: 06/10/12 Revised Date: 12/10/12
	Accreditation Standards: CALEA: 22.2.5, 82.1.2, 83.2.2, 83.2.4 KACP: 18.8
Chapter: Uniforms & Equipment	
Subject: Digital Image Management System (DIMS)	

## 4.26 DIGITAL IMAGE MANAGEMENT SYSTEM (DIMS)

### 4.26.1 POLICY

Digital photographic images, audio files and video files are critically important to the operation of the Louisville Metro Police Department (LMPD). To ensure the quality, accuracy, consistency and relevancy of digital images, audio files and video files, taken by LMPD members, all of these images and files shall be stored and processed, utilizing the Digital Image Management System (DIMS), maintained by Metro Technology Services (MTS). For the purposes of this policy, audio and video files from in-car camera systems are excluded and subject to SOP 4.1.

If a member experiences an issue/problem with his/her digital camera or a DIMS download station, he/she shall contact the:

- Photo Lab at (502) 574-2081 for digital camera-related issues.
- MTS Service Desk at (502) 574-4444 for DIMS download station-related issues or password issues.

If a DIMS download station in a patrol division is currently not working, the member shall contact an adjacent division to see if the DIMS download station located in that division is working. If the DIMS download station in the adjacent division is working, the member shall download his/her images into DIMS in the adjacent division. If the DIMS download station in the adjacent division is not working, DIMS may be experiencing a system-wide failure and the MTS Service Desk shall be contacted.

If a member is experiencing difficulties downloading images into DIMS due to password issues, etc., he/she shall contact the MTS Service Desk for assistance. If a member is trying to download the images outside of the normal operating hours of MTS (0730-2200 hours, Monday through Friday), he/she shall deposit his/her media card into the Property Room for chain of custody purposes and download the images into DIMS once the issue has been corrected.

### 4.26.2 DIGITAL CAMERAS

Members capturing digital image evidence shall employ a departmentally-issued camera and media card. Digital cameras and media cards shall be issued to members whose duties may include taking photographs (CALEA 22.2.5, 83.2.4b). All equipment should be maintained in accordance with the manufacturer's specifications and recommendations as contained in the operating manual. **No personal photographs shall be taken using departmental equipment.**

### 4.26.3 DIGITAL IMAGES USED AS EVIDENCE (CALEA 83.2.2)

When digital images may be used as evidence, the photographer must be able to testify that the image accurately represents what he/she observed and that it has not changed. Digital images taken for evidentiary

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## 4.26.3 DIGITAL IMAGES USED AS EVIDENCE (CONTINUED)

purposes should be previewed to judge the quality. If the quality of the image is not sufficient (e.g. too dark, too light or blurred), adjust for the problem and take another image. Even if an image is retaken, the original shall not be deleted.

The removable media card, upon which images are recorded, shall be treated as the original until the digital images are archived in DIMS. Members shall download all digital images from the media card into DIMS, via any departmentally-designated DIMS download station. Members shall not delete any digital image from a media card, regardless of the quality, until all images have been downloaded. Images should be downloaded by the end of the member's tour of duty. If a member is experiencing difficulties downloading images into DIMS due to password issues, etc., he/she shall contact the MTS Service Desk for assistance. If a member is trying to download the images outside of the normal operating hours of MTS (0730-2200 hours, Monday through Friday), he/she shall deposit his/her media card into the Property Room for chain of custody purposes and download the images into DIMS once the issue has been corrected. Once the images have been downloaded into DIMS, members shall format their media card in order to remove the images and prevent image duplication.

Digital images, taken by LMPD members, shall reside in the main DIMS server and shall be distributed only for official purposes. The Photo Lab is responsible for producing "official" photographs and burning images onto a CD for LMPD cases. The Photo Lab shall print the images and make a CD, if requested. Printing of images should only be requested if absolutely necessary.

An incident control number (ICN) shall be obtained prior to downloading images into DIMS. A "preliminary ICN" shall be used for situations when no incident report is required. These situations include incomplete or ongoing investigations in which an arrest is not yet made or a specific offense has not yet been determined.

Members entering images from a public relations event, Administrative Incident Report, Damage to Equipment Report or other such incident, where no ICN is associated with the incident, shall also request a preliminary ICN. Members shall not utilize individual unit case numbers or any self-generated number to enter images into DIMS.

Digital images from only one (1) incident at a time should be taken on a media card before downloading into DIMS.

## 4.26.4 JUVENILE IMAGES

Digital images of juveniles shall be identified as such, when entering them into DIMS, by selecting the "Juvenile" button on the download screen (CALEA 82.1.2b, KACP 18.8). If a case involves both juveniles and adults, the user can highlight only the juvenile images and select the "Juvenile" button for proper flagging.

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## 4.26.5 IMAGES OBTAINED FROM OUTSIDE SOURCES

Photographic images obtained from sources outside of the LMPD shall not be downloaded into DIMS. These images may be received from sources such as citizens, businesses or the media, and may be in the form of film or various types of digital image memory devices (e.g. media card, CD, flash memory stick). Members receiving images of this nature shall transport the film or memory device to the Photo Lab. The Photo Lab shall process the images, print them and return them to the member.

## 4.26.6 AUDIO/VIDEO FILES

Members shall only use departmentally-issued digital audio and video recorders. **No personal recordings shall be taken on departmental equipment or downloaded to the Metro Government network.**

Audio and video files, recorded by LMPD members for law enforcement use, shall reside in the main DIMS server. Audio and video files shall be downloaded into departmentally-designated DIMS download stations by the end of the member's tour of duty. Members shall not delete audio or video files until the files have been downloaded.

Members shall select the audio or video option in DIMS when requesting copies of audio or video files. The Photo Lab shall make CD/DVD copies of audio or video files, if requested, and return them to the member.

## 4.26.7 DAMAGED EQUIPMENT

If a departmentally-issued camera is damaged or not functioning properly, the member shall complete and submit a Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180), through the appropriate chain of command. The media card or internal camera memory shall be downloaded into DIMS, or placed into the Property Room for chain of custody purposes, prior to any service/repair on the camera.

The Photo Lab shall determine if the camera is repairable. The member's division/section/unit shall be responsible for the costs of the repair or replacement. Repair or replacement services shall be conducted by an approved vendor.

## 4.26.8 SEPARATION FROM SERVICE

Members separating from service by retirement or resignation shall take their departmentally-issued digital camera to Administrative Services to determine serviceability of the camera for reissue. Prior to taking the issued camera to Administrative Services, members shall download all images from the camera into DIMS and format the media card, in order to remove the images and prevent image duplication.

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## 4.26.8 SEPARATION FROM SERVICE (CONTINUED)

Members who are terminated shall turn in their departmentally-issued digital camera to their commanding officer, who shall be responsible for taking the digital camera to Administrative Services to determine serviceability.

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Chapter: Uniforms & Equipment	
Subject: Mobile Data Terminals	

## 4.27 MOBILE DATA TERMINALS

### 4.27.1 DEFINITIONS

**Mobile Data Terminals (MDTs):** Portable computers by which members can access the following:

- NCIC
- National Law Enforcement Telecommunications System (NLETS)
- Kentucky Open Portal Solution (KYOPS)
- I/Mobile
- Arbitrator In-Car Camera
- CourtNet
- Louisville Metro Department of Corrections (LMDC) LawWeb
- I/Leads Field-Based Reporting
- Aspen
- Inspection Selection System (ISS)

**MDT Central:** Authorized facility for issuing, receiving and servicing MDTs and related equipment. MDT Central is located at 3515 Newburg Road, Building B.

**MDT Coordinator:** Responsible for overseeing the MDT program. Duties include the ordering of MDTs and peripherals, setup of equipment, acquisition and maintenance of software packages, development of security rules and procedures, coordination of training of members, assistance with training in the use of software and overall coordination of the MDT program. The MDT Coordinator is an employee of Metro Technology Services (MTS).

**Metro Technology Services (MTS) Service Desk:** Provides support for members regarding MDTs and related software.

### 4.27.2 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) that Mobile Data Terminals (MDTs) shall be:

- Used for official business only.
- Installed in, and assigned to, marked patrol vehicles and unmarked traffic vehicles. All other MDTs shall be assigned to individual personnel. MDTs, installed in marked patrol vehicles and unmarked traffic vehicles, are assigned to the vehicles and shall remain with the vehicle when the vehicle is reassigned from one (1) officer to another (CALEA 22.2.5).
- Removed from the vehicle prior to shopping the vehicle. This includes repairs at the Newburg Road garage location, as well as any other vendor location (e.g. vehicle dealer).

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## 4.27.2 POLICY (CONTINUED)

- Locked in vehicles equipped with permanently-mounted docking stations. If the vehicle does not have a permanently-mounted docking station, the MDT shall be locked in the trunk or any other locked compartment of the vehicle, or secured in the home of the member, when not in use. For the definition of a departmental vehicle, refer to SOP 4.14.2.
- Turned in to MDT Central if the member is on a leave of absence from the department.

It shall further be the policy of the LMPD that MDTs shall **not** be:

- Used while the vehicle is in motion, except under circumstances outlined in SOP 4.14.7, Vehicle Usage.
- Loaded with unapproved software or connected to any unapproved devices. Any requests to change the software or hardware must be submitted on the Vehicle Marking/Equipment Change Request for Authorization form (LMPD #04-04-0187). All changes to the MDT software shall be coordinated and performed by the MDT Coordinator or MDT Central (CALEA 11.4.4, 41.3.7a).
- Attached to any outside networks (e.g. Internet cafes, home-based networks, etc.), as this would make the system vulnerable to virus attacks and could grant access to unauthorized personnel. The member may utilize his/her MDT on the departmental network or via designated hot spots, as this network is properly secured and has safe access to email and the Internet (CALEA 11.4.4, 41.3.7b).
- Altered, in any way, by the member. Members shall not attempt to change the settings or configuration of the MDT at any time (CALEA 41.3.7b).

Any member utilizing the MDT must be National Crime Information Center (NCIC) certified. When accessing the NCIC, the MDT must be inside of the vehicle (KACP 26.3).

Due to the sensitive nature of the information, members are prohibited from copying, pasting or otherwise entering NCIC information from a NCIC Terminal, MDT or any other device into any other document, computer program or other electronic system. However, the information may be summarized and included in case documentation. Members are also prohibited from taking photographs/screen shots of NCIC information.

Members utilizing handheld MDTs shall not access the NCIC or have software installed on these units.

If a vehicle equipped with an installed MDT is reassigned from one (1) member to another, the officer receiving the vehicle shall report to MDT Central to have the MDT reconfigured (CALEA 17.5.2).

## 4.27.3 MDT SERVICE & REPAIR

When service is required, members shall contact the MTS Service Desk at (502) 574-4444 to schedule a time to inspect the equipment and resolve the problem. If a member contacts the MTS Service Desk outside of the normal operating hours of MTS (0730-2200 hours, Monday through Friday), a recording provides an emergency contact number for the on-call engineer. For non-emergencies, the MTS recording asks the member to call back during normal business hours.

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## 4.27.3 MDT SERVICE & REPAIR (CONTINUED)

Any damage to the MDT shall be reported, through the appropriate chain of command, on the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180). A member shall not attempt to repair the MDT on his/her own. MDT Central shall authorize repairs to the MDT at an approved repair facility.

If the MDT is lost or stolen, in addition to completing the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form, the member shall notify the MTS Service Desk by email as soon as is practical to prevent the potential compromise of information.

If the virus software detects a virus on the computer, the member shall immediately shut down the MDT and contact the MTS Service Desk for assistance. The MTS Service Desk will advise the member of where to bring the MDT for service.

Any repairs needed to the MDT mount shall only be performed at the MetroSafe Communication Services, the "Transmitter," located at 3519 Newburg Road.

Requests for new issues of MDTs, or transfers of MDTs, shall be made on the MDT/Portable Radio Request form (LMPD #10-0004) and sent, through the appropriate chain of command, to the Planning and Technology Lieutenant.

## 4.27.4 USERNAMES & PASSWORDS

Each member is responsible for setting and maintaining his/her passwords. The MDT Coordinator shall issue a username and default password for the MDT unit. Upon initially logging on to the MDT, the user shall change the default password to a more secure password of his/her choosing. The following restrictions apply when choosing a new password:

- It shall be a minimum of eight (8) characters.
- It shall not be a dictionary word or proper name.
- It shall not be the same as the username.
- It shall be changed at least every 90 days.

The system will automatically prevent previously used passwords from being used again. If a member forgets his/her password, it will need to be reset by the MTS Service Desk.

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Chapter: Uniforms & Equipment	
Subject: Plainclothes and Undercover Officers	

## 4.28 PLAINCLOTHES AND UNDERCOVER OFFICERS (CALEA 22.2.5)

### 4.28.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that officers, when taking police action while in plainclothes, whether on-duty or off-duty, make every reasonable effort to identify themselves as police officers to other officers or the general public in order to minimize any potential hazards. It is imperative that officers in plainclothes be mindful of the potential danger to themselves and fellow officers when they become involved in police action, if they have not previously identified themselves.

### 4.28.2 PURPOSE

The purpose of this policy is to establish guidelines concerning the actions of LMPD personnel when involved in law enforcement activities while wearing plainclothes. The department recognizes the importance of an officer in plainclothes being easily identified by civilians, other LMPD officers and officers of other police agencies. The safety of the officer and any other persons involved in the incident or activity is paramount.

### 4.28.3 DEFINITIONS

**Undercover officer** – An officer whose primary duties involve collecting information, conducting surveillance and transactions with criminals when an immediate arrest may not occur. Normally, the work is covert in nature and may involve situations in which the officer has broken ties with the department. In some situations, the officer may assume an entirely different identity in order to infiltrate different targets (e.g. drug dealers, gambling syndicates, fencing operations, etc.).

**Plainclothes officer** – An officer who performs law enforcement tasks while wearing civilian attire. This includes, but is not limited to:

- Major Crimes Division detectives
- Narcotics Division detectives
- Division detectives
- Flex Platoon detectives, while on plainclothes assignments
- Public Integrity Unit (PIU) detectives
- Professional Standards Unit (PSU) detectives
- Officers temporarily assigned to a plainclothes detail
- All off-duty officers wearing civilian attire.

Patrol division detectives may wear business casual attire, while on-duty, on the days that they do not have to attend court. T-Shirts or shirts with any writing are prohibited with the exception of the official LMPD polo shirts.



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## 4.28.4 PROCEDURES

### Undercover Officers

Undercover officers should make every effort to avoid revealing their true identity. When an undercover officer observes an incident requiring immediate police action, the undercover officer should not intervene unless the incident involves a life-threatening situation. If the situation is not life-threatening, the undercover officer shall notify the appropriate personnel as soon as practical.

If the undercover officer takes some official action and/or needs assistance from other police units, time permitting, he/she should contact MetroSafe, via radio or telephone. If the situation dictates, undercover officers shall notify MetroSafe of their own race, sex and clothing description so that the information can be provided to responding units.

### Plainclothes Officers

Plainclothes officers, responding to a crime in-progress or an incident in which the possibility of danger exists, should notify MetroSafe of their presence and that they are in plainclothes. Circumstances permitting, they may also advise the dispatcher of their own race, sex, clothing description and a brief description of their vehicle for broadcast to all responding units. If practical, plainclothes officers should wait until the information has been broadcast to all responding units before engaging in any police activity.

Plainclothes officers performing routine investigative tasks should notify the dispatcher of their location. If the nature of their work is secretive, such as a stationary surveillance or stakeout, plainclothes officers should notify MetroSafe or their commanding officer, by telephone, of their location and activity.

### Uniformed Officers

Uniformed officers responding to a crime or an incident in-progress should immediately notify MetroSafe when they observe a plainclothes officer in the area.

## 4.28.5 IDENTIFICATION (CALEA 22.2.7a)

Departmentally-issued green wristbands shall be used at the scene of an incident to assist in the identification of plainclothes officers to other responding officers or civilians. The wristbands shall be used when plainclothes officers become involved in a situation where officer identification is likely to be a problem and where its use will not compromise a covert operation. When responding to a crime scene or an incident in which the possibility of danger exists, plainclothes officers shall affix their reflective LMPD wristband to their shooting wrist. This should be done prior to taking any police action, if practical.

Situations where a plainclothes officer's identification may be more critical include, but are not limited to:

- Responding to a scene outside of the division to which the officer is assigned.

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## 4.28.5 IDENTIFICATION (CONTINUED)

- Responding to a scene outside of the normal working hours of the officer.
- Responding to a scene at night or at other times of reduced visibility.
- Responding to a scene where officers from other divisions or units may be present.
- Responding to a scene where officers from allied agencies may be present.
- Anytime the plainclothes officer feels that other officers may not easily recognize him/her by sight.

## 4.28.6 CHALLENGE BY ANOTHER OFFICER

In circumstances where a uniformed officer confronts a plainclothes/undercover officer, the challenged plainclothes/undercover officer shall comply with the commands of the challenging officer and then identify himself/herself at the first opportunity. If the plainclothes/undercover officer has a weapon, he/she shall not make any movements, unless instructed to do so by the uniformed officer.

If requested by the uniformed officer, or plainclothes officer whose identity has been established or is otherwise known, the challenged plainclothes officer shall show his/her credentials to the challenging officer, allowing the challenging officer to make a positive identification of the plainclothes officer.

## 4.28.7 OFF-DUTY OFFICERS

Off-duty officers in plainclothes who encounter a crime shall adhere to the above policy (refer to SOP 4.14).

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## 4.29 DIVISION BEAT BLOGS

### 4.29.1 DEFINITION

**Division beat blog:** A system of internal investigative discussions (message board) between officers. Crime patterns and potential suspects may be posted on the blog. The use of the blog will facilitate communication between officers on the same beat, in the same division or in a different division. Communications are of a preliminary investigative nature.

### 4.29.2 MONITORING

In order to protect the Louisville Metro Police Department's (LMPD's) interests and ensure the proper usage of information resources, Metro Technology Services (MTS) may use software to monitor and log each user's Intranet activity and blog entries. Commanding officers, with the rank of sergeant or above, are responsible for monitoring the postings of members under their command. Members shall not delete information from the blog without the prior approval of their supervisor. Use of the Intranet for unauthorized purposes may lead to disciplinary action.

### 4.29.3 BEAT BLOG USAGE

Beat blogs shall be used to disseminate preliminary investigative information in a timely manner in order to provide better crime prevention service to the general public. Even though field contact information is disseminated to those beats and divisions that need it, this does not relieve members from the responsibility of entering field interview (FI) information into the I/Leads Records Management System (RMS). All field contact information shall still be entered into the I/Leads RMS.

The following restrictions for beat blogs shall apply:

- Postings shall be related to departmental operations.
- Postings shall be of a professional nature.
- Language used shall not be inappropriate for business-type communication.
- No posting shall be allowed that is demeaning to any person or group.
- Information from the beat blog is for internal use only. Some information contained in the beat blog may be of a sensitive, confidential or personal (e.g. Social Security Number (SSN), birthdate, etc.) nature. Information shall not be forwarded or copied to persons outside of the department without prior approval from the Chief of Police or his/her designee.
- Due to the sensitive nature of the information, no National Crime Information Center (NCIC) information shall be posted on a beat blog.
- No medical or other information (e.g. HIV status or other health-related issues) that may be protected under the Health Insurance Portability and Accountability Act (HIPAA) shall be posted.

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## 4.29.3 BEAT BLOG USAGE (CONTINUED)

There are many benefits to the use of beat blogs, including the fact that information is:

- Distributed to officers on a specific beat.
- Accessible to all officers.
- Updated immediately.
- Found in one (1) place.
- Kept for a minimum of 30 days.

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Chapter: Uniforms & Equipment	
Subject: Cell Phones	

## 4.30 CELL PHONES

### 4.30.1 POLICY

The Louisville Metro Police Department (LMPD) issues cell phones/BlackBerrys and accessories to be utilized by members in the course of their duties. Departmental cell phones/BlackBerrys may be used by members to conduct official business when the use of radio communications or landline telephones is inappropriate, unavailable or inadequate to meet communication needs and when the cell phone/BlackBerry is used in accordance with this policy. Members are responsible for the proper care of their departmental cell phones/BlackBerrys and accessories which are issued to them. The use of a LMPD cell phone/BlackBerry is a privilege that may be revoked at any time due to inappropriate use. Due to the expense of the equipment and the associated service fees, the use and accountability of the equipment must be controlled.

Landline telephones shall remain the primary means of telephone communication for the department. Cell phones/BlackBerrys are not meant to replace the use of landline phones. LMPD cell phone/BlackBerry numbers should not be used as the primary point of contact. Whenever possible, members responding to calls for service or involved in investigating evolving criminal incidents should communicate using the departmental radio system.

Studies on cell phone-related vehicular accidents reveal that those individuals using cell phones/BlackBerrys while driving were significantly more likely to have an accident than those not using cell phones/BlackBerrys. Therefore, cell phone/BlackBerry use while driving is strongly discouraged. If it is necessary to use a cell phone/BlackBerry while operating a vehicle, members are encouraged to use hands-free methods (e.g. speakerphone, headset, Bluetooth). When engaged in a priority response or vehicular pursuit, members are urged not to use cellular devices in any capacity. Texting while driving is regulated by SOP 4.14 and prohibited by state statute. Cell phone cameras, personal still/video or any other cameras shall not be used to photograph, record video or otherwise record any crime or accident scenes, suspects, arrestees, evidence or any other official departmental activity (refer to SOP 4.26).

Members shall be responsible for any download fees related to the use of their departmental cell phone/BlackBerry (e.g. ringtones). Members are prohibited from installing any software applications on their departmental cell phone/BlackBerry without prior approval from Telephone Services and/or Metro Technology Services (MTS) security. Any Internet usage on departmental cell phones/BlackBerrys shall be in compliance with SOP 4.22.

Members are prohibited from using an LMPD cell phone/BlackBerry to make harassing or threatening phone calls.

### 4.30.2 PROCEDURE

Telephone Services shall be responsible for all departmental cell phones/BlackBerrys and accessories. Prior to being issued a cell phone/BlackBerry, the member shall sign the Cell Phone User Agreement (LMPD #11-0010), which shall be kept on file in the Telephone Services office, located at 633 West Jefferson Street (CALEA 17.5.2).

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## 4.30.2 PROCEDURE (CONTINUED)

Cell phones/BlackBerrys issued by the LMPD are intended for business purposes. However, the LMPD is aware that it sometimes may be necessary to use a departmental cell phone/BlackBerry for personal calls.

There are no free personal calls in accordance with Internal Revenue Service (IRS) guidelines. This includes ALL calls in the evening, on weekends and mobile-to-mobile cell phone/BlackBerry calls. In light of these IRS requirements, LMPD members shall review their cell phone/BlackBerry bills monthly and identify any personal calls (incoming and outgoing). Members shall reimburse personal calls and all personal data usage (e.g. text messaging, pictures, ringtones, music and game downloads) at the current rates listed on the LMPD Intranet and on documentation attached to the monthly invoices. Changes to the reimbursement rate shall be announced by memorandum.

Division/section/unit commanders shall receive monthly cellular phone invoices from Telephone Services for all departmental cell phone/BlackBerry users in their respective area. The division/section/unit commander, or his/her designee, shall distribute the invoices to all individual cell phone/BlackBerry users under his/her command. The individual cell phone/BlackBerry users shall sign and date their invoices and indicate if there was any personal use of their cell phone/BlackBerry, using the following guidelines:

- All personal calls must be highlighted. Any personal calls must be reimbursed by check or cash for the total personal call amount included in the invoice. Checks shall be made payable to the "Louisville Metro Treasury." If the member pays in cash directly to the LMPD Records Public Service Counter, a copy of the payment receipt shall be attached to the invoice when it is returned to his/her commanding officer, or his/her designee.
- If a member is on an extended leave, or is otherwise unable to return his/her invoice, this must be documented on the invoice by the division/section/unit commander, or his/her designee, and the invoice returned to Telephone Services.
- If the division/section/unit receives an invoice for a member who is no longer in that particular area, the invoice shall be returned to Telephone Services with a note advising of the member's current assignment.
- All invoices shall be signed and returned to the division/section/unit commander, or his/her designee, including invoices with no personal activity.

The division/section/unit commander, or his/her designee, shall collect all of the invoices and review them for compliance with the above guidelines. The invoices shall then be returned to Telephone Services, en masse, by the date specified on the invoice.

Up to ten (10) minutes per billing cycle for personal calls shall be considered "de minimis" and shall not require reimbursement. If the member exceeds ten (10) minutes of personal use during any billing cycle, the member shall pay for all personal calls made during that cycle. Identification of personal calls shall be performed even if the monthly rate plan is not exceeded, and the invoice shall be returned to Telephone Services.

The IRS considers cell phones/BlackBerrys to be "listed property," meaning that they are items obtained for use in a business but lend themselves easily to personal use. As such, the personal use of cell phones/BlackBerrys is considered a taxable benefit by the IRS. If the invoice is not signed and returned to Telephone Services,

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## 4.30.2 PROCEDURE (CONTINUED)

even if no personal calls were made, the IRS may view it as personal use and taxable. Members should consider making a copy of the invoice for their records.

Failure to comply with this policy shall result in appropriate corrective action, denial of future cell phone/BlackBerry use and/or formal disciplinary action.

## 4.30.3 TRAVEL

Members traveling on LMPD business may use their assigned cell phone/BlackBerry for personal calls. The daily allotment for personal calls is \$10 per day. Any amounts over the allotment shall be reimbursed to the department using current policy rates.

Members shall use free directory assistance by calling (800) 373-3411.

Long distance cell phone/BlackBerry calls placed outside of the continental United States are prohibited. Members traveling outside of the continental United States on LMPD business shall notify Telephone Services, in advance, so international calling arrangements may be made.

## 4.30.4 REPLACEMENT

Cell phones/BlackBerrys and accessories shall not be reassigned or loaned to another person. Any new issues or reassignments shall be completed through Telephone Services, upon approval from the Assistant Chief of Police/Administrative Bureau, or his/her designee.

Cell phones/BlackBerrys that are malfunctioning may be brought directly to Telephone Services for replacement.

Any cell phone/BlackBerry that needs to be replaced due to being lost, stolen or damaged shall immediately be reported to the member's supervisor. The member shall complete the Request for Replacement of Uniform Articles and Equipment Damaged in the Line of Duty form (LMPD #03-04-0180), have it signed by his/her commanding officer and bring a photocopy of the form and the device to Telephone Services for replacement. The original form shall be forwarded through the member's chain of command.

If cellular service is no longer required, the cell phone/BlackBerry, and all departmental accessories, shall be returned to Telephone Services immediately in order to terminate service. If the member is retiring from the LMPD, the equipment shall be turned in to Telephone Services on, or before, the member's last working day.

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	Accreditation Standards: CALEA: 17.5.2
Chapter: Uniforms & Equipment	
Subject: Cell Phones	

## 4.30.5            **PASSWORDS**

Users of departmentally-issued BlackBerrys shall be required to use a four (4) digit password/PIN. This protects the device if it is lost or stolen. The network will automatically prompt users to change passwords every 90 days.

## 4.30.6            **PERSONAL CELL PHONES**

Members may also carry personal cell phones, but are subject to SOP 4.30.1 while on-duty. The use of personal cell phones should be restricted to essential communications and should be limited in length. Engaging in multiple or extended conversations unrelated to police business, or a similar use that interferes with the performance of job tasks, is prohibited.

Due to the numerous distractions already present while operating a departmental vehicle (e.g. radio, MDT, departmental cell phone), it is strongly recommended that personal devices be turned off or set to go to voicemail while carried in a departmental vehicle.

The department shall not provide repair or replacement services should the personally-owned cell phone or other electronic device be lost, stolen or damaged.



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	Accreditation Standards: CALEA: 1.1.2, 12.1.3, 22.2.7, 26.1.1 KACP: 4.5, 12.1, 26.1, 26.3
Chapter: Rules and Conduct	
Subject: Rules and Conduct	

## 5.1 RULES AND CONDUCT (CALEA 26.1.1, KACP 12.1)

### 5.1.1 DEFINITIONS

**Competent Authority:** The rank or position to which the Chief of Police has delegated the responsibility commensurate with the authority to deal with specific areas or tasks within the department.

**Official Duties:** Any behavior or obligation a member is required and properly authorized to perform in accordance with the laws of the United States, the Commonwealth of Kentucky, Metro Government or the requirements of the department.

**Official Credentials:** For officers, the departmentally-issued badge and identification (ID) card; for other members, the departmentally-issued identification card and properly designated badge, if applicable.

**Member:** Any employee of the Louisville Metro Police Department (LMPD).

**Officer:** A sworn member of the LMPD.

**Operator's License:** A valid and current Kentucky or Indiana license, which permits the member to legally operate a motor vehicle.

**Untruthfulness:** Untruthfulness is defined as:

- Intentionally making a false, misleading or untrue oral or written statement, report, record and/or communication (including electronic communication);
- Intentionally failing to accurately report all facts pertaining to an investigation;
- Intentionally misrepresenting any matter by:
  - Knowingly submitting any false official statement or report;
  - Knowingly making a false statement(s) before, to or during:
    - Any Court proceedings
    - Grand Jury proceedings
    - Board meetings
    - Commission meetings
    - Departmental hearing or inquiry, or
    - Official investigation of the department, including an investigation initiated by a commanding officer

### 5.1.2 OBEDIENCE TO RULES AND REGULATIONS

Members of the LMPD shall not commit any act that constitutes a violation of any of the laws and ordinances applicable in their current respective location.

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## 5.1.2 OBEDIENCE TO RULES AND REGULATIONS (CONTINUED)

Members shall also obey all rules, orders, policies and procedures of the department. Members who violate any of the above may be dismissed or be subject to other punishment as directed for such a violation.

All members shall abide by the Standards of Ethical Conduct, located in the Louisville Metro Government Personnel Policies (Section 1.5). The policies are available via the departmental intranet. All members shall receive initial training on departmental ethical standards of conduct and the Training Division shall also ensure that all members receive additional training on ethics at least once every two (2) years. (CALEA 1.1.2)

## 5.1.3 CONDUCT UNBECOMING

Conduct unbecoming is any conduct that adversely affects the morale, operations or efficiency of the department or any conduct that adversely affects, lowers or destroys public respect and confidence in the department or the member. Members shall conduct their private and professional lives in such a manner as not to impede the department's efforts to achieve its policies and goals, bring discredit upon the department or upon the individual as a member of the department.

Such violations shall include, but are not limited to:

- Incompetence
- General inefficiency
- Neglect of duty
- Uncleanliness
- Incapacity for duty
- Absent without leave (AWOL)
- Cowardice
- Insubordination
- Immorality

Members are prohibited from posting, transmitting and/or disseminating any photographs, video images, audio files, text documents, logos, badges, emblems, uniforms or any other material that specifically identifies the LMPD on any personal or social networking website (e.g. MySpace, Facebook, YouTube) without the expressed written permission of the Chief of Police or his/her designee.

Photographs of the inside of police facilities as well as any crime or accident scene shall not be posted. Departmental or personal cell phones or other personal cameras shall not be used to photograph/videotape crime or accident scenes, suspects, arrestees, evidence or any other official departmental activity. Exceptions must be approved by a lieutenant or higher and written documentation sent to the division/section/unit commander.

Members who have a personal or social networking website(s) shall not identify themselves as a member of the LMPD and shall not allow photographs of themselves in uniform. Members shall monitor their personal website(s) and remove any posting(s) that may bring discredit to the member or the department.

Members are reminded to exercise good judgment and demonstrate personal accountability when choosing to participate in social networking sites. Use of these types of sites while on-duty shall be restricted to official departmental business only. Restrictions include the use of personal computers, cell phones/Blackberrys or

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## 5.1.3 CONDUCT UNBECOMING (CONTINUED)

other electronic devices. Official LMPD networking sites (e.g. Facebook, MySpace, YouTube, etc.) shall be managed by the Media and Public Relations Office.

## 5.1.4 OBEDIENCE TO ORDERS (CALEA 12.1.3, KACP 4.5)

Members shall obey any lawful order of a superior, including any order relayed from a supervisor by a member of the same or lesser rank. Members needing clarification, regarding details of a relayed order, shall seek such information from the appropriate supervisor. Upon receiving conflicting orders, members shall advise the person issuing the conflicting order of the previous order given. If the conflict remains, the last order given shall stand with the responsibility resting with the person giving the conflicting order.

Supervisors shall not knowingly issue an unlawful order. Members are not required to obey unlawful orders and shall report the incident as outlined in SOP 1.12.11.

## 5.1.5 TRUTHFULNESS/UNTRUTHFULNESS

Members are required to be honest and truthful in all matters related to their scope of employment and operations of the department. Untruthfulness is prohibited and may warrant termination. Untruthfulness is conduct that is intentional, malicious and/or deceptive conduct that takes one (1) of three (3) forms:

- An intentional deceptive action in a formal setting, such as testifying in court or in front of another official governmental body, during a Professional Standards Unit (PSU) investigation, during an investigation initiated by a commanding officer or the submission of deceptive documents.
- The intentional failure to bring forward information involving criminal action by other members or the intentional failure to bring forward information involving the administrative misconduct of other members.
- The creation of false evidence that could implicate another in a criminal act or administrative misconduct.

This policy does not prohibit the use of deception, as appropriate, in a criminal investigation.

## 5.1.6 REPORTING OF VIOLATIONS

Members knowing, or suspecting, other members of violating any laws, orders or policies shall report the infraction immediately to their supervisor. Members inhibited from reporting violations through the appropriate chain of command are required to submit the information directly to the Chief of Police or the commander of the Special Investigations Division (SID).

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## 5.1.7 POLICE BUSINESS – CONFIDENTIAL (KACP 26.1)

Members are required to treat official business of the department as confidential. Members are prohibited from revealing information gained through police employment to persons outside of the department, unless the information is a matter of public record or required by law, competent authority or departmental policies and procedures. This includes computer-generated information, such as Law Information Network of Kentucky (LINK), National Crime Information Center (NCIC), CourtNet, eWarrants and Louisville Metro Department of Corrections (LMDC) LawWeb (KACP 26.3).

NCIC information shall not be emailed inside or outside of the department due to its sensitive nature.

## 5.1.8 IDENTIFICATION TO THE PUBLIC (CALEA 22.2.7a)

All officers shall verbally provide their name and display their badge to any citizen who requests identification. If additional identification is requested, officers shall present their departmentally-issued ID card. The ID card shall be displayed for an appropriate length of time to allow the citizen to read the card and obtain the necessary information. These requirements do not apply when it may compromise officer safety or jeopardize a police action.

## 5.1.9 OFFICIAL CREDENTIALS/ABUSE OF AUTHORITY

Sworn members are required to have their official credentials (i.e. badge and ID card) on their person at all times while in Louisville Metro or while they are on official police business outside of Louisville Metro.

Non-sworn members are required to have their official credentials (i.e. badge for Traffic Guards, Vehicle Impoundment Unit or Evidence Technicians and/or ID card) on their person during their normal working hours.

Members are prohibited from giving or lending their official credentials to any person not legally appointed to use the official credentials.

Members are further prohibited from giving or lending their official credentials to another person legally appointed to use the official credentials, except when granted permission by a competent authority.

Members are prohibited from using their position of authority, or their official credentials, to solicit personal or financial gain or to obtain privileges not otherwise available to them.

Members are prohibited from authorizing the use of their names, photographs or official titles identifying them as employees, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

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## 5.1.10 OFF-DUTY POSSESSION OF FIREARMS

While within Louisville Metro, an off-duty officer shall carry an approved weapon with which the officer has qualified. The weapon shall be carried in a concealed manner. When an officer's activity is such that concealment is not practical, the weapon shall be kept as readily accessible as circumstances permit. An officer may carry a concealed weapon anywhere in the Commonwealth, but must have his/her official credentials in his/her possession.

## 5.1.11 COURTESY

Members shall be courteous and civil to the public and to one another, exercising patience and diplomacy in the performance of their duties. Appropriate rank shall be used when addressing other members in an official capacity or public setting. All federal, state and local officials shall be called by their official titles when acting in an official capacity.

## 5.1.12 ASSOCIATIONS WITH PERSONS OF QUESTIONABLE CHARACTER

Members shall not knowingly associate with persons who they should reasonably know to be criminals, persons under criminal investigation or indictment or who have reputations in the community for present involvement in felonious or criminal behavior, except as necessary in the performance of official duty.

## 5.1.13 FREQUENTING QUESTIONABLE ESTABLISHMENTS

Members shall not knowingly enter or frequent an establishment where ordinances or laws are violated, except as necessary in the performance of official duty.

## 5.1.14 POSTING OF BOND

Members are prohibited from posting bond for any person under arrest, with the exception of a member's immediate family. Other exceptions can be made upon approval of competent authority.

## 5.1.15 RECOMMENDING SERVICES

Members performing official duties, or otherwise representing the department, shall not endorse a particular professional or commercial service.

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## 5.1.16 CRITICISM OF THE DEPARTMENT

Members shall not publicly criticize or ridicule the department, its policies or other members by speech, writing and expression or in any other manner when such expression is defamatory, obscene and unlawful or made with reckless disregard for the truth.

## 5.1.17 INTERFERING WITH JOB PERFORMANCE

Members shall not interfere with other members' lawful job performance or withhold, alter or conceal information related to job performance. Furthermore, members shall not authorize, instigate, condone, excuse, participate in, ratify or support any job action that interferes with, or brings discredit upon, the department or its efficiency.

## 5.1.18 POLITICS

Members shall not be active in politics or work for the election of candidates while on-duty. While off-duty and out of uniform, officers may engage in political activity pursuant to the law.

## 5.1.19 DISSIDENT GROUPS

Members shall not, except in performance of their duty, knowingly associate with any persons or organizations which advocate hatred, oppression or the persecution of any person or group.

## 5.1.20 PREJUDICE

Members shall not express any prejudice concerning gender, race, religion, politics, handicap, sexual orientation, national origin or similar personal characteristics.

## 5.1.21 SEXUAL ACTIVITY

Unless necessary in the performance of official duty and with the approval of the member's commanding officer, members are prohibited from soliciting, or engaging in, sexual conduct or activity:

- While on-duty
- In a police vehicle under control of the department
- In, or at, a police or governmental facility

## 5.1.22 GIFTS AND GRATUITIES

Members shall not accept any reward, gift, fee, gratuity, loan, token or money for favors provided as an inducement to perform, or refrain from performing, any official act.

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## 5.1.23 RANDOM DRUG TESTING

The LMPD is a drug-free workplace and shall have zero tolerance for illegal or illicit drug use by LMPD members. Random drug testing shall be performed in accordance with current collective bargaining agreements.

## 5.1.24 REASONABLE SUSPICION TESTING FOR DRUGS/ALCOHOL

If reasonable suspicion exists to indicate that a member's health or ability to perform work may be impaired, he/she may be asked by a supervisor to submit to drug and/or alcohol testing. For the purposes of this policy, an acting supervisor shall be considered a supervisor. Factors which could establish reasonable suspicion, unless otherwise described or set forth in a collective bargaining agreement, include, but are not limited to:

- Sudden changes in work performance
- Repeated failure to follow instructions or operating procedures
- Violation of safety policies
- Discovery or presence of substances in a member's possession or near the member's workplace
- Odor of alcohol and/or residual odor peculiar to some chemical or controlled substance
- Unexplained and/or frequent absenteeism
- Personality changes or disorientation
- Arrest or conviction for the violation of a criminal drug or alcohol statute
- Information provided by reliable and credible sources or information independently corroborated

## 5.1.25 NOTIFICATION FOR TESTING

Testing for drugs/alcohol based upon reasonable suspicion shall be done as soon as possible without any prior notification to the member. Members notified of their selection for testing shall be transported immediately to the collection site by a supervisor.

A testing laboratory, duly accredited by the United States Department of Health and Human Services (HHS), shall perform the urinalysis of a member who is required to submit to a drug and/or alcohol test.

## 5.1.26 ALCOHOLIC BEVERAGES

Members shall not consume or purchase alcoholic beverages while on-duty, except in the performance of official duties and upon prior approval of their supervisor.

Members shall not report to duty with any measurable amount of alcohol in their system.

While off-duty, members shall not consume alcoholic beverages to the extent that they are unfit to report to their next tour of duty.

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## 5.1.26 ALCOHOLIC BEVERAGES (CONTINUED)

Members shall not consume or possess alcoholic beverages in a police facility, except in the performance of official duties.

Members shall not transport alcoholic beverages in departmental vehicles, on or off-duty, except in the performance of official duties.

Members shall not operate a departmental vehicle with any measurable amount of alcohol or any other substance in their system that could impair their ability to operate a vehicle.

## 5.1.27 MEDICATIONS

Members shall advise their supervisor when taking any prescription or over-the-counter medication which may affect their ability to perform assigned duties.

## 5.1.28 TOBACCO USE

Members shall not use tobacco products when dealing with the public in an official capacity. Pursuant to Louisville Metro Government Code of Ordinances Chapter 90 and Metro Government Personnel Policy 1.18, smoking of tobacco products in police facilities or departmental vehicles (as defined in SOP 4.14.2) shall be prohibited. Personnel shall not smoke tobacco products within 50 feet of any entrance to Metro Government office buildings or workplaces.

## 5.1.29 EATING ON-DUTY

While on-duty, members shall not eat at any establishment whose primary source of income is from the sale of alcohol.

## 5.1.30 TELEPHONE CALLS

Personal telephone calls during working hours shall not interfere with a member's performance or required tasks.

## 5.1.31 BUSINESS CARDS

Items on a member's departmental business card shall be limited to:

- Name, rank and assignment
- Departmental name, address and phone number(s)
- Departmental pager/cell phone number



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## 5.1.31 BUSINESS CARDS (CONTINUED)

- Departmental logo/badge
- Departmental email address

## 5.1.32 APPROPRIATE ACTION

On-duty officers are expected to seek out criminal activity, respond to calls for service, perform assigned job tasks and take appropriate action when performing their duties. Certain non-sworn members (e.g. Crime Scene Unit (CSU) technicians and Police Report Technicians (PRTs)) are expected to respond to calls for service, perform assigned job tasks and take appropriate action when performing their duties. Patrol officers shall stay in their geographically assigned areas during their tour of duty, unless otherwise directed by a commanding officer.

Detectives and flex officers are required to diligently pursue their assigned cases or assignments as directed by a commanding officer.

Circumstances may require a patrol officer to travel outside of his/her division in order to access an expressway ramp or roadway. In those instances, the officer should take a direct route and return immediately to his/her assigned area. If a need arises to dispatch an officer into another division, the MetroSafe dispatcher will notify the officer's commanding officer of the run location and run nature, and will request permission to send the officer out of his/her assigned division. If permission is granted by the commanding officer, the MetroSafe dispatcher will dispatch the officer on the run and will additionally notify the commanding officer of the division that the officer has been dispatched into regarding the run location, run nature and assigned units. Officers should inform the MetroSafe dispatcher when he/she has returned to his/her geographically assigned area.

If an officer must leave his/her geographically assigned area to complete his/her police assignment, such as transporting a prisoner to jail or retrieving a warrant, the officer must notify his/her commanding officer or the MetroSafe dispatcher who, in turn, will notify the commanding officer. If a commanding officer directs an on-duty officer to perform a task outside of the assigned division, the officer shall inform MetroSafe that he/she will be leaving the division and will complete his/her task and return to his/her geographically assigned area immediately.

An off-duty officer is expected to take appropriate action to offenses that occur in his/her presence. Appropriate action is that which is both necessary, considering the totality of the circumstances and within his/her ability to handle at the time (e.g. availability of weapon, radio communication, physical condition). At a minimum, an off-duty officer shall brief on-duty officers of pertinent information (e.g. license number, descriptions).

## 5.1.33 PUNCTUALITY/REPORTING TO DUTY

Members are required to be punctual in reporting for their scheduled tour of duty or assigned detail.

When unable to report to duty, members are required to personally speak to a supervisor one (1) hour prior to their regularly scheduled tour of duty. Notification by voicemail, pager, text message or email is not acceptable.

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## 5.1.33 PUNCTUALITY/REPORTING TO DUTY (CONTINUED)

Members are prohibited from switching duty schedules (e.g. vacation days, off-days) without prior approval from their immediate supervisor.

Members are required to report to duty in a declared emergency immediately upon receipt of, and in compliance with, the directions of competent authority.

The collective bargaining agreement between Metro Government and the Fraternal Order of Police (F.O.P.) - Officers and Sergeants states in Article 15, Health and Safety, Section 2 - "No Member shall be scheduled for pre-planned event details or regular work shifts without a minimum of ten (10) hours between details or regular work shifts unless the Chief deems an emergency exists."

The collective bargaining agreement between Metro Government and the F.O.P. - Lieutenants and Captains states in Article 12, Health and Safety, Section 2 - "No Member shall be scheduled for pre-planned event details, or otherwise, without a minimum of eight (8) hours between details unless the Chief deems an emergency exists."

If an event schedule is issued and is in obvious conflict with either contract, the division commander shall take steps to eliminate the conflict by adjusting shift schedules or by contacting the detail commanding officer and making alternate plans, such as a personnel substitution. In situations where an officer, sergeant, lieutenant or captain is held over on a detail and is in conflict with the applicable contract, he/she shall call his/her commanding officer one (1) hour prior to his/her scheduled tour of duty and advise when he/she was released from the detail. The commanding officer shall tell an officer or sergeant to report to work at a time that is ten (10) hours after the time that he/she was released from the detail and shall tell a lieutenant or captain to report to work at a time that is eight (8) hours after the time that he/she was released from the detail. The member shall work the remainder of his/her normal shift and shall be released at his/her normal shift end time, but shall receive pay for the entire shift.

## 5.1.34 CHANGE OF STATUS

Members are required to notify their immediate supervisor of any change in name, telephone number, address, or marital status within 48 hours.

PeopleSoft is the official record of personal information of departmental members. As a result, members shall update and maintain their personal information in PeopleSoft. Members are required to list, at a minimum:

- One (1) emergency contact.
- One (1) personal telephone number. Either home number or personal cell phone number is permitted. If a personal cell phone number is listed, the phone type should be Cell-Personal.
- Any and all departmentally-issued cell phone numbers. When departmental cell phone number(s) are listed, the phone type(s) should be Cellular.
- Any and all departmentally-issued pager numbers.

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## 5.1.34 CHANGE OF STATUS (CONTINUED)

- Primary work telephone number.
- Primary address.

Exemptions to any of the above listed requirements must be approved by the member's bureau commander, who will notify Police Human Resources (HR) of the exemption.

Changes to personal information shall be made in PeopleSoft, by the member, within 48 hours of the change.

## 5.1.35 CONTRACTUAL AGREEMENTS

Members are required to abide by contractual agreements entered into by Metro Government and the recognized collective bargaining agents of the LMPD.

## 5.1.36 COURT RESTRICTIONS

Members who intend to, or have been summoned or subpoenaed to, testify on behalf of a party adverse to the Metro Government, its agencies or employees, are required to notify the Chief of Police, in writing, prior to testifying in such action. A copy of any summons, subpoena or other communication shall be included with the notification to the Chief of Police.

Members are prohibited from participating in pre-trial agreements to settle a criminal case in return for any personal gain.

## 5.1.37 ORGANIZATION MEMBERSHIP

Members are prohibited from using police facilities, equipment or resources, in any way, to conduct, enhance or assist the business or affairs of any private organization without the prior authorization of the Chief of Police. This includes such organizations as the F.O.P, United Way and the Credit Union. Items posted in accordance with F.O.P. contracts are approved by the Chief of Police.

Members are prohibited from membership or participation in the activities of any organization, association, society or group whose activities or purpose may in any way adversely influence or control the work or service of such member in their official capacity.

## 5.1.38 MERCHANDISING IN POLICE FACILITIES

Members are prohibited from soliciting contributions and buying or selling any merchandise, from any person, within police facilities, except with permission of competent authority, unless the solicitation, purchase or sale is directly related to official police business.

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## 5.1.39 DEPARTMENT PROPERTY

Members are required to report, in writing, the loss, damage, theft, or defective/unserviceable condition of any departmental property or equipment assigned to them, as required in SOP 4.18.9. Members shall be responsible for the prudent care and use of all departmental equipment issued to them. Members shall not abuse, alter, damage, misuse, carelessly operate or handle any departmental equipment. Equipment shall be used only in the manner that it was designed or intended to be used and shall be maintained in proper working condition. Any use of departmental equipment that results in the injury of a member or another person shall be documented and reported on an Administrative Incident Report (AIR) (LMPD #03-03-0001) and forwarded, through the appropriate chain of command, to the Chief of Police. Members shall take steps to ensure that departmental equipment is not subject to theft (e.g. securing it in the vehicle or trunk).

Use of departmental equipment is for law enforcement use only. Departmental equipment includes, but is not limited to:

- Camcorders and cameras
- Video equipment
- DVD players

## 5.1.40 NEPOTISM

The LMPD does not prohibit employment of immediate family members (parents, spouse and children) in the same division/section/unit, provided that one (1) family member is not under the direct supervision of another family member.

## 5.1.41 TELEPHONE ETIQUETTE

In many cases, the only contact that the public has with the LMPD is over the phone. It is therefore essential that all phone calls are handled professionally and with courtesy. In order to provide professional, efficient and courteous service to the public, the following procedures shall be utilized:

- Answer incoming phone calls as promptly as possible. As a general rule, calls should be answered within three (3) rings.
- Be professional and polite at all times. Treat the caller with respect.
- Members shall identify themselves to the caller as well as their location within the department. Civilians shall identify themselves using their first and last name. Civilian members may, with supervisor approval, identify themselves using only their first name. Sworn personnel shall identify themselves using their rank and last name. Inquire what can be done to help the caller.
- Remember to speak clearly and in plain language. Do not assume that the caller understands police jargon.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 5.1
	Effective Date: 08/07/03 Prv. Rev. Date: 08/10/12 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 1.1.2, 12.1.3, 22.2.7, 26.1.1 KACP: 4.5, 12.1, 26.1, 26.3
Chapter: Rules and Conduct	
Subject: Rules and Conduct	

## 5.1.41 TELEPHONE ETIQUETTE (CONTINUED)

- When putting a caller on hold, always ask permission. If a caller has been on hold longer than two (2) minutes, return to the caller and thank him/her for waiting. If members are not able to assist the caller, ask him/her to continue to hold and advise him/her that someone will assist him/her shortly. If members determine that they will not be able to help the caller within five (5) minutes, ask someone else to handle the call.
- If the caller needs to speak to another member or division/section/unit, transfer the caller to the direct extension of the member or division/section/unit. Inform the caller to whom he/she is being transferred and, if appropriate, provide him/her with this phone number in the event that the call is disconnected.
- On the initial call, try to get as much information as possible from the caller so that the caller does not get transferred numerous times. If a caller has been transferred several times and the member is unable to be of assistance, try to avoid another transfer.
- The caller's attitude should not be taken personally.
- If a caller is using profanity and/or inappropriate remarks, politely inform him/her that help cannot be given if he/she continues to use inappropriate language. If he/she continues, inform the caller that because of his/her language, the call must be ended. DO NOT hang up on a caller without first giving the warning and then explaining that the call will be ended.
- When taking a phone message, include the following information:
  - Caller's name (ask for the correct spelling).
  - Time and date of the call.
  - The subject of the call.
  - The caller's phone number, including the area code and applicable extensions. If possible, also get an alternate phone number.
- When taking a message from a caller who is requesting a return phone call, the message taker shall email the member to whom the message is directed as well as the member's first line supervisor. It shall be the member's responsibility to return the call no later than the next work day or next tour of duty and the supervisor's responsibility is to ensure that the member has complied. If the member is on vacation, off-day, etc., the first line supervisor shall return the phone call and explain these circumstances.
- Messages that are forwarded to a member's voicemail message box should be checked and responded to no later than the next work day or next tour of duty. The member is encouraged to use a voicemail greeting if he/she will be out of office or on an extended absence.

## 5.1.42 DEPARTMENTAL DOCUMENTS

Members shall ensure that all personnel and financial documents requiring a signature (e.g. payroll forms) are hand signed in ink. The use of a rubber signature stamp, in lieu of a handwritten signature, on any departmental personnel or financial forms, documents, etc. is prohibited.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 5.1
	Effective Date: 08/07/03 Prv. Rev. Date: 08/10/12 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 1.1.2, 12.1.3, 22.2.7, 26.1.1 KACP: 4.5, 12.1, 26.1, 26.3
Chapter: Rules and Conduct	
Subject: Rules and Conduct	

## 5.1.43 AGENCYWEB AND PEOPLESOFT

Members shall only access his/her own personal information in AgencyWeb and PeopleSoft. Supervisors and acting supervisors shall have access to the information of those under his/her supervision in AgencyWeb and PeopleSoft for the purpose of entering the member's time. Police HR and/or Louisville Metro Human Resources (HR) shall have access to all personnel records, as needed, for business purposes. Other personnel may be granted access to AgencyWeb if permission is given by his/her division/section/unit commander.

## 5.1.44 OPERATOR'S LICENSE

All members shall have in their possession a valid operator's license while operating any departmental motor vehicle. Some specialized departmental vehicles may also require an additional special certification (refer to SOP 4.16.6). Any member whose license is expired, suspended or revoked, for any reason, shall immediately advise his/her immediate supervisor and shall not operate any departmental vehicle. Any member, whose special certification is expired, suspended or revoked, for any reason, shall immediately advise his/her immediate supervisor and specialized unit commander(s), if the loss of the certification affects the operation of a departmental specialized vehicle. Any member, whose license or special certification is lost or stolen, shall immediately advise his/her immediate supervisor and obtain a replacement, as soon as possible.

Supervisors of both sworn and civilian members shall ensure that their subordinates possess a valid and current operator's license, before allowing them to operate a departmental vehicle, whether the vehicle is assigned to the member or is a pool vehicle.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.1
	Effective Date: 11/06/03 Prv. Rev. Date: 01/28/08 Revised Date: 03/10/11
	Accreditation Standards: CALEA: 61.1.1, 61.2.1, 61.2.2 KACP: 21.1, 22.4, 23.1, 23.3
Chapter: Traffic Control and Collisions	
Subject: Report Requirements	

## 7.1 REPORT REQUIREMENTS

### 7.1.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to investigate and complete a report on (KACP 22.4c):

- Vehicular collisions resulting in personal injury or death (CALEA 61.2.1a, 61.2.2a, KACP 21.1a, 23.1a)
- Hit-and-run collisions (CALEA 61.2.1c, 61.2.2b, KACP 21.1b, 23.1c)
- Non-injury vehicular collisions occurring on a public roadway (KACP 23.1b)
- Non-injury vehicular collisions, regardless of location, provided that one (1) of the following criteria is met:
  - A criminal incident is associated with the collision (e.g. DUI, no operator's license or insurance) (CALEA 61.2.1d, 61.2.2c, KACP 21.1c, 23.1d)
  - The collision involves hazardous materials (CALEA 61.2.1e, 61.2.2e, KACP 23.1e, 23.3)
  - The collision involves a Metro Government-owned vehicle or property (CALEA 61.2.2d, KACP 21.1d)
  - The collision involves a school bus (CALEA 61.2.2d)

Kentucky Revised Statute (KRS) 189.580 requires that any vehicle involved in a traffic accident on an interstate highway, not involving death or known and/or visible injury, to be moved off of the roadway. This does not relieve the officer from any of the report requirements in this section.

In addition to the above circumstances, an officer shall respond to the scene of a vehicular collision if either of the following situations occurs, regardless of whether a report is needed:

- There is a disturbance between individuals involved in the collision (CALEA 61.2.2f, KACP 21.1e).
- There is major traffic congestion as a result of the collision (CALEA 61.2.2g, KACP 21.1f).

Except as noted above, a response to non-injury collisions shall not be initiated in the following circumstances:

- Collisions occurring on a public access lot (CALEA 61.2.1f)
- Hit-and-run collisions on private property (defined as specific real property currently owned by an individual, company or agency in the Commonwealth of Kentucky) or a parking lot, if the complainant is unable to provide identifying information on the suspect vehicle (CALEA 61.2.1c, 61.2.2b, KACP 21.1b, 23.1f)
- Vehicular damage occurring on the driver's property (e.g. car vs. garage) (CALEA 61.2.1b, f, KACP 23.1f)
- Vehicular damage resulting from natural causes (e.g. fallen tree)

# Louisville Metro Police Department

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	Effective Date: 11/06/03 Prv. Rev. Date: 01/28/08 Revised Date: 03/10/11
	Accreditation Standards: CALEA: 61.1.1, 61.2.1, 61.2.2 KACP: 21.1, 22.4, 23.1, 23.3
Chapter: Traffic Control and Collisions	
Subject: Report Requirements	

## 7.1.2 EXCEPTIONS TO REPORT REQUIREMENTS

When situations overload the department's capability to respond to scenes of non-injury collisions (e.g. inclement weather), an Assistant Chief of Police or above may direct MetroSafe to temporarily suspend the dispatch of non-injury collisions in multiple divisions, or throughout the Louisville Metro area (CALEA 61.1.1e).

MetroSafe shall advise complainants to exchange names and addresses and to complete a Kentucky Civilian Traffic Collision Report Form, which is available at all divisions.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.2
	Effective Date: 11/06/03 Prv. Rev. Date: 03/10/12 Revised Date: 07/09/12
	Accreditation Standards: CALEA: 61.2.1, 61.2.2, 61.2.3, 61.2.4, 82.2.1 KACP: 22.1, 22.4, 23.1, 23.3, 25.1
Chapter: Traffic Control and Collisions	
Subject: Non-Injury Collisions	

## 7.2 NON-INJURY COLLISIONS (KACP 22.1, 23.1b, d)

### 7.2.1 INVESTIGATING NON-INJURY COLLISIONS

Louisville Metro Police Department (LMPD) division personnel have the responsibility for investigating all traffic collisions occurring on surface streets and hit-and-run collisions not resulting in death or serious physical injury (CALEA 61.2.1c, 61.2.2b). When an officer comes upon such a collision, he/she shall conduct the investigation and complete a report (CALEA 61.2.3a, d-e). If the on-duty officer is under a time constraint, he/she shall stand by at the scene and request another on-duty unit to relieve him/her.

Off-duty officers shall stop at all traffic collisions, assess the situation and render aid, if necessary (KACP 25.1). The officer shall remain at the scene if exigent circumstances exist (e.g. traffic hazard, driver is intoxicated, persons are injured, extended delay in on-duty response, etc.) until an on-duty unit arrives (CALEA 61.2.1a, d, 61.2.2a,c, g, 61.2.3b, e, KACP 23.3). MetroSafe shall dispatch an on-duty unit to the collision location.

If stopping and assisting at a collision scene would compromise a police assignment or unduly impact the safety of the officer, or others under his/her control, the officer shall, at a minimum, advise MetroSafe of the collision location.

When investigating a non-injury collision, officers shall adhere to the Kentucky "Quick Clearance Law" (KRS 189.580(1b)) which states that accidents not involving injuries are to be quickly removed from an interstate highway, parkway, on-ramp or off-ramp to reduce the possibilities of secondary accidents/deaths, as well as to free up congestion/commerce (refer to SOP 7.1.1).

### 7.2.2 PHOTOGRAPHS

Where unusual or extenuating circumstances exist, photographs shall be taken by division personnel.

### 7.2.3 REPORTS (CALEA 61.2.4, 82.2.1a-e, KACP 22.4c)

The reports shall be completed in accordance with the Kentucky Uniform Traffic Collision Report Form Manual. All non-injury and less-serious injury collision reports shall be completed and forwarded to Records Management at the end of the investigator's tour of duty. This may be extended up to 24 hours by the investigator's commanding officer. Electronic reports taken through the Kentucky Open Portal Solution (KYOPS) system shall be transmitted by the end of the investigator's tour of duty.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.3
	Effective Date: 11/06/03 Prv Rev Date : 11/09/06 Revised Date: 03/04/08
	Accreditation Standards: CALEA: 61.1.1, 61.1.5, 61.1.11, 61.1.2, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 83.2.6 KACP: 22.1, 22.4, 23.1, 23.3, 25.3
Chapter: Traffic Control and Collisions	
Subject: Injury/Fatal Collisions	

## 7.3 INJURY/FATAL COLLISIONS (CALEA 61.2.1a, 61.2.2a, KACP 22.1, 23.1a)

### 7.3.1 DUTIES OF THE FIRST RESPONDING OFFICER

The first officer on the scene of an injury/fatal collision shall provide emergency care in accordance with his/her level of training, and shall advise for other necessary support units (e.g. in the case of fire hazards and/or hazardous materials) (CALEA 61.2.1e, 61.2.2e, 61.2.3b-c, KACP 23.1e, 23.3, 25.3). The scene shall be treated as a crime scene.

### 7.3.2 DEFINITIONS

**Fatal:** Death occurs within 30 days of the collision.

**Serious Injury:** Grave injury which may result in death, life-threatening physical trauma, incapacitating injuries, dismemberment of a body part or sufficient trauma to suggest possible dismemberment.

### 7.3.3 INVESTIGATIVE RESPONSIBILITY (KACP 23.3)

Upon arrival at the scene of a collision, the officer shall determine the seriousness of the injury (CALEA 61.2.3b). Collisions resulting in a fatal or life-threatening injury shall be investigated by the Traffic Unit (CALEA 61.1.1e, 61.2.3a). Injury collisions not meeting these criteria shall be investigated by division personnel. The fact that a victim is transported to Room 9 or an emergency room (ER) facility shall not automatically render the injury as life-threatening. The officer shall confirm the severity of the injuries before requesting that Traffic Unit personnel respond to the scene.

In situations where division personnel are responsible for the investigation and the circumstances appear to justify felony charges being placed against one of the drivers, the on-duty division commanding officer shall be contacted (CALEA 61.1.2a). That commanding officer shall contact the on-duty Traffic Unit commanding officer to determine the appropriateness of the Traffic Unit's involvement in the investigation.

If no traffic units are on-duty, MetroSafe shall contact off-duty traffic personnel, in the event of a fatal or life-threatening collision.

The Traffic Unit investigator shall be considered the officer in charge at the scene of all fatal and life-threatening collisions. He/she shall be responsible for completing the report and developing the case through final disposition (CALEA 61.2.3a, 61.2.4, 83.2.6).

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	Effective Date: 11/06/03 Prv Rev Date : 11/09/06 Revised Date: 03/04/08
	Accreditation Standards: CALEA: 61.1.1, 61.1.5, 61.1.11, 61.1.2, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 83.2.6 KACP: 22.1, 22.4, 23.1, 23.3, 25.3
Chapter: Traffic Control and Collisions	
Subject: Injury/Fatal Collisions	

## 7.3.4 PHOTOGRAPHS

Photographs shall be taken by personnel from the Traffic Unit or the Crime Scene Unit (CSU) for all fatal and life-threatening collisions.

## 7.3.5 BLOOD, BREATH AND URINE TESTING (CALEA 61.1.5a, 61.1.11, 61.2.1d, 61.2.2c, KACP 23.1d)

To ensure compliance with KRS 189A.105, the lead investigating officer shall seek a search warrant for blood, breath or urine testing if a motor vehicle accident occurs in which there was a fatality, unless the testing has already been completed by consent. Any blood, breath or urine specimen sought shall be obtained in compliance with SOP 7.6.3.

## 7.3.6 REPORTS (CALEA 61.2.4, KACP 22.4c-d)

All preliminary fatal and life-threatening collision reports shall be forwarded to Records Management within ten (10) days.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.4
	Effective Date: 11/06/03 Prv. Rev. Date: 11/21/03 Revised Date : 12/05/06
	Accreditation Standards: CALEA: 61.1.1, 61.2.1, 61.2.2, 61.2.3, 61.2.4, 83.2.6 KACP: 17.5, 22.1, 22.4, 23.1
Chapter: Traffic Control and Collisions	
Subject: Hit-and-Run Collisions	

## 7.4 HIT-AND-RUN COLLISIONS (CALEA 61.2.1c, 61.2.2b)

### 7.4.1 INVESTIGATING HIT-AND-RUN COLLISIONS (CALEA 61.1.1e)

Traffic Unit personnel shall investigate all hit-and-run collisions resulting in death or life-threatening injury (CALEA 61.2.1a, 61.2.2a, 61.2.3a-b, KACP 17.5, 22.1, 23.1a, c).

Officers shall not be dispatched to non-injury hit-and-run collisions occurring on private property or parking lots if the complainant is unable to provide identifying information on the suspect vehicle (CALEA 61.2.1f, KACP 23.1f).

Division personnel shall investigate all other hit-and-run collisions and complete the following reports (CALEA 61.2.3a, d, 61.2.4, 83.2.6, KACP 22.4c-d, 23.1c):

- Officers shall complete a Uniform Collision Report for injury hit-and-run collisions. If the complainant has substantial suspect vehicle information or investigative information, an offense report shall also be completed (CALEA 61.2.1a).
- Non-injury hit-and-run collisions occurring on a designated roadway shall require a Uniform Collision Report. If identifiable suspect or vehicle information is available, an offense report shall also be completed.
- The Uniform Collision Report shall be completed for all hit-and-run collisions involving Metro Government vehicles. An offense report shall be completed, when appropriate (CALEA 61.2.2d).

### 7.4.2 PHOTOGRAPHS

Photographs shall be taken by a division supervisor or Traffic Unit personnel of all hit-and-run collision scenes involving Metro Government vehicles.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.5
	Effective Date: 11/06/03 Prv. Rev. Date: 11/08/08 Revised Date: 10/08/12
	Accreditation Standards: CALEA: 41.2.4, 61.2.1, 61.2.2, 61.3.1, 61.3.2, 61.4.2 KACP: 21.1, 23.1, 24.1, 25.2
Chapter: Traffic Control and Collisions	
Subject: Unusual Traffic Incidents	

## 7.5 UNUSUAL TRAFFIC INCIDENTS

### 7.5.1 DELAYED COLLISION REPORTS

Upon receiving a complaint of a non-injury delayed collision report, MetroSafe shall advise the complainant to obtain a copy of the Kentucky Civilian Traffic Collision Report from the nearest police division.

When an officer is in contact with a complainant involving a non-injury delayed collision report run, the officer shall provide the complainant with a copy of the Kentucky Civilian Traffic Collision Report.

### 7.5.2 INTENTIONAL COLLISIONS

The Kentucky Uniform Collision Report shall not be completed if the investigation reveals that the collision was an intentional act. The appropriate investigative unit shall be notified.

### 7.5.3 DEATH BY NATURAL CAUSES

If circumstances indicate that a victim may have died of natural causes and was involved in a motor vehicle collision, the investigation shall be conducted as a fatal collision until the coroner rules otherwise (CALEA 61.2.1a). If the coroner rules that the death was a result of natural causes, the investigation shall be conducted as both a collision and a corpse investigation.

### 7.5.4 DRIVING UNDER THE INFLUENCE (DUI)/LMPD OFFICER INVOLVED (CALEA 61.2.1d, 61.2.2c, KACP 21.1c, 23.1d)

Officers who respond to a collision involving an on-duty or off-duty officer suspected of being under the influence of alcohol/drugs, the responding officer shall immediately contact his/her commanding officer and request that he/she respond to the scene. This applies regardless of whether the officer is operating a departmental or privately-owned vehicle. The commanding officer shall be responsible for the investigation of the collision and may request technical assistance, if needed, from the Traffic Unit. The results of the investigation shall be reported directly to the commander of the Public Integrity Unit (PIU). If the commanding officer believes that there is probable cause to make an arrest, the commanding officer shall immediately contact the PIU.

### 7.5.5 MALFUNCTIONING, DAMAGED OR MISSING TRAFFIC CONTROL DEVICES (KACP 25.2)

Upon arrival at an accident scene where there is a malfunctioning, damaged or missing traffic control device, the responding officer shall immediately contact MetroSafe to advise Public Works and Assets of the situation (CALEA 41.2.4, 61.3.1a, 61.4.2). Public Works and Assets shall be responsible for correcting the problem. In some circumstances, it may be necessary for the responding officer to remain at the scene and manually direct

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	Accreditation Standards: CALEA: 41.2.4, 61.2.1, 61.2.2, 61.3.1, 61.3.2, 61.4.2 KACP: 21.1, 23.1, 24.1, 25.2
Chapter: Traffic Control and Collisions	
Subject: Unusual Traffic Incidents	

## 7.5.5 MALFUNCTIONING, DAMAGED OR MISSING TRAFFIC CONTROL DEVICES (CONTINUED)

traffic until Public Works and Assets responds (CALEA 61.3.2b, KACP 24.1). This decision shall be made by the responding officer's immediate supervisor (KACP 21.1f).

When completing a collision report, if the officer personally observes the control device malfunction or if the control device is missing or damaged, the officer should indicate the observation as fact on the report. If the malfunction is not observed by the officer, but only reported by the driver or witnesses, the officer should note these statements in the narrative section of the collision report, emphasizing that the statement has not been independently verified. This distinction is important if the collision results in litigation.

## 7.5.6 MALFUNCTIONING OR DAMAGED FIRE HYDRANTS

Officers on patrol may discover fire hydrants which have been damaged by traffic accidents or other means. Upon learning of damage to Metro fire hydrants, officers shall immediately notify MetroSafe, via the service channel, of the location of the damaged or malfunctioning fire hydrants.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 7.6
	Effective Date: 11/21/03 Prv. Rev. Date: 01/24/11 Revised Date: 03/10/13
	Accreditation Standards: KACP: 23.1
Chapter: Traffic Control and Collisions	
Subject: Collision Evidence	

## 7.6 COLLISION EVIDENCE

### 7.6.1 GENERAL EVIDENCE

Collision evidence shall be handled and secured in accordance with departmental evidence handling procedures.

### 7.6.2 VEHICLE INSPECTIONS

In situations where it appears that mechanical problems may have contributed to a serious or fatal traffic collision, the vehicle may be held for a mechanical inspection. In such cases, the investigating officer shall complete the Request for Mechanical Inspection form (LMPD #04-11-0072) and provide his/her commanding officer with the request. If the commanding officer approves the request, he/she shall forward the completed form to the Administrative Bureau.

### 7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (KACP 23.1d)

There are four (4) ways to get the results of blood/urine tests admitted into court:

- **Written Consent:** Written consent from a suspect, whose blood and/or urine is being sought, is the preferred option for obtaining specimens for evidentiary purposes, except when a suspect is injured or is not being charged at the time. A Specimen Collection Consent form (LMPD #03-07-0303) should be signed by the suspect and witnessed by another person. If verbal or other clearly identifiable permission is given, but the suspect refuses, or is unable to sign (e.g. physically impaired due to injury), the reason shall be noted, in detail, on the forms and a witness's signature shall be obtained. The officer shall provide a Kentucky State Police (KSP) Blood/Urine Collection Kit.
- **Implied Consent:** KRS 189A.103 dictates that when a person suspected of a violation of KRS 189A.010(1) or KRS 189.520(1) (i.e. driving under the influence) is unconscious and unable to give written or verbal consent, or cannot gesture his/her consent, his/her condition shall indicate implied consent. The officer shall complete the Implied Consent Form (LMPD #03-07-0302), marking the appropriate box and explaining the suspect's condition. The officer shall obtain the signature of a witness on the form. The officer shall provide the hospital staff with a KSP Blood/Urine Collection Kit.
- **Search Warrant:** In cases where a person is suspected of a violation of KRS 189A.010 or KRS 189.520 as part of an injury collision, and is unwilling to consent to giving a blood and/or urine sample, the investigating officer should consider obtaining a search warrant for blood and/or urine evidence. This evidence can be collected by writing a search warrant to have their blood drawn or to collect those samples already obtained by the hospital. The officer should contact a commanding officer for guidance as to whether blood and/or urine evidence collection is appropriate, based on the nature of the injuries. Officers may contact the Office of the Commonwealth's Attorney or the Jefferson County Attorney's Office for assistance.

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	Accreditation Standards: KACP: 23.1
Chapter: Traffic Control and Collisions	
Subject: Collision Evidence	

## 7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (CONTINUED)

Non-Traffic Unit officers may contact an on-call prosecutor after hours, by contacting a Traffic Unit officer and requesting assistance, if necessary. The officer shall provide the hospital staff with a KSP Blood/Urine Collection Kit.

- **Medical Records:** In cases where the above criteria are not met, or when a medical facility fails or refuses to cooperate in the collection of blood and/or urine evidence, hospital records may be subpoenaed to court with the assistance of the Office of the Commonwealth's Attorney or Jefferson County Attorney's Office. Seeking hospital records, by subpoena, should be initiated by the prosecutor.

All blood/urine specimens shall be processed according to departmental evidence procedures.

Blood alcohol concentration testing should be administered within two (2) hours of cessation of operation or physical control of a motor vehicle, to ensure the likelihood of court admissibility. However, if more than two (2) hours has elapsed, a blood alcohol concentration test should still be administered. To obtain blood and/or urine specimens in a driving under the influence (DUI) investigation, the officer shall transport, or arrange to have transported, if appropriate, an injured adult subject who has consented or whose consent is implied under statute, or who is compelled by a search warrant, to submit to blood and/or urine testing, to the University of Louisville Hospital Emergency Room (ER), unless the subject requests to be taken to a different hospital for treatment. Louisville Metro Department of Corrections (LMDC) medical personnel will collect blood or urine specimens from subjects who are uninjured and do not require hospitalization. All juvenile drivers who have been involved in a vehicle collision shall be taken to Kosair Children's Hospital for examination prior to being transported to the Department of Youth Detention Services (YDS), in compliance with YDS policy, unless the juvenile's parent or legal guardian is present and requests a different hospital. Legal requirements for obtaining blood, breath or urine testing are the same for juveniles and adults. Breath testing for adult and juvenile subjects is conducted at the LMDC.

KRS 189A.105 dictates that if a person submits to alcohol and/or substance tests requested by an officer, he/she shall be advised that he/she has the right to have an independent blood test (IBT) performed by a person of his/her choosing, at his/her own expense, as described in KRS 189A.103 (the "implied consent" statute), within a reasonable amount of time after his/her arrest. Immediately following the administration of the final test requested by an officer, the subject shall again be informed of his/her right to an IBT, by asking "Do you want such a test?" If a subject requests an IBT, the officer shall transport the subject to the medical facility of his/her choice. The officer must make a reasonable effort to allow the subject to obtain an IBT. If the requested medical facility will not perform the IBT, the officer shall transport the subject to a second medical facility of the subject's choosing. If the second medical facility refuses to perform the IBT, the officer shall then transport the subject to jail. If a subject requests an IBT, but is unfit for transport to another medical facility of their choosing, due to sustaining injuries requiring admission to the initial medical facility, the officer shall advise the subject, if possible, that he/she is unable to be moved, but that he/she may request that the initial facility perform an IBT. The officer shall also advise medical personnel at the admitting facility of the subject's request for an IBT. The officer shall note in the narrative of the arrest citation, that the subject requested an IBT, but was unable to be transported due to injuries. If the medical facility where the subject is admitted declines the subject's request for an IBT, the officer should obtain the name of the person denying the request and record it in his/her notes.

The officer shall advise the subject they are responsible for all costs associated with an IBT. No subject shall be



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	Accreditation Standards: KACP: 23.1
Chapter: Traffic Control and Collisions	
Subject: Collision Evidence	

## 7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (CONTINUED).

transported outside of Jefferson County for the purpose of obtaining an IBT

Officers shall not make statements regarding the wisdom of obtaining an IBT and shall in no way attempt to discourage a subject from requesting one.

The officer shall obtain a KSP Blood/Urine Collection Kit from his/her division and shall ensure that the expiration date on the box has not passed. Divisions shall be responsible for maintaining an adequate supply of blood/urine kits. Blood/urine kits may be obtained from the Kentucky State Police, Jefferson Laboratory Branch, located at 3600 Chamberlain Lane #410, and can be contacted by phone at (502) 426-8240.

When obtaining samples, the officer shall provide a copy of the search warrant or Specimen Collection Consent form to the hospital. The original copy should be retained in the officer's file for court proceedings. Upon arrival at the hospital, the officer shall:

- Notify the triage nurse of his/her intention to have a blood and/or urine specimen drawn.
- Request the appropriate nurse to fill both blood tubes for alcohol and drug testing.
- Personally witness the collection of the blood/urine specimen(s).
- Request that urine samples be taken two (2) times. The second urine sample needs to be taken 30 minutes after the first urine sample.
- Request that blood be drawn two (2) times. The second blood draw needs to be taken one (1) hour after the first blood draw.
- Request that a non-alcohol prep be used prior to obtaining blood.
- Note the location on the body from which blood is drawn on the Specimen Collection Consent form.
- Fill in the blanks on the sample containers and the evidence box.
- Seal the evidence in the box and deposit it in a mailbox as soon as possible.

A hospitalized suspect may be cited and released for a DUI offense upon approval of a commanding officer. For the purposes of this policy, an acting-sergeant shall not be considered a commanding officer. This decision shall be based on the suspect's injuries and the length of time that the suspect is to be hospitalized. Blood evidence must be drawn before a suspect may be cited in lieu of arrest. This may be done at the request of the officer or for treatment purposes.

## 7.6.4 MOBILE VIDEO SYSTEMS (MVS)

By the end of his/her regular tour of duty, an officer shall remove any VHS tape from the MVS unit that has recorded an actual collision and deposit it into the designated container at his/her division (refer to SOP 4.1.8).

Officers using the digital mobile video camera shall upload the data onto the server at least once per shift (refer to SOP 4.1.8).

A Public Integrity Unit (PIU) investigator shall secure any MVS tape or digital recording when an officer is involved in a critical incident resulting from a collision (refer to SOP 8.12.4).

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Chapter: Traffic Control and Collisions	
Subject: Departmental Vehicles	

## 7.7 DEPARTMENTAL VEHICLES (CALEA 61.2.2d)

### 7.7.1 WITHIN LMPD JURISDICTION

In cases where property damage occurs as the result of a collision involving a departmental vehicle, a commanding officer from the division where the collision occurred shall respond to the scene and complete the report (CALEA 61.2.1b, 61.2.3a).

The Public Integrity Unit (PIU), with the assistance of the Traffic Unit, shall investigate all officer-involved collisions resulting in death or life-threatening injury (CALEA 61.2.1a, 61.2.2a, KACP 23.1a). The PIU, with the assistance of the Traffic Unit, shall also investigate any officer-involved collisions in which the officer could face criminal charges. In such cases, the investigator shall report all findings directly to the commander of the PIU (CALEA 61.2.3d).

### 7.7.2 OUTSIDE OF LMPD JURISDICTION

When a departmental vehicle is involved in a collision outside of the jurisdiction of the Louisville Metro Police Department (LMPD), the report shall be completed and processed by the appropriate law enforcement agency. The operator of the vehicle shall obtain a copy of the report and notify his/her supervisor, as soon as possible, after the collision.

### 7.7.3 PHOTOGRAPHS

All collisions involving departmental vehicles shall be photographed by the collision investigator or the Crime Scene Unit (CSU). Exceptions may be made when time or distance constraints dictate.

### 7.7.4 VEHICLE DAMAGE REPORT

Members shall submit a Vehicle Damage Report form (LMPD #03-07-0190) in the following circumstances (CALEA 82.2.1b, KACP 23.1b):

- When a departmental vehicle sustains damage by striking a fixed object
- When a departmental vehicle is involved in a collision
- When a departmental vehicle sustains damage that is not the result of a traffic collision

A member shall complete the Vehicle Damage Report form, including the collision report number, if applicable, and forward it electronically to the LMPD Vehicle Damage Notification, located within the department's email distribution list, within 24 hours of the incident. The original report shall then be forwarded through the appropriate chain of command. Photographs of all damaged vehicles shall be taken by the investigating or responding supervisor, the collision investigator or the Crime Scene Unit (CSU). These photos shall be entered into the Digital Image Management System (DIMS), via any DIMS download station, and copies attached to the

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## 7.7.4 VEHICLE DAMAGE REPORT (CONTINUED)

original Vehicle Damage Report form.

Additionally, the on-duty supervisor, upon learning of damage to any LMPD departmental vehicle, shall send an email to the LMPD Vehicle Damage Notification, located within the department's email distribution list. This email shall be sent by the end of the supervisor's tour of duty and shall include the following information:

- The date and time of the incident
- The location of the incident
- The incident report number or Incident Control Number (ICN)
- The member's name, code number and assignment
- The vehicle equipment number
- The description of vehicle damage
- The narrative of how the damage occurred
- A list of names, addresses and phone numbers of anyone injured, along with a description of the injuries
- Criminal charges (if applicable)
- The witness information
- Property damage, other than LMPD property, to include the owner's name, address and phone number

Members with damaged departmental vehicles shall contact the Metro Public Works and Assets/Fleet Services supervisor within 14 days of the damage to arrange for the vehicle's evaluation and/or repair estimate. Members with rental vehicles shall contact the leasing vendor within 14 days of the damage.

## 7.7.5 EVIDENCE RETENTION

All evidence relating to motor vehicle accidents involving departmental vehicles shall be retained for a period of no less than two (2) years following the date of the accident, unless it needs to be retained longer. Members shall obtain written approval from the Legal Advisor prior to destroying any evidence. Such evidence shall include, but is not limited to, the following:

- Handwritten notes
- Audio and video recordings
- Dispatch transmissions
- Photographs

If video camera evidence relating to motor vehicle accidents needs to be retained longer than two (2) years after the accident, members shall contact the Metro Technology Services (MTS) Service Desk at (502) 574-4444, for digital recordings, or the Property Room at (502) 574-2410, for VHS recordings.

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Chapter: Traffic Control and Collisions	
Subject: Metro Government Vehicles	

## 7.8 METRO GOVERNMENT VEHICLES

### 7.8.1 POLICY

When a collision involving a Metro Government-owned vehicle, other than a Louisville Metro Police Department (LMPD) vehicle, occurs, a division officer shall respond to the scene (CALEA 61.2.3a). A collision report shall be completed, regardless of the location (e.g. parking lot) or the amount of damage to the vehicle (CALEA 61.2.1b, f, 61.2.2d).

All collisions involving a Metro Government-owned vehicle, other than an LMPD vehicle, shall be photographed by the investigating officer or the Crime Scene Unit (CSU). Exceptions may be made for time or distance constraints.

All evidence relating to motor vehicle accidents involving Metro Government-owned vehicles shall be retained for a minimum of two (2) years following the date of the accident, unless it needs to be retained longer. Members shall obtain written approval from the Legal Advisor prior to destroying any such evidence. Such evidence shall include, but is not limited to, the following:

- Handwritten notes
- Audio and video recordings
- Dispatch transmissions
- Photographs

If video camera evidence relating to motor vehicle accidents needs to be retained longer than two (2) years after the accident, members shall contact the Metro Technology Services (MTS) Service Desk at (502) 574-4444, for digital recordings, or the Property Room at (502) 574-2410, for VHS recordings.

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Chapter: Traffic Control and Collisions	
Subject: Impoundment and Towing of Vehicles	

## 7.9 IMPOUNDMENT AND TOWING OF VEHICLES (CALEA 61.4.3b, KACP 25.5)

### 7.9.1 ILLEGALLY PARKED VEHICLES

An officer may cite and/or impound a motor vehicle that is parked, stopped or encroaching upon a street or public way within his/her jurisdiction, when it is in violation of an ordinance or statute prohibiting:

- Parking in restricted areas (e.g. bus zones, fire lanes, no stopping/parking anytime, etc.)
- Parking during restricted times (e.g. no stopping/parking from 7 AM – 9 AM or no stopping/parking except on Sundays)
- Parking in a restricted manner (e.g. more than six (6) inches from the curb, not parallel to the curb, two (2) wheels on the sidewalk, etc.)

### 7.9.2 ABANDONED VEHICLES

Abandoned vehicles shall be checked through the National Crime Information Center (NCIC) to determine if they are stolen. Officers may impound abandoned vehicles in the following situations (CALEA 61.4.3a, KACP 25.4):

- Vehicles left on a driving portion of the roadway (CALEA 61.4.2)
- Vehicles left on a shoulder of an interstate, in excess of six (6) hours, after having been marked with a warning
- Vehicles parked in one (1) place upon a public way, for three (3) consecutive days, after having been marked with a warning

An Abandoned Vehicle sticker (LMPD #03-07-0300) or a Vehicle Check sticker (LMPD #03-07-0301) shall be placed on the vehicle window closest to the roadway. This sticker documents the amount of time that the vehicle has been abandoned in its location and serves as a notice to the owner or operator that it is subject to impound. The vehicle may be impounded, and a citation may be issued, after the expiration period has passed.

### 7.9.3 JUNKED VEHICLES

A junked vehicle shall be considered any vehicle that is inoperative or reasonably appears to be inoperative, wrecked, dismantled, partially dismantled or discarded. Conditions which may indicate that a motor vehicle is junked include, but are not limited to:

- Extensive rusting
- Deflated/flat tires
- Missing wheels
- Missing or cracked windshield or windows

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## 7.9.3 JUNKED VEHICLES (CONTINUED)

- Missing major chassis components
- Missing brake lights
- Missing any other vehicle component as required by law
- Missing, or expired, license plates or registration tags

Junked vehicles located on the public roadway are subject to immediate impoundment. A complaint of junked vehicles located on private property, by a non-owner of the property, shall be referred to the Department of Codes & Regulations.

## 7.9.4 DEVICES NOT CAPABLE OF SELF-PROPULSION

It shall be a parking violation to park, or store upon a public way, any device which is not capable of being driven under its own power or which cannot legally be operated on public ways. Such devices include, but are not limited to, trailers and boats. Any such device parked on a public way may be impounded (CALEA 61.4.2).

## 7.9.5 DEBRIS AND JUNK-FILLED VEHICLES/DEVICES

Officers seeking to tow or impound a vehicle/device, heavily laden with junk and debris, shall notify Public Works and Assets to clean the vehicle/device prior to towing and impoundment.

## 7.9.6 ILLEGAL DUMPING

Per Louisville Metro Ordinance 51.510, no person shall deposit, drop, dump, place or throw any waste or hazardous waste onto public or private property that is not licensed for the purpose of disposal of waste by the Louisville Metro Government Waste Management District and in compliance with all applicable laws and regulations. Any motor vehicle used for illegal dumping shall be impounded for a period of not more than 12 months. The Code Enforcement Board will determine the length of impoundment. Louisville Metro Police Department (LMPD) officers shall have the authority to enforce these provisions. The impounded vehicle shall remain in the Vehicle Impoundment Lot until the LMPD is notified by Metro Government that the registered owner has posted bond or all outstanding citations and fees have been paid.

A summary of the Dumping Ordinance and an instruction sheet for violators are available on the LMPD Intranet by clicking on the "Forms" link in the middle of the page and then double clicking on the "Ordinance and Appeal Information" folder. The summary provides officers with guidelines to handle the enforcement of the ordinance. The instruction sheet must be attached to every citation and given to the violator. Only handwritten paper citations shall be used for violations of the illegal dumping ordinance. Electronic citations (eCitation) are not approved for violations of this ordinance. All citations shall be forwarded to the Code Enforcement Board and a copy shall be scanned and emailed to Pete Flood of the Waste Management District at [Pete.Flood@louisvilleky.gov](mailto:Pete.Flood@louisvilleky.gov).

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## 7.9.6 ILLEGAL DUMPING (CONTINUED)

Cameras have been placed in certain areas in the city known for high rates of illegal dumping. Citizens can view photos on the Louisville Metro Solid Waste Management website (<http://www.louisvilleky.gov/SolidWaste/illegaldumping/>) and help identify the individual(s) pictured.

## 7.9.7 CLEARING THE ROADWAY

When an attended vehicle is rendered inoperable, impeding traffic or posing a danger to the public, the responding officer shall employ the most expedient means of removing the vehicle. This may include the use of a Vehicle Impoundment Unit (VIU) wrecker or contract wrecker to move the vehicle to the nearest safe location. When a member requests a wrecker to clear the street, he/she should identify a safe and legal public parking location within visible sight of the original scene, if available, where the wrecker driver may drop the wrecked or disabled vehicle (CALEA 61.4.1b, KACP 25.1). Officers shall not request that wrecker drivers move a vehicle to private property, unless permission is obtained from the property owner. If the vehicle owner/occupant is present or informed, officers may clear the street by moving the vehicle to a temporary drop location. The vehicle owner/occupant shall be responsible for removing the vehicle from the temporary drop location as soon as possible. If other circumstances prevent the vehicle owner/occupant from moving the vehicle (e.g. receiving medical treatment) or the vehicle owner/occupant is not present, the vehicle shall be impounded if it meets the criteria above. Any hold placed on a vehicle shall be in compliance with SOP 7.9.15.

Some considerations when making the decision to clear the street or impound the vehicle may include whether a safe and legal public parking location is available, whether the vehicle will create a public hazard because it is severely damaged and whether the owner can remove the vehicle in a timely fashion.

If a motorist requests a private wrecker or already has one en route, the officer may choose to cancel or continue a VIU wrecker or contract wrecker, depending on estimated times of arrival and the danger posed to the public. If the vehicle poses a danger to the public, the officer shall remain at the scene until the vehicle is removed (CALEA 61.4.1a, c-d, KACP 25.1).

While officers shall not recommend a particular private wrecker service to the motorist, if the motorist requests a specific private wrecker service, the officer shall relay that request to MetroSafe, specifying that the tow is at the owner's expense.

## 7.9.8 TRACTOR-TRAILERS AND BIG TRUCKS

Contract wreckers shall be utilized when towing or impounding tractor-trailers or other oversize trucks weighing more than 10,000 pounds (5 tons).

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## 7.9.9 WRECKED VEHICLES

When a vehicle is rendered inoperable and it is impeding traffic, the investigating officer shall have it towed from the collision scene (CALEA 61.2.2h, 61.4.2, KACP 21.1g).

If the owner or operator of the vehicle is not present at the time that the vehicle is towed, the vehicle shall be impounded in the storage lot of the wrecker company providing the service (CALEA 61.2.3f).

If the owner or operator is present at the time that the vehicle is towed, he/she may elect to use a private wrecker service. However, if private arrangements will interfere with the officer completing an investigation or clearing a collision location, the officer may use a VIU wrecker or contract wrecker service (CALEA 61.2.3e-f, KACP 21.1g). If a vehicle is merely cleared from the roadway, it shall be moved to a safe and legal public parking location within visible sight of the original scene, if possible, or as described in SOP 7.9.7.

## 7.9.10 VEHICLES USED IN CRIMINAL ACTS

An officer shall impound a vehicle only when there is probable cause to believe that the vehicle:

- Constitutes an instrument or fruit of a crime.
- Contains evidence of a crime.
- Is subject to seizure or forfeiture (KACP 30.3).

Any vehicle towed for evidentiary purposes should be towed by a VIU wrecker, whenever possible. Any such vehicle with a gross weight under 10,000 pounds (5 tons) shall be stored in the Vehicle Impoundment Lot. Vehicles weighing more than 10,000 pounds (5 tons) may be stored in a contractor's impound lot.

For any vehicle impounded for an investigation, the impounding officer must write "Investigation" in the narrative portion of the tow citation, followed by the letter "V" to designate that the vehicle owner is the victim of a possible crime. Without this designation, it shall be assumed that the vehicle owner is a person of interest in the investigation.

## 7.9.11 TOWING OF VEHICLES FOLLOWING ARREST

When an operator is placed under arrest and his/her vehicle is on the traveled portion of the roadway, the officer may have the vehicle impounded. If the individual has pulled off of the traveled portion of the roadway (e.g. shoulder, parking lot), the arresting officer shall not impound the vehicle unless the person requests that he/she do so, the vehicle is an instrument of the crime or the vehicle creates a traffic hazard.

If an arrested person elects to leave his/her vehicle in a non-hazardous traffic location, the arresting officer is not obligated to secure the vehicle or its contents more securely than it was at the time of the arrest.



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## 7.9.11 TOWING OF VEHICLES FOLLOWING ARREST (CONTINUED)

If the owner or operator elects to turn the vehicle over to a third party, the arresting officer must confirm that the third party has a valid operator's license and is not under the influence of intoxicants.

## 7.9.12 VEHICLE REMOVAL FROM PRIVATE PROPERTY

The owner of the property may request an officer to run a registration and stolen vehicle check. If no violation exists, the officer shall assist the property owner by providing him/her with the owner's name and address. The property owner may sign a liability waiver to allow the vehicle to be removed by a VIU wrecker or contract wrecker.

If the vehicle has been reported stolen or involved in a criminal act, the officer shall impound the vehicle and the property owner need not sign a waiver.

## 7.9.13 USE OF WRECKER SERVICE

All requests for wrecker service shall be handled through MetroSafe. All cancellations of wrecker service shall also be handled through MetroSafe. Officers are permitted to cancel the contract wrecker at the scene, but shall advise MetroSafe that they have done so. A stolen vehicle check shall be performed by the impounding officer, on any vehicle that is to be towed.

Information needed when requesting wrecker service is as follows:

- Officer's unit number
- Location
- Vehicle make, model and color
- Vehicle license plate number or Vehicle Identification Number (VIN)
- Reason for the tow (e.g. accident, clear the roadway, abandoned vehicle, etc.)
- Citation number
- Whether the vehicle is two-wheel or four-wheel drive
- Whether or not the vehicle is drivable
- Whether or not all of the tires are inflated on the vehicle

A service call on police equipment must include the following information:

- Location
- Equipment number
- Vehicle make, model and color
- Whether the vehicle is two-wheel or four-wheel drive
- Whether or not the vehicle is drivable

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## 7.9.13 USE OF WRECKER SERVICE (CONTINUED)

- Whether or not all of the tires are inflated on the vehicle
- Reason for the service/tow
- On or off-duty status

Tow requests for police equipment should be handled by VIU wreckers, whenever possible.

The impoundment portion of the Parking Citation must be completed and attached to the vehicle before a contract wrecker will tow the vehicle. Officers shall remain with the vehicles that are being towed until the wrecker has left the scene in the following circumstances:

- Vehicle in the driving lanes
- Recovery of stolen/possible stolen vehicles
- Vehicles with "holds" on them
- Any other situation that the officer believes may present a danger to the wrecker driver or the public

Officers shall properly complete the LMPD Records and Impoundment Instruction Sheet (LMPD #04-07-0300) when a vehicle is towed or left at the scene of an arrest or accident. The division phone number, report number, officer's name, officer's code number and the date shall be filled out. The sheet is to be given to the owner/operator of the vehicle, if present. No form is needed if the owner/operator is not present.

## 7.9.14 OWNER/OPERATOR CANCELLATION OF TOW

The owner/operator of an abandoned or illegally parked vehicle may remove the vehicle, at any time, prior to the vehicle becoming attached to a VIU wrecker or contract wrecker.

After a vehicle has been attached to the wrecker, but before the wrecker has left the scene, the owner/operator may take possession of the vehicle. In such situations, neither the department nor the owner/operator shall be responsible for any wrecker fees. The wrecker driver shall issue a release to the owner/operator. Such release shall be in the form of a receipt and signed by the wrecker driver acknowledging the release of the vehicle from the tow truck before actual towing.

Neither the removal of a vehicle by an owner/operator, nor the issuance of a release by the wrecker driver, shall be construed as relieving the owner/operator from the responsibility for any violation of the traffic code with which he/she may be charged.

## 7.9.15 HOLDS AND RELEASES

A hold shall be placed on a vehicle only if an officer has probable cause to believe that the vehicle is evidence of a crime or evidence regarding a crime can be obtained from the vehicle. When a hold is placed, the following guidelines shall be followed:

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### 7.9.15           **HOLDS AND RELEASES (CONTINUED)**

- The towing officer shall obtain approval from a commanding officer by radio, phone or in-person prior to placing a hold on an impounded vehicle. The commanding officer shall determine if probable cause to hold the vehicle exists.
- An officer placing a hold on a vehicle shall request a wrecker and shall have the vehicle towed to the Vehicle Impoundment Lot, located at 1487 Frankfort Avenue.
- The probable cause for the hold shall be noted on the Louisville Jefferson County Metro Parking Citation.
- The towing officer shall complete a LMPD Vehicle Hold form (LMPD #05-0019) and list the probable cause for holding the vehicle by initialing the appropriate spaces on the form.
- If the towing officer is placing a hold on a vehicle for another officer, the officer requesting the hold shall be entered as the "hold" officer.
- The name of the commanding officer authorizing the hold shall also be listed on the LMPD Vehicle Hold form.
- The impoundment portion of the citation and the original copy of the LMPD Vehicle Hold form shall be attached to the vehicle. Vehicles towed without a properly completed LMPD Vehicle Hold form attached may be released at the discretion of the VIU Commander, or his/her designee.
- An officer shall remain with the vehicle until the wrecker has left the scene.
- The towing officer, if different than the hold officer, shall notify the hold officer that the vehicle has been located, impounded and held. Once notified, the hold officer shall immediately arrange for Crime Scene Unit (CSU) processing and/or contact the Auto Theft Investigations Team for special storage arrangements (e.g. secured lot), if needed.

Officers shall not place a vehicle on "hold" for improper registration plates. Legitimate reasons to hold a vehicle are as follows:

- Fatal or serious injury accidents.
- The vehicle is evidence of a crime or is believed to contain evidence of a crime. The fact that a vehicle was used in a crime does not automatically make the vehicle evidence. A vehicle may be considered evidence in cases such as assaults, in which the vehicle was used as a weapon.
  - If the vehicle does contain evidence, it must be legally removed from the vehicle and taken to the Property Room as soon as practical, either incident to the arrest or if the vehicle is already moved, by a signed Consent to Search form (LMPD #06-0036), taped oral consent or search warrant (CALEA 84.1.2).
  - Once evidence is removed from the vehicle, the officer who retrieved the evidence shall immediately remove the hold, unless the vehicle itself is to be seized as evidence or for forfeiture (KACP 30.3).
- CSU processing: The CSU Technician shall advise the VIU personnel when the processing of the held vehicle is complete.

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## 7.9.15 HOLDS AND RELEASES (CONTINUED)

- Seized for forfeiture: If the vehicle is to be held for forfeiture, the nature of the offense(s) committed shall be listed and the hold officer shall be responsible for completing all of the other appropriate forms associated with vehicle seizures and forfeitures (refer to SOP 11.1.5) The officer shall note “**Vehicle seized for forfeiture**” in the block for vehicle holds on the Parking Citation and on the LMPD Vehicle Hold form (KACP 30.3).

A vehicle impounded for “stolen” or “investigation of stolen” shall not have a hold placed on it, unless a hold is appropriate for one (1) of the previously listed circumstances. Stolen, or suspected stolen, vehicles shall be released when the owner provides proper proof of ownership to the VIU personnel.

Only the hold officer, his/her supervisor, authorized detective, Assistant Chief of Police/Administrative Bureau, or his/her designee, may release the hold on a vehicle. The hold officer is responsible for ensuring that the vehicle, which they ordered held, is released in a timely manner. The VIU shall be responsible for notifying the owner when the hold is released. Owners of impounded and held vehicles, who wish to inspect or remove property from them, must have written permission from, or be accompanied by, the hold officer. The owner and officer must make contact with the VIU personnel before the owner can inspect, or remove property from, the vehicle.

## 7.9.16 QUARTERLY VEHICLE RELEASE FORMS

A list of vehicle holds shall be sent by the VIU to each division/section/unit quarterly. Officers named on the list shall fill out a Hold/Release/Transfer/Continue form (LMPD #06-0052) on all vehicles that they have on-hold and forward the completed forms to the VIU Commander. Officers shall release the hold on all vehicles, unless the vehicle is evidence of a crime or is being confiscated through court proceedings.

- Any request to continue the hold must be approved by the officer’s division/section/unit commander and include the CourtNet printout showing the next court date.
- Failure to complete and return the Hold/Release/Transfer/Continue form, within 30 days of issuance of the hold list, to the VIU, shall be cause for an automatic release of the vehicle.

## 7.9.17 PROPERTY IN IMPOUNDED VEHICLES

An officer shall secure any valuable property that is in plain view in the vehicle before it is impounded. Property may be secured by placing it in the Property Room or by removing it from plain view (e.g. placing property under the seat or in the glove box). If the property is money, excluding change, and the officer is not going to seize it or collect it as evidence, the officer should return the money to the rightful owner or place the money in the Property Room, if the owner is not present (refer to SOP 11.4.5). If the vehicle cannot be secured (e.g. broken windows or door locks), the officer shall remove the property, prior to impoundment, and store it in the Property Room. Officers are not required to remove property installed in the vehicle (e.g. stereo system, speakers etc.).

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	Accreditation Standards: CALEA: 61.2.2, 61.2.3, 61.4.1, 61.4.2, 61.4.3, 84.1.2 KACP: 21.1, 25.1, 25.4, 25.5, 30.3
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Subject: Impoundment and Towing of Vehicles	

## 7.9.17 PROPERTY IN IMPOUNDED VEHICLES (CONTINUED)

Officers shall not be responsible for removing property when impounding an unattended vehicle that was secure before the officer's arrival.

Officers shall not tow a vehicle that is transporting live animals until the animals have been removed. Wrecker drivers may refuse to impound a vehicle with unsecured, valuable property, until the officer removes it.

## 7.9.18 TOWING METRO GOVERNMENT VEHICLES

Officers are not required to fill out a Louisville/Jefferson County Metro Parking Citation for Louisville Metro Government vehicles towed by VIU wreckers. However, officers shall complete paperwork required by contract wreckers when a Louisville Metro Government vehicle is towed.

## 7.9.19 COURT PROCEEDINGS

An officer does not have the authority to waive towing or impoundment fees in court proceedings.

## 7.9.20 RECORDS

All records of vehicles removed or towed at the direction of departmental personnel shall be maintained by MetroSafe and entered into their records management system (RMS).

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	Accreditation Standards: CALEA: 41.2.4, 46.2.1, 61.3.1 - 61.3.3, 61.4.1 - 61.4.3 KACP: 24.2, 25.1, 25.2, 25.5
Chapter: Traffic Control and Collisions	
Subject: Additional Services	

## 7.10 ADDITIONAL SERVICES

### 7.10.1 MOTORIST ASSIST

Officers operating a departmental vehicle on-duty or off-duty shall assist a stranded motorist by stopping, ascertaining his/her needs and assisting him/her in obtaining help. If stopping and assisting would compromise a police assignment or unduly impact the safety of the officer, or others under his/her control, the officer shall advise MetroSafe of the motorist's location (CALEA 61.4.1a-d, KACP 25.1).

Officers shall not recommend a particular private wrecker service to a motorist. If the motorist requests a specific private wrecker service, the officer shall relay that request to MetroSafe, specifying that the tow is at the owner's expense. If the motorist wishes, MetroSafe will provide him/her with the phone number of the wrecker service of his/her choice so that he/she may contact the wrecker service directly. This will enable the motorist to have any questions answered concerning the time frame of arrival, etc. and will allow for clarifications concerning exactly where the car is located, where the car is to be taken and how the motorist will pay for the services (CALEA 61.4.3b, KACP 25.5).

### 7.10.2 DEBRIS IN ROADWAY

When an officer observes debris in the roadway, it should be removed to the extent that normal traffic flow is not impeded. It is the responsibility of the towing service to remove any associated debris from an accident scene. In order to ensure that nothing of evidentiary value is compromised, the removal of accident debris shall only be done after the officer has given his/her approval. If a towing service is not required, the officer in charge of the collision scene bears the responsibility of removing the debris or having the debris removed (CALEA 61.4.2, KACP 25.2).

### 7.10.3 HAZARDOUS CONDITIONS

It is the responsibility of any officer to report to MetroSafe any roadway defect, hazardous condition, the lack of, or damage to, traffic control devices or any other dangerous/hazardous condition encountered. MetroSafe shall contact the appropriate agency to ensure that the condition/defect is corrected as soon as possible. If the severity of the situation presents an imminent danger, the officer shall remain on the scene, until properly relieved or until a sufficient number of emergency warning devices are in place (CALEA 46.2.1a, 61.3.2f). If stopping, or handling, traffic poses too great of a hazard to the officer or increases the danger to other motorists (e.g. officer is in an unmarked car without lights and would only be putting himself/herself, or others, at greater risk), then he/she shall immediately notify MetroSafe of the situation (CALEA 41.2.4, 61.3.1a, 61.4.2, KACP 25.2).

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Chapter: Traffic Control and Collisions	
Subject: Additional Services	

## 7.10.4 TRAFFIC ESCORTS (CALEA 61.3.3a, KACP 24.2)

All law enforcement traffic escort requests, including funeral procession escorts, must be approved in advance by the Chief of Police or his/her designee.

In general, escorts are not permitted because they require the use of emergency equipment (blue lights and sirens) in non-emergency situations. However, there are circumstances when they are permitted. Except as noted below, all escort requests, including funeral procession escorts, must be submitted to, and approved, by the Chief of Police or his/her designee.

## 7.10.5 ESCORT OF A SICK OR INJURED PERSON

An officer responding to a civilian vehicle containing a sick or injured person, shall offer to summon emergency medical assistance and shall offer to provide first aid, pending its arrival. Officers are prohibited from escorting vehicles carrying injured or ill persons (CALEA 61.3.3b). However, if an injured person can be moved to a police vehicle without further injury, the injured person may be transported in the police vehicle.

Escorts of emergency vehicles, where there is a life-threatening situation and the escort by a departmental vehicle would be the best option available, may be authorized by a commanding officer. Officers conducting these escorts must do so with due regard to the safety of others.

## 7.10.6 PROCEDURES FOR ESCORTS

The Louisville Metro Police Department (LMPD) shall provide services to the community in a safe and balanced manner, which may include limited law enforcement traffic escorts that shall comply with all applicable laws. Unless otherwise noted, all traffic escorts shall adhere to the following:

- Officers, with the proper approval from the Chief of Police, or his/her designee, can perform a law enforcement traffic escort.
- A Secondary Employment form (LMPD #03-02-0100) must be completed for each police escort.
- Escorts shall only be conducted with marked vehicles.
- Emergency hazard flashers (white or amber to the front and red or amber to the rear) may be used during a police escort per Kentucky Revised Statutes (KRS) 189.043.
- Any escort must be done with due caution with regard to crossing traffic (KRS 189.378(3)). Officers shall remind all parties involved in the escort to obey all traffic laws.
- Officers should obtain the route that the escorted party wishes to take before proceeding.
- At no time will the officer use his/her emergency equipment (blue lights or siren) except in response to a police emergency, or in accordance with KRS 189.378, Funeral Procession.

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Chapter: Traffic Control and Collisions	
Subject: Additional Services	

## 7.10.7 TYPES OF TRAFFIC ESCORTS

There are four (4) types of law enforcement traffic escorts: civilian escort, funeral procession, civic event and dignitaries.

**Civilian Escort:** Officers, with the proper approval from the Chief of Police or his/her designee, can perform a law enforcement traffic escort either on-duty or off-duty. Officers can lead and/or follow the motorcade involved.

**Funeral Procession** (KRS 189.378): Officers, with the proper approval from the Chief of Police or his/her designee can perform a law enforcement traffic escort providing:

- Funeral procession escorts will include two (2) or more marked law enforcement vehicles.
- A funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is led by an escort vehicle displaying flashing yellow, red, or blue lights, except:
  - When the right-of-way is required by an emergency vehicle as defined by KRS 189.910.
  - When vehicles in the procession are directed otherwise by a police or safety officer.
  - When the vehicle is a train or locomotive.
- Before assuming the right-of-way, a person who drives a vehicle in a funeral procession shall exercise due caution with regard to crossing traffic.
- Persons authorized to use flashing lights, as defined in KRS 189.920, may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in progress.

**Civic Events:** A request by a group to escort vehicles that will be gathering the public's attention during a specified route of travel. This includes, but is not limited to, parades and celebrity protection. The Chief of Police or his/her designee may on occasion deem the use of emergency equipment necessary to protect the parties involved or the community.

**Dignitaries:** A request by a governmental agency or individual requesting a police escort for a specific route of travel and protection. This would include local, state, federal or international dignitaries. The Chief of Police or his/her designee may on occasion deem the use of emergency equipment necessary to protect the parties involved or the community.



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	Effective Date: 08/09/04 Prv. Rev. Date: 02/10/11 Revised Date: 03/10/12
	Accreditation Standards: CALEA: 61.1.1, 61.2.2, 61.2.3, 61.3.2 KACP: 10.5, 22.1, 24.1
Chapter: Traffic Control and Collisions	
Subject: Traffic Direction and Control	

## 7.11 TRAFFIC DIRECTION AND CONTROL (CALEA 61.1.1d, KACP 22.1, 24.1)

### 7.11.1 RESPONSIBILITIES

When directing traffic, a Louisville Metro Police Department (LMPD) officer, traffic guard or traffic control officer shall position himself/herself for maximum visibility and shall use distinct hand and arm signals that are easily understood by the public (CALEA 61.3.2b). The officer, traffic guard or traffic control officer shall wear departmentally-issued, high-visibility clothing, or personally-owned approved high-visibility clothing that meets or exceeds ANSI/ISEA 207-2006 standards (refer to SOP 4.9.2), when directing traffic (CALEA 61.3.2g, KACP 10.5b).

### 7.11.2 MANUAL TRAFFIC DIRECTION

Officers, traffic guards or traffic control officers may manually direct traffic in the following situations:

- When traffic control devices at an intersection are not functioning properly (CALEA 61.3.2e). The officer, traffic guard or traffic control officer shall immediately notify MetroSafe when a traffic control device is not functioning properly.
- At collision scenes to protect the scene and/or the motoring public (CALEA 61.2.2g, 61.2.3e, 61.3.2a).
- At identified crossing intersections for school children.
- At special events or disaster situations when manual traffic control is necessary for the safety of pedestrians and motorists (CALEA 61.3.2c-d).
- At fire scenes in order to divert vehicles around the fire scene so as not to impede firefighting equipment (CALEA 61.2.3c, 61.3.2c).
- Other situations where temporary manual traffic control would expedite the flow of traffic or increase the safety of pedestrians or motorists.

Officers, traffic guards or traffic control officers in assignments that may require manual traffic direction at intersections may be issued master keys to Louisville Metro area traffic light control boxes to allow lights to be switched off and on, or to the four (4)-way flash position. If an officer, traffic guard or traffic control officer unlocks a traffic light control box in order to allow for manual traffic direction, he/she shall ensure that the box is locked before leaving the location. For safety and efficiency, officers, traffic guards or traffic control officers with access to traffic control buttons are encouraged to use them to facilitate the movement of traffic during special events or other incidents requiring manual traffic direction.

### 7.11.3 TEMPORARY TRAFFIC CONTROL DEVICES

Officers, traffic guards or traffic control officers are not required to provide manual traffic direction if temporary traffic control devices are available and provide adequate safety to pedestrians and the motoring public (CALEA 61.3.2f).

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	Accreditation Standards: CALEA: 1.2.6-1.2.7, 61.1.1-61.1.3, 61.1.5, 61.1.7-61.1.8, 61.1.10-61.1.12, 61.2.1, 61.3.1-61.3.2, 61.3.6, 61.4.2, 61.4.4, 82.3.3-82.3.4 KACP: 21.1, 22.1, 22.3, 22.4, 22.5, 23.2
Chapter: Traffic Control and Collisions	
Subject: Traffic Enforcement	

## 7.12 TRAFFIC ENFORCEMENT (KACP 22.1)

### 7.12.1 TYPES OF TRAFFIC ENFORCEMENT ACTION (KACP 22.3, 22.4a-b, 23.2)

Officer discretion is encouraged when enforcing traffic laws. He/she may choose to give a verbal or written warning, issue a citation or arrest a violator (CALEA 1.2.6, 1.2.7, 61.1.2a-c). Officers shall consider the totality of the circumstances, the uniqueness of the violation, the driver's state of mind and the seriousness of the violation when deciding which enforcement option to exercise. Any actions taken by the officer shall be commensurate with applicable laws. The following list includes some, but not all, of the traffic violations listed under the Kentucky Revised Statutes (KRS):

- Operation of a vehicle by a driver under the influence of alcohol/drugs (CALEA 61.1.5a)
- Operation of vehicle after driving privileges have been suspended or revoked (CALEA 61.1.5b)
- Speed violations (CALEA 61.1.5c)
- Hazardous violations (CALEA 61.1.5d)
- Off-road vehicle violations (CALEA 61.1.5e)
- Equipment violations (CALEA 61.1.5f)
- Public carrier/commercial vehicle violations (CALEA 61.1.5g)
- Pedestrian and bicycle violations (CALEA 61.1.5l)

Officers shall refer to the KRS regularly in order to stay informed of newly enacted laws and/or regulations concerning motor vehicle violations and citations (CALEA 61.1.5j).

To help decrease the number of traffic violations and accident fatalities, traffic safety tips are available on the Louisville Metro Police Department (LMPD) website (CALEA 61.4.4).

### 7.12.2 CITATIONS

Officers may issue a citation electronically, using the Kentucky Open Portal Solution (KYOPS) system, to any motor vehicle operator found to be in violation of any of the offenses listed in KRS chapters 186 and 189 (CALEA 61.1.5h). Accountability for issued eCitations and voided eCitations is the responsibility of the Kentucky State Police (KSP).

Paper citations, which shall only be used if the KYOPS system is down or the officer does not have access to a Mobile Data Terminal (MDT), shall be issued to officers from their respective division/section/unit (CALEA 82.3.4a). All officers must sign the Citation Accountability Log (LMPD #06-0017) for all paper citations issued to them. Any voided paper citations must be turned in to the division/section/unit and logged on the Voided Citation Log (LMPD #06-0048) (CALEA 82.3.4b, KACP 22.4a). Unused paper citations shall be stored in a secure location in each division/section/unit (CALEA 82.3.4c).

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Chapter: Traffic Control and Collisions	
Subject: Traffic Enforcement	

## 7.12.2 CITATIONS (CONTINUED)

Traffic enforcement data is kept by the KSP. This data is kept in the KYOPS system. The KYOPS system allows for daily reporting of crime data and the ability to query all data that is contributed to the repository. The Traffic Unit can retrieve this data at any time, using queries based on location in order to better utilize resources (CALEA 82.3.3b).

Traffic citations for non-residents of Jefferson County shall be processed in the same manner as a citation for a local resident (CALEA 61.1.3a). Traffic citations received by licensed juveniles, under the age of 18, shall be processed in the same manner as any adult receiving a traffic citation (CALEA 61.1.3b).

Any motor vehicle operator receiving citation(s) for multiple violations, either simultaneously or at different times, shall be required to satisfy the requirements of the citation(s) (CALEA 61.1.5i).

## 7.12.3 METROCALL COMPLAINTS

MetroCall complaints regarding traffic violations on surface streets shall be forwarded to the appropriate division/section/unit for assignment, investigation and handling. An officer assigned a complaint shall evaluate the complaint and take appropriate enforcement action. A log shall be maintained, indicating the date and time that the complaint is received, the officer assigned and any action taken. MetroCall complaints shall be returned by the assigned suspense date with documentation of the action taken. The Traffic Unit shall handle complaints on the interstate system.

## 7.12.4 REEXAMINATION BY LICENSING AUTHORITY (CALEA 61.1.12)

If an officer observes an operator who demonstrates physical or mental infirmities that render it unsafe for that person to operate a motor vehicle, the officer may request the state to recertify the operator.

To request recertification, the officer shall complete a Medical Review Board Affidavit. In the statement section, the officer shall list any known, or suspected, medical impairment (e.g. low visual acuity, hearing problems, incoherency, etc.). The officer shall also report his/her observations and reasons for the request. If it is the officer's opinion that the operator has caused a motor vehicle collision, the officer shall attach a photocopy of the collision report to the request form. A copy of this form and its attachments shall be retained in the division/section/unit files.

The officer shall forward the completed form and its attachments to the Bureau Commander or the Patrol Services Commander within his/her chain of command. The commander shall forward the information to the Division of Driver Licensing, located in Frankfort, Kentucky. The Division of Driver Licensing shall notify the operator of the pending recertification.

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Chapter: Traffic Control and Collisions	
Subject: Traffic Enforcement	

## 7.12.5 TRAFFIC COLLISIONS (CALEA 61.1.5k, KACP 23.2)

Officers issuing a citation or making an arrest as a result of a traffic collision shall record the assigned incident control number (ICN) on the citation. In the case of injury collisions, the severity of the injuries shall be noted in the post arrest complaint section (CALEA 61.2.1a). Information of other persons involved may be listed in the witness section.

Traffic collision data is maintained by the Traffic Unit (CALEA 82.3.3a). Electronically-entered traffic collision data shall be reviewed and approved by the Collision Reports Analysis for Safer Highways (CRASH) section of the Traffic Unit in the KSP Accident Database (refer to SOPs 7.2 – 7.4). Officers shall refer to SOP 7.1 on requirements for writing these reports.

The Traffic Unit shall review traffic collision data to identify the locations where traffic engineering issues may need to be improved or corrected (CALEA 61.1.1a). The Traffic Unit shall also review traffic collision data and traffic enforcement data to see if increased enforcement has a reduction on the number of collisions at identified locations (CALEA 61.1.1c).

TRIMARC holds quarterly Freeway Incident Management meetings for District 5 (Jefferson County, Bullitt County, Franklin County, Henry County, Oldham County, Shelby County and Trimble County) in Kentucky. The Traffic Unit, Louisville Metro Emergency Medical Services (LMEMS), KSP, towing agencies, etc. participate in these meetings to discuss highway closures and traffic-related issues (CALEA 61.3.6).

## 7.12.6 DRIVING UNDER THE INFLUENCE (CALEA 61.1.5a, 61.1.11, KACP 21.1c)

When an officer's observations lead him/her to believe that an operator may be driving under the influence (DUI), the officer shall conduct field sobriety exercises. If conducting the field sobriety exercises poses a danger to the safety of the officer or the operator, the officer may elect not to use them and should make note of such reasons in the post arrest complaint. The officer shall take appropriate enforcement action based upon the results of the field sobriety exercises and his/her observations.

If the officer decides to arrest the operator and has reason to believe that alcohol is the primary influencing factor, he/she shall transport the subject, as soon as possible, to Louisville Metro Department of Corrections (LMDC), if medical attention is not required, and present him/her to the Breath Alcohol Technician. The technician shall take custody of the prisoner. He/she shall be responsible for requesting that the individual take a chemical test and offering the individual the chance to contact an attorney. After the technician completes the testing, he/she shall turn the prisoner back over to the officer, along with the results of the test.

If the officer decides to arrest the operator and has reason to believe that the primary influencing substance is not alcohol, or the operator's actions are not consistent with his/her physical condition, he/she shall transport the suspect, as soon as possible, to the LMDC, if medical attention is not required, and present him/her to a Breath Alcohol Technician. If the subject's breath alcohol level is below .08, the arresting officer should consider

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Chapter: Traffic Control and Collisions	
Subject: Traffic Enforcement	

## 7.12.6 DRIVING UNDER THE INFLUENCE (CONTINUED)

contacting a Drug Recognition Expert (DRE), through MetroSafe, to evaluate the suspect's condition (CALEA 61.1.10). Officers shall obtain approval of a Traffic Unit commanding officer before contacting a DRE. A blood and/or urine sample shall be requested by the Breath Alcohol Technician, the DRE (if present) or the arresting officer, following the evaluation. The operator must consent to any and all blood, breath and/or urine tests requested by the officer or he/she shall be charged with refusal to submit to a chemical test (KRS 189A.105).

Only after complying with all tests requested by the officer, may the operator request, at his/her own expense, to have an independent blood test conducted by an authorized medical technician (refer to SOP 7.6).

## 7.12.7 STRATEGIES & TACTICS OF PATROL STOPS (CALEA 61.1.8, KACP 22.5)

Traffic stops can be very serious situations for officers. Unknown and high-risk situations can create a problematic mood for both officers and violators. As a result, officer discretion and caution shall be exercised while conducting traffic stops. Officers shall use caution while approaching violators in order to evaluate the behavior of the violator and the seriousness of the situation (CALEA 61.1.7a-c).

Officers making contact with violators during a traffic stop shall observe the following guidelines, as outlined in the S.T.O.P.S. lesson plan, whenever possible:

- The officer shall greet the violator and identify himself/herself by name.
- The officer should explain the reason for stopping the violator.
- The officer shall ask the operator of the vehicle if there was a legitimate reason for doing what he/she did.
- The officer shall ask where the driver's license, insurance and registration information is located before asking him/her to retrieve any of them.
- The officer shall give instructions to the violator to follow (e.g. remain in the vehicle and buckle up) as he/she reviews documentation and decides what action to take.
- The officer shall issue the appropriate warning or citation and let the violator know that the traffic stop is over (CALEA 61.1.2b-c).

## 7.12.8 HAZARDOUS ROADWAY CONDITIONS (CALEA 61.4.2)

All officers encountering hazardous roadway conditions shall be responsible for reporting these conditions to the appropriate agency for corrective action. If an officer discovers a visual obstruction (e.g. debris, defects in the roadway, missing or damaged road signs, lighting, traffic control devices or roadside hazards), the officer shall immediately contact MetroSafe, via radio or telephone. The officer shall report the nature of the problem and the exact location. MetroSafe will contact the appropriate agency responsible for addressing or correcting the

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## 7.12.8 HAZARDOUS ROADWAY CONDITIONS (CONTINUED)

problem. If the roadway hazard presents a potential danger to motorists, the officer shall take the necessary action to ensure the safety of the motorists and expedite the flow of traffic. If the officer is off-duty, then the officer shall request assistance from on-duty personnel. The action taken may require the manual direction of traffic, using temporary control devices or physically removing the obstruction or hazard from the roadway (CALEA 61.3.1a, 61.3.2d).

Citizen complaints or suggestions regarding traffic engineering deficiencies (e.g. signs, potholes, markings, traffic lights, etc.) shall be referred to MetroCall at (502) 574-5000 or 311. MetroCall shall be responsible for notifying the appropriate agency for improvement or correction (CALEA 61.3.1a).

The Traffic Unit and MetroSafe shall be responsible for reporting traffic engineering deficiencies and traffic enforcement data to the appropriate agency (e.g. Public Works and Assets, Kentucky Transportation Cabinet, etc.) for improvement or correction (CALEA 61.3.1b).

## 7.12.9 SUPERVISORY REVIEW

Commanding officers shall review paper citations and arrest slips of those officers under their direct supervision. The commanding officer shall place his/her code number on the upper right hand corner of the citation indicating that he/she has reviewed the citation. Commanding officers shall review the citation for, including, but not limited to:

- Missing/incomplete personal information of the offender
- The Vehicle Stop Reporting form control number (if applicable)
- The appropriate charges
- The arrest or citation date, time and location
- The arrest or citation narrative, statement of probable cause and elements of the crime
- The valid court date, time and location
- The report number, if the citation or arrest is related to clearing a reported incident
- Language indicating how the defendant posed a risk of danger (if applicable) (refer to SOP 10.1.2)
- Language describing how the defendant failed to follow the officer's reasonable instructions (if applicable) (refer to SOP 10.1.2)
- Language indicating why there are reasonable grounds to believe that the defendant will not appear in court (if applicable) (refer to SOP 10.1.2)
- Legible handwriting

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Chapter: Traffic Control and Collisions	
Subject: Stationary Traffic Checkpoints	

## 7.13 STATIONARY TRAFFIC CHECKPOINTS (CALEA 61.1.1d, 61.1.6a-d, KACP 24.3)

### 7.13.1 POLICY

Stationary traffic checkpoints may be conducted for the purposes of promoting highway safety and determining the sobriety of motorists (CALEA 61.1.10). Traffic checkpoints for general crime control purposes are prohibited. Checkpoints for the sole purpose of checking for violations of KRS 189.125, regarding mandatory seat belt usage, are prohibited by statute. Authorization for a stationary traffic checkpoint must come from a commanding officer, with the rank of lieutenant or above. A commanding officer must be present at the checkpoint for the duration of the operation. For the purpose of this policy, an acting sergeant is not considered a commanding officer.

### 7.13.2 SITE SELECTION

The site selected should allow for the safety of the public and the officers involved. The site shall be highly visible, have sufficient road surface with an adjacent pull-off area and not unnecessarily interfere with nearby businesses or residents.

### 7.13.3 PERSONNEL AND VEHICLES

Checkpoints shall be staffed by a sufficient number of uniformed officers utilizing marked vehicles. Police vehicles being used for traffic control and direction shall utilize their emergency lights. Additional warning devices (e.g. traffic cones, warning signs, etc.) and lighting may be required (CALEA 61.3.2f). Vehicles equipped with in-car cameras may be arranged to record the selection of vehicles to be inspected. All officers shall wear departmentally-approved high-visibility clothing (e.g. traffic vests)(CALEA 61.3.2g, KACP 10.5b).

### 7.13.4 PLANNING AND PROCEDURE

The commanding officer of the checkpoint shall be responsible for the following:

- Notifying MetroSafe of the location, times and personnel involved in the operation
- Requesting that MetroSafe assign a channel to use for the operation
- Determining whether every vehicle, or every third, fifth, sixth etc. shall be stopped. This determination shall be made after observation of traffic flow upon arrival at the checkpoint and in accordance with current law.

Officers may not deviate from the original sequence chosen by the commanding officer. However, the commanding officer may choose to refrain from stopping vehicles for a period of time if available manpower and workload make it necessary. When officers resume stopping vehicles, the commanding officer may choose a new sequence based on the previously mentioned factors.

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Chapter: Traffic Control and Collisions	
Subject: Stationary Traffic Checkpoints	

## 7.13.5 PUBLIC NOTIFICATION

The media may be given prior notification of stationary traffic checkpoints to be conducted, but shall not be provided with the specific selection criteria or the location.

## 7.13.6 DOCUMENTATION (CALEA 61.1.1b, f, KACP 22.4c-d)

Following each stationary traffic checkpoint operation, the commanding officer of the detail shall submit a report, through the appropriate chain of command, to the division/section/unit commander. The report shall include:

- Date
- Beginning and ending times
- Mobile Video System (MVS) tape numbers (when applicable)
- Location
- Number of officers involved
- Number of arrests and citations issued
- Copies of paperwork generated from the operation



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## 8.1 SEARCH WARRANTS

### 8.1.1 POLICY

Officers are required to obtain the approval of a commanding officer prior to applying for a search warrant. A commanding officer must be present when the warrant is executed. For the purposes of this policy, acting sergeants shall be considered commanding officers.

In unusual or legally complex situations, officers should review the case with the Office of the Commonwealth's Attorney prior to seeking a search warrant.

### 8.1.2 AFFIDAVIT PREPARATION (KACP 1.4a)

An affidavit supporting the application for a search warrant shall be prepared. The accuracy of the affidavit is vital to the validity of the search warrant; therefore, officers shall ensure that the information is complete, accurate and specific.

### 8.1.3 DWELLING OR PREMISES SEARCH

In cases where premises are to be searched, references on the affidavit should include:

- The complete street address, including apartment number (if appropriate), city, county, state and zip code.
- The geographical location of the property (e.g. the property is located on the north side of Broadway between 1<sup>st</sup> Street and 2<sup>nd</sup> Street). Photographs, maps or diagrams can help to specify the location in question. Google Maps or other satellite photographs, as well as actual photographs, may be utilized.
- The physical description of the premises, which may include color, size, number of floors, landscaping and any other specifically identifying characteristics.
- All of the areas that officers desire to search shall be designated. In cases where officers wish to conduct a complete search of a home and its surroundings, the affidavit must specify a "premises" search and identify any outbuildings such as garages, tool sheds or barns, where appropriate.
- Motor vehicles present on the property that are also the subject of the search must be specified by make, model, year, color, license plate/tag number and registration information.

### 8.1.4 SEARCH OF PERSONS DURING SEARCH WARRANT EXECUTION

The affidavit must specify the names of the owner, and/or occupant, or a detailed description of individuals to be searched if no names, or full names, are known. Officers who request, on the affidavit, to search all persons found in the premises during the execution of the warrant are advised that this alone does not provide blanket

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## 8.1.4 SEARCH OF PERSONS DURING SEARCH WARRANT EXECUTION (CONTINUED)

authority to search everyone present. However, an individual's presence at a dwelling to be searched is enough reasonable suspicion for an officer to detain, question and obtain their identification.

The decision to search a person for weapons must be based on reasonable suspicion. A more extensive search of a person for contraband must be based on probable cause, unless that person is named, or described, in the warrant.

Persons present during the execution of a search warrant may be searched under the following circumstances:

- They are named, or described, in the warrant
- There is reasonable suspicion to believe that they may be armed
- Circumstances, developments or information obtained at the scene provide the officer with probable cause
- The individual commits an offense and is searched incidental to arrest

## 8.1.5 PERSONAL PROPERTY (CALEA 83.2.5)

Only items described in the search warrant may be seized, with the exception of contraband found in plain view or in a location properly searched pursuant to the warrant (KACP 1.4b). Checking the boxes on the affidavit does not give the officer blanket authority to seize property.

The affidavit shall specify, and officers shall ensure that the warrant includes, the following:

- Items shall be listed specifically and described in detail. This would include serial numbers, when known. If an item can be dismantled (e.g. firearms, computers), the warrant should authorize a search for parts, pieces or components of that item.
- All anticipated instrumentalities of the crime.
- Any current evidence, such as mail, linking the suspect's residency to the location of criminal conduct.

Officers anticipating a search of a computer, or other related high-technology equipment, may consult with the Kentucky Regional Computer Forensics Laboratory (KRCFL) for appropriate language to use in the affidavit and for the procedures governing the seizure of hardware and software.

## 8.1.6 PROBABLE CAUSE

The inclusion of all facts supporting probable cause allows the reviewing judge to accurately assess the likelihood that evidence or contraband will be found on the premises. The initial section of the search warrant affidavit should detail the information that prompted the investigation. The offense should be described in reference to the appropriate Kentucky Revised Statute (KRS), when possible. Officers shall not rely solely upon personal opinion, unauthenticated third-party information or hearsay.

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## 8.1.6 PROBABLE CAUSE (CONTINUED)

Probable cause may be based on:

- Personal observation/knowledge of the officer.
- The information contained in police reports. This should be detailed in the first section of the probable cause portion of the affidavit and include the report number, narrative, description and name of the suspect, if known.
- Information from a reliable source (e.g. either named or unnamed informant, victim, witness or suspect). An officer must provide both the dates when the information was received and when the reliable source obtained the information. In order to protect confidential informants, an officer may state the date in more general terms (e.g. "within the past 48 hours").
- Corroborated information from informants. When sources are used, particularly confidential informants, the reliability of the source and of the information provided shall be specified.

## 8.1.7 CREDIBILITY OF INFORMANTS

Establishing the credibility of an informant can be shown in the affidavit by indicating one (1), or more, of the following:

- The informant is a law enforcement officer
- The name of the informant
- The statement of the informant was against his/her penal interest
- The informant has previously given reliable information
- The informant's information has been duplicated by another independent source
- The officer has been able to corroborate some of the information through independent investigation

## 8.1.8 INDEPENDENT INVESTIGATION

Whenever possible, officers shall corroborate and verify investigative information, regardless of the initial source. This section should include every investigative step that the officer took after receiving the initial information. Independent investigation may include:

- Surveillance information.
- Record checks (e.g. arrest, utilities, telephone book, Criss-Cross Directory, city and county directories, Probation and Parole, pawn, auto registration, serial number checks, etc.).
- Witness statements.
- Physical evidence, such as fingerprints or DNA.
- Information from other agencies or individual police officers. An officer may show probable cause by coordinating, and corroborating, the knowledge of several officers.
- Strong circumstantial evidence, when combined with one (1) of the above.

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## 8.1.9 TIME AND METHOD OF SEARCH

A search warrant may be served at any time of the day or night.

Anticipatory search warrants may be sought when it can be shown that the evidence in question will be at a specific location at some time in the near future. The evidence must be in place before the search warrant is executed.

A search warrant may be applied for, and obtained, after the premise has been seized. For example, if an officer responds to a dispatched run and notices contraband or stolen goods, the officer may secure the premises until a search warrant can be obtained.

In securing the premises, the officer may search only for persons and only in places capable of hiding a person. Any other search must wait for a search warrant. However, in the course of searching for persons when securing the premises, any evidence found may also be added to the probable cause listed in the affidavit.

## 8.1.10 SEALING SEARCH WARRANTS/AFFIDAVITS (CALEA 82.1.1c)

KRS 17.150 exempts law enforcement reports and records of ongoing, or incomplete, investigations from public disclosure. KRS 17.150(3) provides that if a demand is made for inspection of the sealed records, the custodian bears the burden to justify the refusal with "specificity". Therefore, an officer must be able to articulate specific reasons for the decision to seal a search warrant and affidavit. Such reasons may include the following:

- Informant confidentiality
- Protecting a juvenile's identity
- Protecting the integrity of an ongoing investigation

Any application for sealing a warrant must be approved by the unit commander and a prosecutor in the Office of the Commonwealth's Attorney.

In order to have a search warrant and/or affidavit sealed prior to service, the officer should take the order to seal and the original warrant to the judge simultaneously for signing. The judge will submit the original order to seal along with the search warrant/affidavit to the District Court Administrator's Office.

In order to have a search warrant and/or affidavit sealed after service, the officer should have the order to seal signed by a judge. It is not necessary to have the same judge sign the order to seal that signed the original search warrant.

Once sealed, the documents will remain in the possession of the clerk's office until directed otherwise by the court that issued the original order. Nothing in this policy or in KRS relieves an officer from the requirement to provide a copy of the search warrant and inventory, if any, to the owner/occupant of the premises searched, as described in SOP 8.1.12.

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## 8.1.10 SEALING SEARCH WARRANTS/AFFIDAVITS (CONTINUED)

Upon receiving a request to unseal the warrant, the clerk's office will forward the sealed documents to the Chief Judge of the appropriate court, who will make the decision whether or not to unseal the documents.

If information contained in the sealed documents is discovered by the media before the warrant is served, the lead investigating officer should contact the clerk's office. This will allow the clerk's office to investigate and determine if confidential information is being divulged.

## 8.1.11 APPLYING FOR SEARCH WARRANTS

During the hours when court is in session, officers shall have search warrants and affidavits reviewed, and signed in blue ink, by an on-duty District or Circuit Court Judge. The officer shall leave an original signed copy of the warrant and affidavit with the authorizing judge.

The process for applying for a search warrant after court hours is as follows:

- The officer shall call the Court Clerk's Office at (502) 595-3000.
- Depending on the preference of the on-call judge, the clerk will either:
  - Advise the officer to come to the Court Clerk's Office on the first floor of the Hall of Justice, where the affidavit and search warrant will be faxed to the judge; or
  - Give the officer the judge's name, obtain the officer's phone number and contact the judge.
- If the warrant is to be faxed to the judge by the clerk:
  - The officer shall go to the Court Clerk's Office on the first floor of the Hall of Justice with an affidavit and search warrant.
  - The clerk will then swear in the officer.
  - The officer will sign the affidavit in blue ink.
  - The clerk will sign the affidavit noting that the officer was sworn in on that date and time.
  - The clerk will call the on-call judge and fax the affidavit and search warrant.
  - The on-call judge will review the affidavit and warrant, approve (sign) or deny the request and fax the documents back to the clerk's office.
  - The officer will retain copies of both documents.
  - The original affidavit, copy of the search warrant and order to seal, if applicable, will be retained by the clerk and forwarded to the Court Administrator's Office.
  - The original search warrant will be turned in to the Court Administrator's Office by the on-call judge.
- If the judge prefers to meet the officer in-person, he/she will:
  - Contact the officer and arrange to meet him/her to review the affidavit and warrant.

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## 8.1.11 APPLYING FOR SEARCH WARRANTS (CONTINUED)

- Swear the officer in.
  - Have the officer sign the affidavit and search warrant documents in blue ink.
  - Review the affidavit and warrant, and approve (sign) or deny the request.
  - Retain the original affidavit, search warrant and order to seal, if applicable, and forward them to the Court Administrator's Office.
- The officer shall retain appropriate copies of all search warrant documents.

Under these procedures the officer may go directly to the Court Clerk's Office to initiate this process, but he/she is not required to do so, unless instructed by the clerk.

## 8.1.12 DISTRIBUTION OF COPIES

Copies shall be distributed in the following manner:

- One (1) copy of the search warrant and one (1) copy of the inventory sheet shall be left with the owner/occupant of the premises. If the owner/occupant is not present, copies shall be left in a conspicuous place on the premises.
- One (1) copy of the search warrant, affidavit, inventory sheet and order to seal, if applicable, shall be retained by the officer for the case file.
- One (1) copy of the search warrant, affidavit, inventory sheet and order to seal, if applicable, shall be forwarded to the Legal Advisor's Office. Officers should not send additional documents with the search warrant documents (e.g. risk assessment matrices, operations plans, currency seizure forms), as anything returned to the Jefferson Circuit Court Clerk's Office is subject to open records inspection.

If a search warrant is not executed, a copy of the search warrant, affidavit and order to seal, if applicable, shall be retained by the officer for his/her case file and the remaining copies shall be sent to the Legal Advisor's Office with the words "Not Executed" written on the first page of the search warrant. If the officer wants the search warrant documents to be exempt from open records inspection, he/she shall follow the instructions in SOP 8.1.10 for sealing search warrants.

## 8.1.13 RISK ASSESSMENT MATRIX/SWAT TEAM RESPONSE (CALEA 46.2.1b-c, KACP 19.6d)

A Risk Assessment Matrix (LMPD #05-0016) shall be completed prior to the service of all search warrants. A commanding officer shall complete an Arrest/Search Warrant Information Sheet (LMPD #05-0023) and notify the Special Weapons and Tactics (SWAT) Team Commander to coordinate a response if:

- The Risk Assessment Matrix score necessitates the use of the SWAT Team, or
- Credible information exists that indicates an automatic weapon is located on the premises to be served

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## 8.1.13 RISK ASSESSMENT MATRIX/SWAT TEAM RESPONSE (CONTINUED)

Prior to SWAT Team entry, the SWAT Team Commander shall be provided a copy of the search warrant and matrix. The SWAT Team shall only assist with the entry and security search.

All completed matrices shall be forwarded, through the appropriate chain of command, to the Support Bureau Commander or Patrol Services Commander. A copy of the completed matrix shall be forwarded to the SWAT Team Commander.

Nothing in this section prohibits a commanding officer from consulting the SWAT Team Commander, even if the matrix requirements for a call-out are not met.

## 8.1.14 CLANDESTINE LAB GUIDELINES

Clandestine labs pose a serious danger to responders and surrounding neighborhoods. Police officers are prohibited from entering a known clandestine drug laboratory without proper equipment and certifications and prior to conducting air monitoring and an explosive sweep.

Laboratory-certified narcotics detectives must be present prior to entry at locations with suspected clandestine labs. Clandestine labs shall be treated as hazardous material sites and officers shall follow the procedures outlined in SOP 12.4 and SOP 12.12. Officers shall have MetroSafe contact the on-call Clandestine Laboratory Enforcement Team (CLET) in the following situations:

- Prior to entering a suspected lab to serve a search warrant, or for any other reason
- If a lab is inadvertently located during other unrelated police activity

## 8.1.15 HANDLING OF ANIMALS AT SEARCH WARRANT LOCATIONS

In circumstances in which officers have sufficient advanced notice that a potentially dangerous domesticated animal (e.g. dog, cat, etc.) may be encountered during the execution of a search warrant, they should develop reasonable contingency plans for dealing with the animal without the use of deadly force. Such plans may include the use of a fire extinguisher, Electronic Control Weapon (ECW), Oleoresin Capsicum (OC) spray or the assistance of Louisville Metro Animal Services (LMAS). When the officer reasonably believes, based on the facts and circumstances, that the animal on which the force is used poses an immediate threat of injury or damage to the officer, another individual or property (CALEA 1.3.2, KACP 1.3b), he/she shall use the minimum amount of force necessary to bring the animal under control (KACP 1.3a). Nothing in this policy shall prohibit any officer from resorting to deadly force to control a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impracticable (refer to SOP 8.33.1).

If a domesticated animal is injured as a result of an officer using force in response to a humane act or a defensive situation, the officer shall complete an Administrative Incident Report (AIR) (LMPD #03-03-0001), including when an ECW is used (CALEA 1.3.6a, c) (refer to SOP 3.1).

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## 8.1.15 HANDLING OF ANIMALS AT SEARCH WARRANT LOCATIONS (CONTINUED)

If an officer has to shoot and kill an aggressive domesticated animal during the execution of a search warrant, he/she shall request that MetroSafe contact LMAS for removal, unless the owner elects to take care of the animal.

## 8.1.16 TIME LIMITATIONS ON SEARCH WARRANT EXECUTION

A warrant issued to search a place where alcoholic beverages are being sold, or possessed, must be executed the day that the officer receives the warrant.

All other search warrants shall be executed within a reasonable amount of time, usually within 24 - 48 hours. If circumstances necessitate a delay in executing a search warrant, the probable cause listed on the affidavit must still exist when the warrant is served. Additional information discovered in the interim, that substantiates probable cause, may be added to the warrant; however, it must be signed again by a judge.

An issued search warrant or affidavit may not be changed in any manner, even to correct spelling, unless it is signed again by a judge.

## 8.1.17 PREPARATION FOR EXECUTION OF WARRANT

A commanding officer shall be responsible for ensuring that the search warrant is valid and that the premise to be searched is the location listed on the warrant. For the purposes of this policy, acting sergeants shall be considered commanding officers. The lead officer shall complete a Search Warrant Operations Plan form (LMPD #05-0025).

Prior to warrant service, the on-scene commander shall act as the Incident Commander (IC) for service of the search warrant and shall ensure that the Incident Command System (ICS) is implemented and followed (CALEA 46.1.3a). The IC shall conduct a briefing with all search team personnel. This briefing shall include:

- A review of operations and procedures that the search personnel will follow.
- An analysis of conditions at the premises utilizing maps, charts and diagrams, when appropriate.
- Tactics and equipment that are to be used in the event of forced entry.
- A pre-planned hospital route.

The IC shall also determine if any circumstances have changed that would make executing the search warrant, at that time, undesirable.

MetroSafe shall be notified that a search warrant is being executed. For safety reasons, this notification may be made by phone. If the search warrant is executed within another police jurisdiction, that agency shall be notified.



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## 8.1.17 PREPARATION FOR EXECUTION OF WARRANT (CONTINUED)

When a search warrant is executed in another division, the on-duty supervisor in the affected division shall be notified. If requested, a uniformed officer shall be provided to assist.

## 8.1.18 ENTRY PROCEDURES

All members of the search team shall wear body armor (CALEA 41.3.6).

All non-uniformed officers shall be clearly identified as law enforcement officers by a distinctive armband, jacket or other indicator of position.

## 8.1.19 NOTIFICATION

Before entry to the premises is made, the officer executing the search warrant shall give appropriate notice of his/her identity and purpose. To justify a "no-knock" entry, an officer must have a reasonable suspicion that knocking and announcing his/her presence under the particular circumstances would:

- Be dangerous or futile; or
- Inhibit the effective investigation of the crime (e.g. the destruction of evidence).

If the officer has reasonable suspicion, prior to obtaining a search warrant, that circumstances exist which may justify a "no-knock" entry, he/she shall seek a "no-knock" search warrant. To obtain a "no-knock" search warrant, the officer shall:

- Obtain prior approval from a lieutenant or above; and
- Describe the circumstances that he/she believes justify the necessity for a "no-knock" search warrant, in the warrant affidavit; and
- Verbally advise the reviewing judge that he/she is requesting a "no-knock" search warrant.

If the judge approves a "no-knock" entry, the officer shall ensure that the judge writes the words "no-knock" search warrant, or other words that clearly state the judge's approval, on the search warrant document. Merely requesting a "no-knock" entry in the affidavit is insufficient.

If the signing judge does not approve a "no-knock" entry, the executing officer shall give appropriate notice of his/her identity and purpose. If the on-site supervisor becomes aware of exigent circumstances, during the execution of the warrant, that would provide justification for a "no-knock" entry, they may authorize a "no-knock" entry, as needed. All "no-knock" entries shall be documented on an AIR (LMPD #03-03-0001). It shall be noted in the AIR whether the signing judge approved a "no-knock" entry.

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## 8.1.19 NOTIFICATION (CONTINUED)

Each situation must be considered individually, based on the facts known prior to, and during, the execution of the search warrant. The officer may use whatever force is reasonable to execute the warrant, including forced entry into the building to be searched.

## 8.1.20 ON PREMISES ACTIVITIES

The lead officer shall ensure that members of the search team conduct a security sweep of the premises and secure all persons found.

Before undertaking any search or seizure pursuant to the warrant, the lead officer should give a copy of the warrant to the person to be searched, or the person in apparent control of the premises or vehicle to be searched.

Once the premises have been secured, each room or vehicle should be carefully searched. This search should be conducted by pairs of officers or, at a minimum, officers in visual contact with one another. If manpower permits, each area should be searched twice by different officers.

The lead officer shall ensure that the entire search warrant execution process is documented. A written record shall be supported by photographs and, if practical, a videotaping of the entire search site from start to finish.

Members are required to process property, or evidence, in accordance with established policies and procedures of the Louisville Metro Police Department (LMPD).

Members are prohibited from converting for their own use, manufacturing, concealing, falsifying, destroying, removing, tampering with or withholding any property, or evidence, in connection with an investigation or other police action, except in accordance with established departmental procedures and statutory law.

## 8.1.21 SEIZED ITEMS

Items to be seized are as follows:

- Items listed specifically in the warrant
- Instruments of the crime
- Fruits of the crime
- Contraband, or items illegal to possess, such as illegal drugs or stolen property, that are either in plain view or found within the scope of the search (KACP 1.4b)

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## 8.1.21 SEIZED ITEMS (CONTINUED)

Suspected stolen articles may not be manipulated, or moved, for the sole purpose of checking for serial numbers or other identifying markings. If, for example, an officer lifts a television set to search for drugs, and notices a serial number that has been listed as belonging to a stolen television, the television can be seized, but the officer must be able to articulate the reason that the television was moved.

A logging officer shall document the collection of, and be responsible for, the preservation of evidence until the items are transferred to an evidence custodian. All seized items should be photographed, or their location documented, prior to being taken to the logging officer (CALEA 83.2.2).

The logging officer should complete an inventory sheet that includes the following (CALEA 83.2.1):

- Items seized.
- Location seized.
- Time seized. Preferably one (1) timepiece should be used to avoid discrepancies.
- Name and code number of the seizing officer.

If an inventory sheet is not utilized, the logging information should be written on the search warrant.

The lead officer shall ensure that a copy of the search warrant (not the affidavit) and a list of seized items are left at the site of the search.

The officer in charge shall complete all reports and evidence control forms before the end of his/her tour of duty. All evidence shall be properly packaged and turned in by the seizing officer prior to the end of his/her tour of duty, unless otherwise directed by competent authority (CALEA 84.1.1a-b).

## 8.1.22 DOCUMENTATION OF DAMAGES

If damage occurs during entry that may leave the premises vulnerable, arrangements shall be made to secure the premises in a reasonable fashion.

An AIR (LMPD #03-03-0001) shall be prepared on the actions that caused the damage, including a detailed description of the nature and extent of the damage. The damage shall be photographed, forwarded and attached to the form.

## 8.1.23 MOTOR VEHICLE TRACKING (KACP 1.4a)

Motor vehicle global positioning system (GPS) tracking during the course of a law enforcement investigation constitutes a search under the Fourth Amendment. Therefore, installing GPS devices on any vehicle or using the data from factory-installed GPS devices to obtain information regarding a suspect's activities or location,

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## 8.1.23 MOTOR VEHICLE TRACKING (CONTINUED)

without consent, requires a search warrant, unless there are exigent circumstances which would justify the immediate installation or retrieval of data (e.g. kidnapping suspect's vehicle) (KACP 1.4c). Officers obtaining a search warrant to install a GPS tracking device on any motor vehicle or using the data from a factory-installed GPS device shall have the search warrant and affidavit sealed by a Circuit Court Judge prior to installation/use (refer to SOP 8.1.10) and comply with the requirements of the warrant and/or affidavit. These requirements may include, but are not limited to, the following:

- The amount of time allowed to install the GPS tracking device on the motor vehicle (e.g. within ten (10) days)
- The allowance for trained personnel to covertly replace the batteries, as needed, within the time frame allowed in the narrative of the affidavit
- The geographic area, if known, in which the GPS tracking device may be placed or the data may be used (e.g. within the boundaries of Jefferson County, etc)
- The total amount of time that the GPS tracking device may be installed/placed on the motor vehicle or the data from factory-installed GPS devices may be used

Any extension of time for the placement of GPS tracking devices on a vehicle or the use of factory-installed GPS data requires the renewal of the search warrant and/or affidavit (e.g. every 30 days).

Any questions regarding the availability of GPS tracking devices or equipment shall be directed to the commander of the LMPD Narcotics Division Technical Operations Team (TOT) before a search warrant is sought.

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## 8.2 COURT

### 8.2.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) that members shall attend court when properly subpoenaed and shall represent the LMPD in a professional manner while attending court to ensure that cases are properly adjudicated.

### 8.2.2 RESPONSIBILITIES

#### Court System Personnel

Jefferson County District, Grand Jury and Circuit Court subpoenas for current LMPD members shall be entered into the CourtNotify module of the AgencyWeb system by Jefferson District Court and Jefferson Circuit Court personnel and/or by prosecutors from the Jefferson County Attorney's Office and the Office of the Commonwealth's Attorney.

#### Court Liaison Office

The Court Liaison Office (CLO) shall act as a liaison between the LMPD and external criminal justice system agencies that interact within the court system. The CLO is responsible for entering subpoenas received from sources other than the Jefferson County Courts and prosecutors (e.g. federal courts, other counties, private attorneys). The CLO is also responsible for monitoring court attendance and court attire. The CLO shall monitor members' attendance in court by conducting a daily audit of court attendance and shall audit dismissed felony cases to verify compliance with this procedure. Violations discovered during inspections and audits shall be documented, in writing, to the Assistant Chief of Police/Administrative Bureau.

#### Supervisor Responsibilities

Supervisors shall monitor subpoenas received by members under their command, via CourtNotify, to ensure that the subpoenas have been acknowledged. Supervisors who receive a request to acknowledge with exception shall review to verify proper justification. Subpoenas received, via CourtNotify, that have been viewed by a subordinate, but which have not been acknowledged, require that the supervisor contact the member and ensure that he/she properly acknowledges the subpoena(s). Subpoenas received, via CourtNotify that have not been viewed by a subordinate, due to extended leave or other legitimate reason, shall be the responsibility of the member's supervisor, who may acknowledge the subpoena with "exception" or notify the CLO for guidance.

#### Member Responsibilities

All sworn members, and civilian members in positions that may result in the receipt of a court subpoena, shall log into CourtNotify, at least once every tour of duty, and check for new subpoenas. The member shall review the information on subpoenas received to ensure that his/her name and code number appears on the subpoena. The member shall review the defendant's name to ensure that they were properly subpoenaed on a pending court case.

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## 8.2.2 RESPONSIBILITIES (CONTINUED)

If any of this information is incorrect, the member shall contact the CLO with the reason for the exception or error correction. The subpoenaed member shall acknowledge the receipt of all properly delivered and appropriately addressed subpoenas in CourtNotify. The subpoena information for each member is stored in a calendar within AgencyWeb. Each member is responsible for checking their calendar to ensure that they do not miss court. Members are responsible for tracking subpoena information for future court dates. This does not prevent a member from using additional methods for tracking his/her court schedule. Members may print a hardcopy of their subpoenas, though it is not required.

## 8.2.3 ACKNOWLEDGEMENT WITH EXCEPTION (REQUESTS FOR CONTINUANCE)

Members may occasionally have a valid reason for requesting an acknowledge with exception for a court event in CourtNotify. When subpoenaed members are unable to attend court due to extended illness, vacation, scheduled in-service training, out-of-town training or any other approved/required leave, the member, or his/her supervisor, shall notify the appropriate court and/or the assigned prosecutor, via CourtNotify, before the end of his/her current tour of duty. The member's supervisor is responsible for entering an acknowledgement with exception for the affected subpoenas. Specialty unit training (e.g. SWAT Team, HNT) is not an acceptable reason to request a continuance on a court case.

The following explanations shall be listed when entering an acknowledgement with exception (court continuance request) in CourtNotify:

- Court Continuance Requested> Vacation
- Court Continuance Requested> In-Service Training (e.g. out of state, out of county, etc.)
- Court Continuance Requested> Sick Leave (possible return date: mm/dd/yy)
- Court Continuance Requested> Military Training (return date: mm/dd/yy)
- Court Continuance Requested> Military Deployment (possible return date: mm/dd/yy)
- Court Continuance Requested> Other (enter an explanation, e.g. special duty, bereavement leave (return date: mm/dd/yy), etc.)

For cases in District Court, at least five (5) days notice is needed to request a continuance of a court case. For cases in Circuit Court, at least 14 days notice is needed to request a continuance of a court case. Any member requesting an acknowledge with exception for Circuit Court shall complete an Acknowledge with Exception Request form (LMPD #03-08-0100), documenting the reason for the request. The member shall send an email to the assigned Assistant Commonwealth Attorney, his/her supervisor and the CLO with an electronic copy of the form attached before the end of his/her current tour of duty.

If a subpoena is received less than the five (5) days needed for District Court or the 14 days needed for Circuit Court, the member shall contact the assigned prosecutor and the Office of the Commonwealth's Attorney in addition to notifying the CLO.

In situations with unanticipated leave, please refer to section 8.2.6.

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## 8.2.4 MEMBERS ON EXTENDED LEAVE

A member's immediate supervisor is responsible for monitoring subpoenas sent to members who are off from work due to injuries, sickness, extended leaves of absence, military leave, etc. Members are responsible for notifying their supervisors of any anticipated court cases that may occur during their absence from work. In the event of an extended absence, where it appears the member will not be available to attend court for an extended period of time, the member's supervisor shall review the member's pending court cases and shall determine, in felony or other critical cases, if it is possible that another member is well enough informed about the case to appear in court to offer similar testimony in place of the unavailable member. In these situations, the immediate supervisor may acknowledge the subpoena, with "exception" via CourtNotify, or shall contact the appropriate court and/or assigned prosecutor to provide notification of the member's extended absence. The supervisor shall monitor all future court dates and keep prosecutors advised regarding the member's status.

In situations with unanticipated leave, please refer to section 8.2.6 under Emergency Court Absence.

In cases where a supervisor is on extended leave and is responsible for acknowledging with exception for other members, the division/section/unit commander, or his/her designee, is responsible for notifying the CourtNotify administrator of whom is taking over his/her responsibilities in CourtNotify.

## 8.2.5 PERSONAL SERVICE, FAXED JUVENILE COURT AND HANDWRITTEN SUBPOENAS

Upon receipt of a personal service subpoena, the division/section/unit commander shall make appropriate arrangements for the subpoena to be accepted by the member, if available.

If a faxed copy of a juvenile subpoena or other subpoena is received at the division/section/unit on the same date as the court case, the desk clerk or designated staff member shall contact an on-duty supervisor, who shall immediately attempt to contact the subpoenaed member. Attempts to notify the member shall be documented and attached to the subpoena. If the court date on the faxed subpoena is within three (3) calendar days, the desk clerk or designated staff member shall advise the subpoenaed member's supervisor, who shall attempt to serve the subpoena and will attempt to contact the member by telephone if he/she is absent from work.

If a prosecutor handwrites a subpoena for a member, the following information must appear on the subpoena:

- Member's full name and code number
- Court date
- Case number
- Defendant's name

In order to receive court pay for appearing in response to a personal service, faxed juvenile (or other subpoena) or handwritten subpoena, members shall take the subpoena to a CLO sergeant, located in the Hall of Justice, on the date of the appearance, and have it logged in to the CourtTracker system.

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## 8.2.6 ATTENDANCE

Members shall appear in the appropriate courtroom and at the proper time, as specified on the subpoena or as instructed by the court. Members shall be punctual as if reporting for duty (refer to SOP 5.1.33).

### Release by Prosecutor

If members are subpoenaed, they shall honor their subpoena and appear in court, unless notice is received from a prosecutor that they are released from their subpoena and need not attend. This notice must be provided in one (1) of the following ways:

- In writing from the prosecutor to the member. The notice may be on paper or by email. In this situation, the subpoenaed member should forward a copy of the notice to his/her respective commanding officer and the CLO, if on paper, or to the respective commanding officer and the CLO email mailbox at "Court Liaison" located within the department's email distribution list, if electronic. The member must ensure that the defendant's name, the court date/time and the case number are included in the notice that he/she sends to his/her commanding officer and the CLO.
- A commanding officer may contact the prosecutor to discuss cases where multiple members are subpoenaed. This may occur in a proactive fashion to ensure that members are not unnecessarily scheduled to appear, or when a subordinate member brings the matter to the commanding officer's attention. In this situation, the commanding officer will discuss the matter with the appropriate prosecutor who will advise if any of the subpoenaed members may be released from the subpoena. If members are released from the subpoena, a commanding officer shall send an email to the released members and the CLO email mailbox documenting the defendant's name, court date/time, case number, names of the members who are released and the name of the prosecutor releasing the subpoenaed members.

When the CLO receives notice of released members from a commanding officer or prosecutor, the CLO staff will update CourtNotify to reflect the excused absence. When a member has received notice, as documented above, that he/she is released from a specific court appearance date, time and defendant, the member shall not attend court for that specific appearance.

### On-Call Subpoenas (STANDBY)

When a member receives a subpoena that specifically advises that the member is on-call, the member does not have to attend court unless contacted by the prosecutor.

### Emergency Court Absence

Occasionally, members may have a personal emergency, such as a sudden illness, that prevents them from attending court. When no acknowledgement with exception has been submitted and unforeseen circumstances prevent a member from attending court, members shall call the CLO at (502) 574-0964, at least one (1) hour before the court start time. Unforeseen circumstances do not include, and are not limited to, in-service training, specialty monthly training, other training, vacation, child care issues or out-of-town trips. Members shall provide the following information for each case:



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## 8.2.6 ATTENDANCE (CONTINUED)

- Member's name, code number and division/section/unit
- Defendant's name
- Courtroom number
- Reason that the member cannot appear
- Phone number or cell phone number where the member can be reached

The CLO shall:

- Contact a prosecutor in the courtroom where the member was scheduled to attend, advise him/her of the member's absence and provide him/her with the member's contact number.
- Assist the prosecutor in obtaining another member to testify, if needed, to establish probable cause in the case.
- Send an email notification to the member's division/section/unit commander, advising the commander of the member's missed court appearance and the reason provided by the member.
- Maintain a file of all correspondence with division/section/unit commanders concerning missed court appearances.
- Forward a report of all missed court appearances, from emergency case continuance requests, to the Assistant Chief of Police/Administrative Bureau on the first business day of every month.

The subpoenaed member shall:

- Complete an Absence from Court Memorandum (LMPD #10-0003) and submit to the division/section/unit commander, detailing the reason for his/her absence from court, the defendant's name, the date of appearance and the highest charge listed on the subpoena. This memorandum shall be completed prior to the end of the member's next scheduled tour of duty.

The division/section/unit commander, or his/her designee, shall:

- Ensure that members under his/her command have submitted a completed Absence from Court Memorandum, for any missed court appearance.
- Verify the reason for the missed court appearance that was provided by the member.
- Forward the completed Absence from Court Memorandum, to the CLO, indicating whether the member's absence was or was not compliant with this SOP.

When staffing levels prevent a member from attending court, the member's supervisor shall call the CLO at (502) 574-0964 and advise that the member will be on-call in the division/section/unit. When practical, this notification should be made one (1) hour prior to the earliest scheduled appearance. The supervisor shall provide the CLO with the member's name, the defendant's name and the applicable courtroom on all cases so the CLO can notify the appropriate prosecutor(s). Supervisors are responsible for entering an acknowledgement with exceptions for those subpoenas that are affected.

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## 8.2.7 DEMEANOR

Members appearing in court shall avoid any indication of bias, prejudice or anger. They shall testify in a clear, concise and distinct manner. Questions shall be answered truthfully, without any trace of evasion. Personal behavior shall be exemplary while in court (CALEA 26.1.1).

## 8.2.8 DRESS CODE

Members shall appear in court in uniform or appropriate business attire. Members subpoenaed to testify in a trial or other hearing shall wear the Class A uniform or appropriate business attire. For male members, appropriate business attire is a dress shirt, tie and dress slacks. Female members must wear an appropriate dress, skirt or dress slacks and blouse. Specialty unit assignments do not exempt members from this requirement (CALEA 26.1.1).

## 8.2.9 FIREARMS

Sworn members may be armed in a courtroom at the discretion of the presiding judge. When a presiding judge prohibits a firearm in his/her court, the sworn member shall secure the weapon in a locked receptacle as close to the courtroom as possible. A sworn member wearing business attire to court must have his/her firearms concealed at all times (CALEA 26.1.1).

## 8.2.10 GRAND JURY

Before a case is submitted to the Grand Jury by an officer, the case must either have been assigned by District Court or have been reviewed by the Office of the Commonwealth's Attorney and approved for a direct submission. Officers shall be assigned a date to appear before the Grand Jury to testify about the case. Officers shall follow the current procedures of the Office of the Commonwealth's Attorney regarding forms and deadlines.

## 8.2.11 OUT-OF-TOWN TESTIFYING

Members subpoenaed to testify in a court outside of Jefferson County, in cases that result from official duties as a LMPD employee, shall maintain a record of time spent in court, travel time and a copy of the subpoena. The member shall notify his/her immediate supervisor of the required appearance. Driving an assigned police vehicle for a court appearance outside of Jefferson County requires prior oral approval from a member with the rank of lieutenant or higher (refer to SOPs 2.18 and 4.14). The member shall submit an Out-of-County Court Notification form (LMPD #08-0016). The subpoena shall accompany the request form. This form shall be forwarded to the CLO for processing.

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## 8.2.12 COURT ATTENDANCE DOCUMENTATION

### Electronic Court Attendance System

Members shall follow current departmental procedures for seeking compensation for court appearances. When off-duty, members shall be reimbursed for court appearances consistent with the appropriate collective bargaining agreement. When members appear in court while on-duty, they shall not be compensated by the department unless the appearance lasts longer than his/her tour of duty.

Members attending court shall swipe into the electronic court attendance system, before the beginning of court, by using their LMPD identification card. After all cases are properly handled and the member is released by all applicable prosecutors, he/she shall swipe out of the CourtTracker using his/her LMPD identification card. Members shall swipe in and out for on-duty and off-duty court appearances. Members may not swipe another member in or out of court by using that member's credentials.

### Case Disposition Types

When swiping out of court, members shall choose the appropriate disposition, in CourtTracker, for each case they appeared on.

The disposition must be chosen from a listing of approved CourtNotify dispositions displayed in the system.

If a member fails to bring his/her ID to court for sign-in/sign-out, the member shall manually enter his/her username and password in CourtTracker so the member's attendance can be verified and recorded.

While on sick leave, injury leave or light-duty, members shall be paid for court appearances consistent with the appropriate collective bargaining agreement (refer to SOP 2.9.3) (KACP 10.2c).

## 8.2.13 JUVENILE COURT

Since juveniles are not entitled to bail, a juvenile charged with a criminal offense may be held in custody while awaiting trial. This may only be accomplished following a detention hearing which must be held within 48 hours of the juvenile's initial arrest. Due to the short time frame, the arresting member's division/section/unit may receive a subpoena via fax, from juvenile court, within 24 hours of the arrest. If the member is notified, via his/her division/section/unit, that a subpoena has been received, the member shall call the Juvenile Court Office at (502) 574-0148 to determine the time necessary for his/her appearance at the hearing.

## 8.2.14 DISMISSING CRIMINAL CASES

The LMPD has a direct interest in ensuring that court cases are handled appropriately and are not needlessly dismissed because LMPD members failed to appear or adequately assist in prosecution, used poor investigative techniques or lacked probable cause for the initial arrest. In some situations, it is appropriate and necessary for a LMPD member to request that a prosecutor consider dismissing a case. Examples of appropriate dismissals may include the dismissal of criminal cases where a defendant has already been indicted on the same charges,

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## 8.2.14 DISMISSING CRIMINAL CASES (CONTINUED)

the defendant is deceased or witnesses refuse to cooperate with the prosecution.

Any officer who requests, for any reason, to have a felony case dismissed where he/she is the primary arresting officer, shall obtain the approval of his/her immediate supervisor prior to requesting the dismissal. If the member's immediate supervisor is unavailable, the officer may proceed with the dismissal request but will be required to justify the appropriateness of the dismissal during the monthly audit of dismissed cases.

The officer should retain notes regarding the dismissal so they can fully explain the reason that the case was dismissed. Nothing in this policy prevents an officer from completing a Felony Case Dismissal form (LMPD #09-0006) at the time the case is dismissed.

If the officer intends to pursue a direct indictment of the defendant, prior to dismissing the case in District Court, the officer must present his/her case to a prosecutor from the Office of the Commonwealth's Attorney in the Rocket Docket Division, as required by the Office of the Commonwealth's Attorney. If the prosecutor from the Office of the Commonwealth's Attorney approves the case for Rocket Docket status, the officer shall have the prosecutor from the Office of the Commonwealth's Attorney indicate his/her approval by writing it on the case jacket. For this type of dismissal request, the officer should check "By Agreement of Assistant Commonwealth's Attorney" on the Felony Case Dismissal form.

If the officer wishes to use the defendant as an informant, but would like to reserve the right to present the case to the Grand Jury at a later date, the officer must have the case reviewed by a prosecutor from the Office of the Commonwealth's Attorney and obtain his/her written approval on the case jacket prior to dismissing the case in District Court. In the event that the informant fails to work with the officer as agreed, the officer shall contact the Office of the Commonwealth's Attorney and request to proceed with submission to the Grand Jury. Officers using defendants as informants must follow the procedure outlined in SOP 8.23. For this type of dismissal request, the officer should check "By Agreement of Assistant Commonwealth's Attorney" on the Felony Case Dismissal form.

The CLO staff will audit felony case dismissals on a monthly basis by using reports of dismissals generated by court officials. Dismissals of specific classes of misdemeanor charges may also be audited (e.g. Domestic Violence and DUI charges). The purpose of the audits is to determine whether the actions of LMPD officers were appropriate and within policy guidelines. After each calendar month ends, the CLO staff will receive dismissal reports from court officials and will compile a listing of dismissals from the previous calendar month by the primary arresting officer, division/section/unit and information regarding the specific case(s). Reports of dismissals and available supporting documents will be forwarded by CLO staff to the appropriate division/section/unit commanders for review. Division/section/unit commanders, or their subordinate commanding officers, shall meet with the member, who will complete a Felony Case Dismissal form.

Division/section/unit commanding officers will complete their respective section of the Felony Case Dismissal form and the division/section/unit commander will return them, en masse, to the CLO by the return date specified by the Assistant Chief of Police/Administrative Bureau.

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	Effective Date: 06/11/03 Revised Date: 02/08/06
	Accreditation Standards: CALEA: 1.2.8 KACP: 1.4
Chapter: Field Operations	
Subject: Strip Searches	

## 8.3 STRIP SEARCHES (KACP 1.4e)

### 8.3.1 PURPOSE

This policy provides Louisville Metro Police Department (LMPD) officers with guidelines for determining if, and under what conditions, the use of strip searches and body cavity searches are legally permissible. It also establishes guidelines for the appropriate conduct of such searches. An Administrative Incident Report (AIR) (LMPD #03-03-0001) shall be completed whenever a full, or partial, strip search or a body cavity search is conducted (CALEA 1.2.8c).

### 8.3.2 DEFINITIONS

**Full Strip Search:** Having a suspect or prisoner remove all clothing exposing the genital areas, anus, buttocks or female breasts in order to permit the visual or manual inspection of any, or all, skin surfaces.

**Partial Strip Search:** Having a suspect or prisoner remove, or arrange, any article(s) of their clothing, exposing any area(s) of the body that are not readily visible without the removal, or arranging, of the article(s). These areas might include the genital areas, anus, buttocks or female breasts.

**Body Cavity Search:** Any search involving not only visual inspection of skin surfaces but also the internal physical examination of body cavities and, in some instances, organs, such as the stomach.

### 8.3.3 STRIP SEARCHES IN THE FIELD (CALEA 1.2.8a-b)

Strip searches without a warrant are presumed to be unreasonable and therefore prohibited by the Fourth Amendment, unless there are certain exigent circumstances and probable cause. Strip searches are among the most intrusive actions that an officer can make, and consequently, they are subjected to very close scrutiny.

Strip searches of individuals in the field who have not been arrested may be conducted only in the following exigent circumstances (KACP 1.4c):

- When there is probable cause to believe that evidence will be destroyed, or lost, in the absence of an immediate strip search; or
- When there is probable cause to believe that an immediate search is necessary in order to prevent imminent danger to the safety, or health, of the officer or the public

Officers are prohibited from conducting either a partial, or full, body strip search in the field, in public view, unless probable cause of a threat of imminent danger to the officer, or the public, exists. Without an imminent threat of danger, strip searches shall be conducted out of public view. Full body strip searches shall only occur in extreme cases.

Otherwise, a warrant shall be obtained, or an arrest made, before a strip search shall be conducted.

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## 8.3.4 STRIP SEARCHES INCIDENTAL TO ARREST

The arrest of an individual does not automatically justify a strip search. Before an officer may conduct a strip search incidental to arrest, the officer must have probable cause to believe that the arrestee is carrying a weapon, illegal drugs or contraband.

## 8.3.5 STRIP SEARCH GUIDELINES

The following guidelines shall be followed when conducting a strip search:

- Except in exigent circumstances where time constraints prohibit prior approval, supervisory approval is required before conducting a strip search. In the event that the suspect's actions warrant an immediate search, the supervisor shall be notified immediately following the search and apprised of the circumstances (CALEA 1.2.8a).
- The search shall be conducted, and witnessed, by officers of the same gender as the suspect. The search shall be performed in a location where the search cannot be observed by persons not conducting, or witnessing, the search in an official capacity (CALEA 1.2.8b).
- Officers are prohibited from conducting full body strip searches in the field, in public view, unless probable cause exists regarding a threat of imminent danger to the officer (CALEA 1.2.8b). Full body strip searches shall only occur in extreme cases.
- A Terry Stop does not give an officer the authority to conduct a strip search. A Terry Stop only allows for the pat down of the person's outer clothing when the officer has reasonable grounds to believe that the person is armed, and is limited in scope to search for weapons for the protection of officers, and others, at the scene. (Refer to SOP 3.6 and 8.24).

## 8.3.6 BODY CAVITY SEARCH (CALEA 1.2.8a)

If the visual examination of a suspect during a strip search or other information leads an officer to believe that the individual is concealing a weapon, evidence or contraband within a body cavity, the officer shall consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. Body cavity searches shall be performed only by medical personnel in a medical facility, pursuant to a search warrant or court order.

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	Effective Date: 07/26/03 Prv. Rev. Date: 12/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 42.2.1 KACP: 17.4, 17.5
Chapter: Field Operations	
Subject: Hate Crimes	

## 8.4 HATE CRIMES

### 8.4.1 PURPOSE

This policy is designed to assist members in identifying crimes motivated by bias toward an individual's race, religion, disability, sexual orientation or ethnicity/national origin and to outline the appropriate steps for aiding victims and apprehending perpetrators.

### 8.4.2 POLICY

It is the policy of the department to protect the rights of all individuals regardless of their race, religion, disability, sexual orientation or ethnicity/national origin. Any crimes designed to infringe upon these rights are viewed seriously and given high priority.

### 8.4.3 DEFINITIONS

The following definitions are from the Federal Bureau of Investigations (FBI):

**Bias:** A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation or ethnicity/national origin.

**Hate Crime:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation or ethnicity/national origin; also known as a bias crime.

Even if the offender was mistaken in his/her perception that the victim was a member, or the property belonged to a member, of the group that he/she was acting against, the offense is still a hate crime as long as the offender's actions were motivated by bias against the group.

### 8.4.4 INITIAL RESPONSE PROCEDURES (KACP 17.5)

Before an incident can be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

Officers shall consider the following factors when determining whether a hate crime has occurred (CALEA 42.2.1a):

- Information received from the victim

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## 8.4.4 INITIAL RESPONSE PROCEDURES (CONTINUED)

- Evidence observed or collected at the scene
- Knowledge of existing criminal patterns in the area
- Information received from the perpetrator

Obscene or threatening phone calls that contain racial, religious, homophobic or ethnic slurs shall be considered hate crimes.

The following procedures shall be followed at the scene of a hate crime:

- Identify the injured parties and provide medical assistance, if needed
- Determine whether any perpetrators are present and take appropriate enforcement action
- Identify any witnesses or others who have knowledge of the crime (CALEA 42.2.1b)
- Protect the crime scene (CALEA 42.2.1c)
- Notify a supervisor
- Complete an incident report

When graffiti is the basis of a hate crime, the responding or investigating officer shall secure video or photographic evidence of the graffiti. The responding or investigating officer shall contact Metro Public Works and Assets to remove the graffiti immediately.

Officers shall document a hate crime in the I/Leads Records Management System (RMS) in the "offense" section under the "bias" category. These cases shall be forwarded to the detective sergeant before the end of the officer's tour of duty.

## 8.4.5 SUPERVISORY RESPONSIBILITIES (KACP 17.4)

Supervisors shall confer with the initial responding officer to verify the following:

- All necessary preliminary actions have been taken
- The victim has been provided immediate assistance
- All relevant facts have been documented appropriately

After assessing the situation, supervisors shall determine if a division detective should be notified and have one respond to the scene, if necessary.

## 8.4.6 INVESTIGATOR RESPONSIBILITIES

If a follow-up investigation reveals information affecting the categorization of a hate crime, investigators shall complete a supplement to the original report for any of the following circumstances:



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	Effective Date: 07/26/03 Prv. Rev. Date: 12/10/11 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 42.2.1 KACP: 17.4, 17.5
Chapter: Field Operations	
Subject: Hate Crimes	

## 8.4.6 INVESTIGATOR RESPONSIBILITIES (CONTINUED)

- If a previously reported crime was motivated by bias and it was not categorized as a hate crime, the supplemental report shall indicate that the crime was a hate crime.
- If a previously reported crime was categorized as a hate crime and the follow-up investigation reveals the crime was not motivated by bias, the supplemental report shall indicate that the crime was not a hate crime.
- If a previously reported crime was categorized as a specific type of hate crime and the follow-up investigation reveals the crime as another type of hate crime, the supplemental report shall indicate the corrected type of hate crime (e.g. racial bias changed to religious bias).

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Standard Operating Procedures	SOP Number: 8.5
	Effective Date: 07/20/03 Prv. Rev. Date: 08/10/12 Revised Date: 10/08/12
	Accreditation Standards: CALEA: 41.2.1, 81.2.13
Chapter: Field Operations	
Subject: False Alarms	

## 8.5 FALSE ALARMS (CALEA 41.2.1, 81.2.13)

### 8.5.1 POLICY

Burglar alarms shall be dispatched and require an officer response; however, there are certain circumstances that allow for the temporary termination of response to alarms.

### 8.5.2 VERIFYING CANCELLATION REQUESTS

There are three (3) types of alarm signals (hold up alarm, panic alarm and burglar alarm with Emergency Protective Order (EPO) or Domestic Violence Order (DVO) attached) that shall require an officer response, even after the alarm company requests a cancellation. MetroSafe will relay the cancellation information to the responding officer in order to provide the most current information; however, this does not permit the officer to cancel the call. An officer shall continue to the scene and verify the cancellation request in response to a hold up alarm, a panic alarm and a burglar alarm in which the alarm holder has an EPO, DVO or any other court domestic violence order.

### 8.5.3 TERMINATION OF RESPONSE TO ALARMS

The following shall apply to the termination of response to burglar alarms:

- Supervisors may authorize temporary termination of response to burglar alarms when an excessive number of false alarms occur at the same address during the same tour of duty or when there are unusual circumstances, such as storms or electrical problems.
- Supervisors shall refrain from broadcasting the termination over the radio and shall notify MetroSafe by telephone.
- The temporary termination of response to a particular alarm shall expire at the end of the supervisor's tour of duty.

### 8.5.4 ACCEPTABLE CODES

The use of a uniform set of codes ensures adherence to Metro Codified Ordinance Chapter 127, *Burglary and Hold up Alarm Systems*, and ultimately reduces the number of false alarms that are dispatched to officers.

The acceptable entry shall be one of the following five (5) codes:

- **FBAL** (False Burglar Alarm): This code shall be used when an officer finds no evidence of a criminal offense or attempted criminal offense, after having completed a timely investigation of the alarm site.
- **FHAL** (False Hold up Alarm): This code shall be used when the responding officer finds no hold up in progress.
- **UTAP** (Unable to Access Property): This code shall be used when the responding officer is unable to access the property safely (e.g. a high fence, loose animal, etc.).

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## 8.5.4 ACCEPTABLE CODES (CONTINUED)

- **UNFO** (Unfounded/Unable to Locate): This code shall be used when the officer is unable to find the property address relayed by dispatch.
- **CXAC** (Canceled by Alarm Company): This code shall be used when the alarm company calls dispatch to cancel the alarm before the officer arrives on the scene.

In the case of a false burglar or hold up alarm, the responding officer shall leave a false alarm brochure at the alarm site. This is a tri-fold brochure entitled *False Alarm Reduction Program*. Officers must legibly complete the following fields on the brochure:

- To (address that the officer is dispatched to)
- Date and time of arrival
- Name and code number of the responding officer(s)

If possible, the brochure should be given to someone present at the alarm site (e.g. employee, family member, key holder, etc.). If no one is present at the alarm site, the brochure should be attached to a conspicuous location, using the peel-off adhesive strip. These brochures may be obtained from the False Alarm Reduction Unit, located at Louisville Metro Police Department (LMPD) Headquarters at 633 W. Jefferson Street.

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Chapter: Field Operations	
Subject: Domestic Violence	

## 8.6 DOMESTIC VIOLENCE (KACP 30.1)

### 8.6.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes that domestic violence (DV) is a serious crime and gives these incidents a high priority classification. The failure of officers to properly respond to, and handle, a domestic violence investigation exposes the individuals, and the community, to potential danger. The department is required by Kentucky Revised Statute (KRS) 403.785 to undertake additional responsibilities that differ from those expected in non-family circumstances.

A JC-3 report shall be completed on all actual, or suspected, cases of child abuse, adult abuse or domestic violence (CALEA 82.2.1b).

Victim and witness safety are the most important aspects in any domestic violence incident. Officers shall promote safety through preventative means including arrest, providing a safety plan and the transportation of victims and children to a more secure location, when necessary.

The LMPD uses a holistic approach to respond to, investigate and arrest those who commit domestic violence offenses. Trained beat officers respond to the scene of a domestic violence assault, report domestic violence offenses and arrest offenders, whenever appropriate. Patrol division domestic violence detectives follow-up on misdemeanor domestic assaults, complete investigations and offer domestic violence services to victims. The LMPD also operates a centralized Domestic Violence Squad that focuses on felony domestic violence investigations.

### 8.6.2 DEFINITIONS

**Domestic Violence and Abuse:** Physical injury, sexual abuse, assault or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse or assault between family members or members of an unmarried couple.

**Family Member:** A spouse, including a former spouse, parent, grandparent, child, stepchild or any other person living in the same household as a child, if the child is the alleged victim.

**Unmarried Couple:** Each member of an unmarried couple which allegedly has a child in common, any children of that couple or a member of an unmarried couple who are living together or have formerly lived together. This definition includes same-sex couples.

### 8.6.3 DEPARTMENT GOALS

Through active enforcement of all appropriate domestic violence and abuse laws, the LMPD has established the following goals:

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## 8.6.3 DEPARTMENT GOALS (CONTINUED)

- To treat all acts of domestic violence as criminal conduct
- To reduce domestic assaults and homicides
- To reduce injuries to officers at domestic violence incidents
- To comply with the statutory mandates to report cases of known, or suspected, abuse and enforce the law against perpetrators
- To provide training on domestic violence, as required by law

## 8.6.4 DUTIES OF LAW ENFORCEMENT AGENCIES

Officers must complete a JC-3 report on all incidents of actual, or suspected, domestic violence, adult or child abuse, neglect or exploitation (CALEA 82.2.1a-b). This information shall be forwarded to the Cabinet for Health and Family Services, Department of Community Based Services, within 48 hours of learning of the incident or suspected incident. This duty exists whether or not an arrest has been made. The death of an adult or a child does not relieve the officer of the responsibility to report the circumstances surrounding the death, related to abuse or neglect.

## 8.6.5 DOMESTIC VIOLENCE INVESTIGATIONS (CALEA 42.1.4)

### Patrol Officer Responsibilities

Initial responding officers shall be responsible for the primary investigation (KACP 17.5). In cases of actual domestic violence, police intervention shall include, at a minimum:

- Checking the Law Information Network of Kentucky (LINK)/National Crime Information Center (NCIC) for outstanding warrants or protective orders (KACP 26.3) and verifying that service has been made.
- Making a physical arrest, when appropriate.
- Completing a JC-3 report, with appropriate charge and violation code (CALEA 82.2.1b).
- Taking photographs in all cases of domestic violence where there is evidence of physical injury and/or evidence of property damage.
- Giving the victim a copy of the report number and the victim's rights information on the lower portion of the JC-3 (CALEA 55.1.1, 55.2.3c).
- Providing the victim with information on legal remedies and available community services. Officers may transport the victim to a safer location, or District Court, to obtain a warrant or protective order.
- Providing the victim with information about what to do if he/she, or another family member, feels threatened by the perpetrator (CALEA 55.2.3b).
- Searching the immediate area if the perpetrator has fled the scene, or obtain information from witnesses regarding the perpetrator's location.

Patrol officers who make on-scene arrests in domestic violence incidents shall be responsible for all follow-up

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## 8.6.5 DOMESTIC VIOLENCE INVESTIGATIONS (CONTINUED)

and prosecution of these cases. Patrol officers shall arrest domestic violence perpetrators for misdemeanor or felony domestic violence assault offenses when the investigation reveals that the offender committed the offense, and the offender is still on scene. If an officer makes a felony domestic violence arrest, he/she shall contact the Domestic Violence Squad for assistance in documentation of the investigation.

### Patrol Division Domestic Violence Detective Responsibilities

The primary responsibility of patrol division domestic violence detectives is to conduct follow-up investigations of misdemeanor domestic violence offenses in their assigned division, where an arrest was not made by the beat officer. An additional responsibility is to proactively assist patrol officers with their domestic violence investigations. Patrol division domestic violence detectives may investigate felony domestic violence assaults and make arrests, when appropriate.

### Domestic Violence Squad Responsibilities

The primary responsibility of the Domestic Violence Squad is to investigate felony domestic violence assaults. They shall also work with community partners to offer support services to victims of domestic violence. Patrol officers shall contact the Domestic Violence Squad when they arrest for a felony domestic assault.

## 8.6.6 LETHALITY ASSESSMENT PROGRAM

The LMPD understands that many victims of domestic violence are in danger of serious physical injury or death at the hands of their abusers. As a result, the LMPD has adopted a Lethality Assessment Program (LAP) to aid in identifying domestic violence victims who are in danger of serious physical injury or death and providing greater access to victim advocacy resources.

Officers responding to, or making multiple responses to, domestic violence incidents where there is evidence of physical injury shall initiate a lethality screening. The lethality screening includes the completion of a Domestic Violence Lethality Screen for First Responders form (LMPD #12-0006). Officers shall complete the form in the presence of the domestic violence victim and ask the victim to give his/her honest answers to the questions on the form. Officers shall also notate in the appropriate box if the victim refuses to answer any, or all, of the questions on the form. If a victim exhibits a positive screen in or if the screening is negative but the officer still believes that the victim is in danger, he/she shall convey this information to the victim and make a protocol referral. The protocol referral consists of the officer calling a counselor at the Center for Women and Families (CWF) Crisis Hotline at (502) 753-5595 and relaying the victim's screening information and present condition to the counselor. The officer shall ask the victim to speak to the counselor by relaying the seriousness of his/her present situation. If the victim agrees to speak with a counselor, the officer shall give the phone to the victim when told to do so by the counselor. If a victim refuses to speak to a counselor, the officer must still call the Crisis Hotline and pass on safety information to the victim.

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## 8.6.6 LETHALITY ASSESSMENT PROGRAM (CONTINUED)

Officers shall turn in completed Domestic Violence Lethality Screen for First Responders forms to their commanding officer by the end of their tour of duty. Commanding officers, or their designees, shall be responsible for forwarding the completed forms to the Domestic Violence Squad daily.

## 8.6.7 FELONY ARRESTS WITHOUT A WARRANT (KACP 1.6)

The procedure for making felony arrests for domestic violence offenses is the same as in any other felony situation. The felony must have been committed in the officer's presence, or he/she must have probable cause to believe that the perpetrator has committed a felony. When an officer has probable cause to believe that a person has intentionally, or wantonly, caused serious physical injury to a family member or a member of an unmarried couple, as defined in this policy, he/she shall arrest the person, without a warrant, for the appropriate felony offense.

When a felony assault has occurred in a domestic violence incident that results in serious physical injury to the victim, officers may request a Domestic Violence Squad detective to respond to the scene. The Domestic Violence Squad detective shall become the lead investigator for the on-scene investigation and be responsible for all follow-up. The patrol division domestic violence detectives monitor their respective division radio channels and the Domestic Violence Squad felony detectives monitor the Traffic CIS radio channel.

In situations where the victim has been strangled by the perpetrator, the Office of the Commonwealth's Attorney encourages officers to charge Wanton Endangerment in the First Degree, when any of the following elements have been met:

- The victim articulates not being able to breathe (e.g. everything was going dark)
- The victim loses consciousness
- The victim has a loss of bladder control
- The victim describes having difficulty or pain trying to swallow or talk

Under these circumstances, a Domestic Violence Squad detective shall be contacted to respond to the scene, regardless if an arrest has been made.

## 8.6.8 MISDEMEANOR ARRESTS WITHOUT A WARRANT (KACP 1.6)

When an officer has probable cause to believe that a person has intentionally, or wantonly, caused physical injury to a family member or a member of an unmarried couple, as defined in this policy, he/she shall arrest the person without a warrant for Assault in the Fourth Degree. The release of a perpetrator, or an issuance of a citation, is not permitted in domestic violence cases when grounds for an arrest are present.

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## 8.6.8 MISDEMEANOR ARRESTS WITHOUT A WARRANT (CONTINUED)

If there is probable cause to believe that any condition of bond or pretrial release has been violated and the officer has verified that the offender has had notice of the conditions, the officer shall arrest the offender without a warrant. Pretrial release conditions issued for defendants charged with assault or sex offenses shall be entered into the computer system of the Administrative Office of the Courts and are accessible through LINK (KACP 26.3). Officers should not assume that the absence of a pretrial release condition in the computer system indicates that no such pretrial release condition exists.

## 8.6.9 EMERGENCY PROTECTIVE ORDERS/DOMESTIC VIOLENCE ORDERS

Officers, having probable cause to believe that a respondent has violated the conditions of an Emergency Protective Order (EPO) or Domestic Violence Order (DVO), shall arrest the offender without a warrant (KACP 1.6). Prior to any arrest, the officer shall:

- Contact MetroSafe to verify the existence and service of the EPO or DVO.
- Give the respondent notice of the contents of the EPO and make arrangements with the Jefferson County Sheriff's Office (JCSO) for personal service, if personal service has not occurred.
- Enforce the terms of the EPO or DVO, once the respondent has received notice/personal service, for subsequent acts.
- Ensure that the conditions, for which the arrest is made, are prohibited in the EPO or DVO.
- Ensure that victims (petitioners on EPOs and DVOs) are not in violation of their own protective orders, unless they have been served with a dual protective order by the respondent.

## 8.6.10 FOREIGN PROTECTIVE ORDERS

Officers shall enforce all Foreign Protective Orders (FPOs). Officers, having probable cause to believe that a respondent has violated the terms of a FPO, shall arrest the offender without a warrant (KACP 1.6). The following conditions should be considered when enforcing a FPO:

- Orders shall be enforced in their entirety.
- All FPOs are presumed to be valid upon presentation to an officer. They do not have to be entered into LINK to be enforceable. In some cases, a FPO may have been filed by the complainant in the Circuit Court Clerk's Office. If the order has been filed with the clerk's office, it may be verified by the officer through LINK (KACP 26.3).
- Officers shall assume that the respondent was given notice of the FPO and has knowledge of its contents.
- All arrests shall follow the same procedures as an arrest for a violation of a Kentucky Protective Order. The charge shall be a Violation of a Foreign Protective Order (KACP 1.6).



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## 8.6.11 OBTAINING WARRANTS/PROTECTIVE ORDERS

The Jefferson Circuit Court Clerk, Family Court Division provides 24-hour accessibility for victims to obtain EPOs at the Domestic Violence Intake Center. Domestic violence warrants may be obtained at the Domestic Violence Intake Center between the hours of 0730 to 0030, Monday through Friday, and between the hours of 1000 to 1800 on Saturday and Sunday. During the hours when the office is closed, emergency arrest warrants may be obtained by going to the Hall of Justice and contacting the on-duty Jefferson County Sheriff's Office (JCSO) commanding officer. The JCSO commanding officer may contact the on-call Jefferson County Domestic Violence prosecutor, who will determine if an emergency warrant is justified.

If domestic violence has been committed and the officer is unable to arrest the perpetrator, the officer shall offer to assist the victim in obtaining an arrest warrant or protective order. The officer may apply for an arrest warrant when there is sufficient information to establish probable cause. A victim's lack of cooperation shall not be a factor when seeking warrants; however, officers must have other evidence to support prosecution.

## 8.6.12 VICTIM PROTECTION (CALEA 55.2.2)

In situations where the officer has reason to suspect that a family member, or a member of an unmarried couple, as defined in this policy, has been a victim of domestic violence, the officer is required by KRS 403.785 to use all reasonable means to prevent further acts of domestic violence. These actions may include:

- Remaining at the scene as long as the officer reasonably believes that there is danger to the physical safety of the individuals present, without the presence of an officer. Before leaving the scene, an officer must be able to articulate why he/she believed that the scene was secure.
- Obtaining medical attention, if needed or requested by the victim. Victims cannot be forcibly transported, or required, to seek medical treatment.
- Advising the victim of the rights offered to them under KRS 403.785. These rights include information about criminal complaint procedures, the availability of protective orders, emergency shelters and other community resources. Many of these rights are included in the "Victim Rights Information" section located at the bottom of the JC-3 report, which must be given to the victim prior to the officer clearing the scene (CALEA 55.1.1).
- Transporting the victim, and any dependent family members, to a safe location.
- Informing the victim of procedures for notification including the availability of the Victim Information and Notification Everyday (VINE) program (CALEA 55.1.1).

## 8.6.13 PERPETRATOR NOT PRESENT AT THE SCENE

In cases where the perpetrator has fled the scene, officers shall make a reasonable attempt to locate and arrest the suspect. This would include broadcasting a "pick up" and searching the immediate area. Officers may arrest the suspect, even if he/she is found at a location other than the original crime scene (KACP 1.6).

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## 8.6.13 PERPETRATOR NOT PRESENT AT THE SCENE (CONTINUED)

If an officer is unable to arrest the perpetrator within a reasonable amount of time, the officer may assist the victim in obtaining an arrest warrant or a protective order in unusual circumstances, such as the victim's hospitalization, lack of transportation or request for additional assistance. The officer's immediate supervisor shall be advised of the additional assistance that is required.

Officers should be aware that Fleeing or Evading the Police in the First Degree includes defendants fleeing from officers after committing an act of domestic violence. The crime is a Class D felony.

## 8.6.14 VICTIM NOT PRESENT AT THE SCENE

In cases where the victim has fled the scene, the responding officer should gather all relevant facts from witnesses. These facts should include the possible location of the victim and any sustained injuries. Witnesses should be directed to call the police if the victim returns.

## 8.6.15 MUTUAL VIOLENCE

When officers respond to a domestic violence incident and there is evidence of mutual violence, officers should attempt to determine if one (1) party was the predominant aggressor. The following factors may be considered when making this determination:

- The history of domestic violence between the parties
- The degree of injury inflicted upon each person, keeping in mind that injuries may not be immediately visible
- Objective and testimonial evidence from the parties involved and other persons at the scene, including children
- Whether injuries were sustained through an aggressive act or self defense
- The presence, and level, of fear of the parties

Officers shall make every effort to determine the predominant aggressor in mutual violence situations. If an officer is unable to make this determination, he/she shall consult with his/her commanding officer. Upon identification of the predominant aggressor, the officer shall follow the same procedures previously described for felony and/or misdemeanor arrest situations.

## 8.6.16 JUVENILE PERPETRATOR OF DOMESTIC VIOLENCE

Officers shall handle juvenile perpetrators of domestic violence in the same manner as adult perpetrators. Juveniles should not be released at the scene; they should be taken into custody under the provisions of the Juvenile Code.

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## 8.6.17 MARITAL RAPE/SEXUAL ASSAULT

There is no spousal exemption for rape or sexual assault. The responding officer should immediately notify the Sex Crimes Squad in cases of marital rape or sodomy.

## 8.6.18 DOMESTIC VIOLENCE STALKING (KACP 17.5)

Research shows a close relationship between stalking and the commission of domestic violence.

Officers shall complete a JC-3 report, with appropriate charge and violation code, when a domestic violence victim alleges that he/she has been stalked. Stalking is elevated from a misdemeanor to a felony in the following circumstances:

- A protective order has been issued
- A criminal complaint is currently pending by the victim against the defendant, and the defendant has received notice
- The defendant has been convicted, within the last five (5) years, of a felony or a Class A misdemeanor concerning the victim
- The stalking was committed while the defendant was in possession of a deadly weapon

For the purposes of this section, protective orders include EPOs, DVOs, FPOs, pretrial release conditions and any condition of bond, conditional release, probation, parole or pretrial diversion order designed to protect the victim from the offender.

Officers shall advise victims to notify the department of subsequent incidents.

## 8.6.19 SPECIAL NEEDS VICTIMS

Some domestic violence victims may have physical or mental disabilities that may make it difficult for them to report their victimization, call for assistance or participate fully in the prosecution of the case. Officers should be aware of these limitations when investigating domestic violence incidents and refer these victims to specialized support services to promote protection, physical assistance, medical treatment or other needed services.

## 8.6.20 POTENTIAL VICTIM NOTIFICATION (CALEA 55.2.2)

Officers who receive verifiable threats of violence against an identifiable victim should attempt to contact the intended victim and notify him/her of the threat and possible danger.

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## **8.6.21 INVOLUNTARY HOSPITALIZATION (KACP 30.8)**

If the officer believes that the domestic violence perpetrator has a mental health condition which indicates that the person is an imminent danger to himself/herself or others, the officer shall follow the involuntary hospitalization provisions set forth in KRS 202A.026. This statute shall not be used as a substitute for an arrest.

When perpetrators are hospitalized under these conditions, officers shall leave arrest paperwork with hospital security and have hospital security notify the LMPD, prior to release, so the perpetrator can be transported to Metro Corrections.

## **8.6.22 FEDERAL GUN BAN**

The federal government prohibits certain domestic violence respondents, and those defendants convicted of a misdemeanor crime of domestic violence, from possession of a firearm or ammunition. Officers should notify the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) when aware of respondents possessing firearms in violation of federal law. Designated law enforcement agencies are required to make a reasonable effort to provide victims with notice that a perpetrator has attempted to purchase a firearm in violation of the federal gun ban (CALEA 55.2.2). The JCSO currently handles this responsibility, but officers should be aware of their legal responsibility should they learn of an attempted purchase.

## **8.6.23 DOMESTIC VIOLENCE INCIDENTS INVOLVING METRO GOVERNMENT MEMBERS**

Officers shall immediately notify their supervisors when a Metro Government member is involved in a domestic violence incident and the supervisor shall respond to the scene (KACP 17.4). The Public Integrity Unit (PIU) shall be notified if a departmental member is arrested in relation to a domestic violence incident. The PIU shall be called to the scene of a domestic violence incident involving a departmental member and will become the lead investigator.

## **8.6.24 DOMESTIC VIOLENCE INCIDENTS INVOLVING OFFICERS FROM OTHER AGENCIES**

When an officer from another agency is involved in a domestic violence incident, the responding officer shall notify his/her supervisor as soon as practicable. If possible, the supervisor shall respond to the scene. In all instances, the investigation shall be conducted as any other domestic violence incident would be (KACP 17.4).

## **8.6.25 VICTIM SERVICES**

All officers shall be responsible for providing information concerning victim's rights, the role of victims/witnesses in the criminal system, available support services and other resources, as required by law, during the course of conducting domestic violence investigations (CALEA 55.1.1, 55.2.4b). These resources include (CALEA 55.2.3a):

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## 8.6.25 VICTIM SERVICES (CONTINUED)

- Counseling
- Immediate medical attention
- Compensation programs or emergency financial assistance
- Victim advocacy services (CALEA 55.2.4e)

Officers shall encourage victims to contact the investigating detective should additional information become known and provide the victim with the telephone number for MetroSafe and the appropriate investigating division (CALEA 55.2.3d).

## 8.6.26 FOLLOW-UP SERVICES

Division commanders and the Special Victims Unit (SVU) lieutenant shall ensure that appropriate follow-up contact is made with all victims by a patrol division domestic violence detective or Domestic Violence Squad detective. These follow-up activities shall include:

- Taking follow-up photographs of previously reported injuries to victims
- Contacting the victim periodically regarding the case status or the need for additional information (CALEA 55.2.4a)
- Explaining the procedures required for a successful prosecution of the case (CALEA 55.2.4b)
- Scheduling interviews or required appearances (CALEA 55.2.4c)
- Returning evidence used in the case prosecution (CALEA 55.2.4d)

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Standard Operating Procedures	SOP Number: 8.7
	Effective Date: 07/26/03 Revised Date: 06/02/06
	Accreditation Standards: CALEA: 26.1.1, 41.2.1 KACP: 17.8
Chapter: Field Operations	
Subject: Calls for Service Response	

## 8.7 CALLS FOR SERVICE RESPONSE (CALEA 26.1.1, 41.2.1)

### 8.7.1 POLICY

This policy establishes guidelines for prioritizing and responding to calls for service. The department will respond to calls for law enforcement service in a timely and professional manner as circumstances and resources permit.

### 8.7.2 PRIORITIZING CALLS (KACP 17.8)

An immediate response to every call for service is neither possible nor necessary. The priority of call assignment depends on many factors and is the initial responsibility of MetroSafe personnel. However, certain situations may require officers in the field to decide between continuing on an assigned call and handling another observed incident. This decision must be based on comparative urgency, risk to life and property and the availability of additional personnel. Should an officer choose to continue on his/her assigned call, he/she shall advise the dispatcher of the other observed incident.

### 8.7.3 RESPONSE CODES (KACP 17.8)

The type and manner of responses are coded as follows:

**Code 1:** A non-emergency response code in which the member proceeds directly to the location, but abides by all traffic laws.

**Code 3:** An emergency response code that may be used when factors, such as the following, are present:

- Authorized vehicle pursuits
- Aggravated assault that could result in death, in progress
- Rape in progress
- Armed robbery in progress
- Kidnapping in progress
- Officer injured or in danger of injury (10-30)
- Armed burglary of an occupied dwelling
- Specialized unit responses to emergency situations
- Traffic accidents or other situations resulting in serious physical injuries or hazardous conditions
- Commanding officer authorization

The decision to respond Code 3 to a call for service is the responsibility of the responding officer(s). If an officer makes the decision to respond Code 3, he/she shall respond by acknowledging the run and advising the dispatcher that he/she will be responding Code 3. This also applies when an officer upgrades a Code 1 run to Code 3 based on a change in circumstances. Officers must be able to articulate their reasoning when utilizing a Code 3 response. It shall never be mandatory that an officer respond Code 3 when safety factors make an emergency response impractical or unduly hazardous.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.7
	Effective Date: 07/26/03 Revised Date: 06/02/06
	Accreditation Standards: CALEA: 26.1.1, 41.2.1 KACP: 17.8
Chapter: Field Operations	
Subject: Calls for Service Response	

## 8.7.4 EMERGENCY DRIVING REGULATIONS (CALEA 41.2.1)

While operating in Code 3 mode, officers are exempt from certain driving regulations under the specific conditions of KRS 189.940. This does not relieve officers from the duty to drive with due regard for the safety of all persons.

The following shall apply to emergency driving:

- Code 3 response shall be with both emergency lights and siren in continuous operation.
- When approaching a school bus stopped for loading or unloading, any officer operating a vehicle Code 3 shall come to a full stop and then proceed only when the bus has discontinued loading or unloading.
- Officers shall weigh the seriousness of the situation against the hazards to themselves and the public generated by emergency driving.

## 8.7.5 TERMINATION AND REDUCTION

The supervisor of an officer responding Code 3 to an emergency run shall monitor the progress of the run. If the supervisor believes that the circumstances dictate that a Code 3 run is either unjustified or poses an unnecessary risk to the public, the commanding officer shall order the responding officer to downgrade their response to Code 1. Whenever an officer receives information indicating that fewer units are needed or that the emergency has stabilized, the officer shall cancel Code 3 response as soon as practical.

## 8.7.6 NON-SWORN MEMBER RESTRICTION

Non-sworn members are not authorized to operate a departmental vehicle in Code 3 mode.

# Louisville Metro Police Department

<h2 style="margin: 0;">Standard Operating Procedures</h2>	SOP Number: 8.8
	Effective Date: 07/20/03 Prv. Rev. Date: 01/17/13 Revised Date: 03/10/13
	Accreditation Standards: CALEA: 1.2.7, 1.2.9, 11.3.2, 26.1.1, 61.1.8 KACP: 30.2
Chapter: Field Operations	
Subject: Profiling	

## 8.8 PROFILING (KACP 30.2)

### 8.8.1 POLICY (CALEA 1.2.9a)

Profiling impairs investigative effectiveness, alienates citizens, fosters distrust of law enforcement and may subject officers to civil or criminal liability. Most importantly, profiling is unethical. The protection and preservation of the constitutional rights of individuals remains one of the paramount concerns of government and law enforcement. Therefore, per KRS 15A.195, profiling is strictly prohibited.

### 8.8.2 DEFINITION

**Profiling:** Engaging in any of the following activities based solely on an individual's actual or perceived race, ethnicity/national origin, gender, sexual orientation, religion, socio-economic status, disability or other characteristics attributed to an individual as a member of such group is strictly prohibited:

- Making discretionary decisions during the course of an enforcement activity (CALEA 1.2.7)
- Initiating a traffic stop, detention or other law enforcement activity
- Targeting individuals

### 8.8.3 OFFICER RESPONSIBILITY (CALEA 61.1.8)

All investigative detentions, traffic stops, searches, seizures and arrests shall be based upon reasonable suspicion or probable cause.

It is not improper to target suspected criminals based on their conduct, nor is it improper to focus on a person of a particular race, ethnicity/national origin, gender, sexual orientation, religion, socio-economic status, disability or other characteristics if the officer has suspect information.

Nothing in this policy shall prevent an officer from relying on an individual's actual or perceived race, ethnicity/national origin, gender, sexual orientation, religion, socio-economic status, disability or other characteristics as a tool in the investigation of a crime or a violation of a law.

Providing citizens with an explanation as to why they were stopped improves relations with the community and reduces the perception of bias on the part of the police. Therefore, officers should make a reasonable effort to provide an explanation as to why the citizen was stopped, unless doing so would undermine an investigation or jeopardize the officer's safety.



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Chapter: Field Operations	
Subject: Profiling	

## 8.8.4 SUPERVISORY RESPONSIBILITY (CALEA 11.3.2)

Supervisors shall:

- Familiarize their personnel with this policy and support its provisions.
- Observe officer behavior to identify, and prevent, profiling
- Immediately report any profiling incident in writing, through the appropriate chain of command, to the Chief of Police

## 8.8.5 REPORTING REQUIRED

All members are required to immediately report any profiling incident, in writing, through the appropriate chain of command, to the Chief of Police.

## 8.8.6 DISCIPLINE (CALEA 1.2.9c, 26.1.1)

The Louisville Metro Police Department (LMPD) neither condones, nor tolerates, profiling. Officers engaging in such conduct shall be subject to disciplinary action.

## 8.8.7 VEHICLE STOP REPORTING FORMS

Officers are required to complete a Vehicle Stop Reporting form for each, and every, traffic stop, regardless of whether a citation is written or an arrest is made. The only exceptions shall be motorist assists, road blocks and traffic accidents. If an eCitation is issued for a traffic accident, members shall check "Other" in the Disposition area of the Vehicle Stop Reporting form and enter "accident" in the box. This will remove the Vehicle Stop Reporting form information from the profiling matrix. Officers shall use the following descriptions for searches:

- Consent
- Pat down
- Incident to arrest
- Probable cause
- Other

For traffic stops where a warning or a paper citation is issued in lieu of an eCitation, the officer shall complete an electronic Vehicle Stop Reporting form. A link to this form may be found on the right hand side of the LMPD Intranet. Officers shall complete the electronic Vehicle Stop Reporting form by the end of his/her tour of duty. If the officer conducts a stop while off-duty, the officer shall complete a Vehicle Stop Reporting form electronically by the end of his/her next tour of duty. Officers shall record the control number of the electronic Vehicle Stop Reporting form in the upper right hand corner of their paper citation.

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Chapter: Field Operations	
Subject: Profiling	

## 8.8.7 VEHICLE STOP REPORTING FORMS (CONTINUED)

Officers shall fill out the Vehicle Stop Reporting form, via the Kentucky Open Portal Solution (KYOPS) system, when using the eCitation system. A separate electronic version of the Vehicle Stop Reporting form must be submitted in lieu of the KYOPS version, if an eCitation is voided.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.9
	Effective Date: 12/14/03 Prv. Rev. Date: 04/10/11 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 82.1.7
Chapter: Field Operations	
Subject: Criminal History Procedures	

## 8.9 CRIMINAL HISTORY PROCEDURES

### 8.9.1 REQUEST FOR CRIMINAL HISTORY

An officer requesting a criminal history shall (CALEA 82.1.7):

- Complete the Criminal History Request form (LMPD #03-08-0111), including the officer's full name and code number, type of investigation, case number, warrant number, citation number or call for service number. No request shall be processed without an identifying number.
- Provide the appropriate information on the subject of the criminal history. It is important to include as much information as possible.
- The retrieving officer shall sign the Criminal History Request form, acknowledging receipt, and shall deliver it to the requesting officer.

Requests for criminal histories may be faxed to (502) 572-3596; however, the printouts must be picked up at the National Crime Information Center (NCIC) Unit of MetroSafe at 410 South Fifth Street by the requesting officer. **Criminal histories shall not be sent through interdepartmental mail.** Criminal history printouts shall be destroyed unless picked up from the NCIC Unit within 24 hours.

### 8.9.2 SPECIALIZED UNITS WITH NCIC TERMINALS

Specialized units having a NCIC terminal or NCIC access with criminal history privileges shall maintain a log and shall include the following information for every request:

- Officer's full name and code number
- Type of investigation and case number

In addition, the unit commander shall allow the MetroSafe Terminal Agency Coordinator (TAC) to audit the terminal and all paperwork, upon request.

Requests for NCIC access on a desktop computer shall be requested through the Planning and Technology Lieutenant and shall be coordinated through MetroSafe. The NCIC Access Request form (LMPD #10-0010) shall be completed and forwarded, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. A diagram and photos of the room that the desktop computer will be installed in, or already resides in, shall be submitted with the request. Members are prohibited from moving the computer without the approval of the TAC.

### 8.9.3 CONFIDENTIALITY REQUIREMENTS

Due to the sensitive nature of the information, members are prohibited from copying, pasting or otherwise entering NCIC information from a NCIC Terminal, Mobile Data Terminal (MDT) or any other device into any other document, computer program or other electronic system. Members are also prohibited from taking photographs/screen shots of criminal histories.

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Standard Operating Procedures	SOP Number: 8.9
	Effective Date: 12/14/03 Prv. Rev. Date: 04/10/11 Revised Date: 09/09/13
	Accreditation Standards: CALEA: 82.1.7
Chapter: Field Operations	
Subject: Criminal History Procedures	

## 8.9.3 CONFIDENTIALITY REQUIREMENTS (CONTINUED)

Criminal histories shall not be placed in a case file or given to anyone outside of the department. Criminal histories shall not be copied by any means (e.g. photocopied, scanned). Officers may record any pertinent information from a criminal history and include this information in an investigative letter. All criminal histories are to be shredded after the necessary information has been recorded.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.10
	Effective Date: 04/02/04 Prv. Rev. Date: 02/08/10 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 45.1.1, 45.2.1 KACP: 21.4
Chapter: Field Operations	
Subject: Civilian Rider Program	

## 8.10 CIVILIAN RIDER PROGRAM

### 8.10.1 POLICY (CALEA 45.1.1b, 45.2.1b, e)

It is the policy of the Louisville Metro Police Department (LMPD) to establish guidelines for civilians to participate in the department's ride-along program. The ride-along program is designed to promote a mutual understanding and respect between the police and the community by providing civilians an opportunity to ride with, and observe, officers of the department performing their job. The ride-along program is a tool used to increase the community's understanding of police policies and procedures. The program helps to reveal the complexity of situations encountered and the variety of services performed by officers.

### 8.10.2 REQUEST TO RIDE-ALONG

Persons requesting to ride-along with an on-duty officer shall complete the Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200). A commanding officer with the rank of major or above shall approve or deny the request. Prior to facilitating the ride-along, the officer shall ensure that the forms have been signed by all parties involved and a warrant check of the applicant has been performed.

### 8.10.3 BASIC ROLE OF RIDERS

Participants of the ride-along program must be 18 years of age, or older, and have a valid state government-issued identification card.

Juveniles are prohibited from participating in the Civilian Rider Program unless they are members of a law enforcement-related program and have parental consent. The parent or legal guardian shall complete, and sign, the Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200).

All riders shall abide by the following stipulations:

- Riders shall remain in, or return to, the police vehicle during dangerous and sensitive situations (e.g. homicides, sex crimes, deaths, etc.).
- Civilian riders are not permitted to operate any police vehicle.
- Riders shall comply with all directions given by the officer with whom they are riding.
- Riders shall dress appropriately as to not reflect negatively on the department.
- Only one (1) ride-along per police vehicle is allowed. Exceptions must receive the approval of a sergeant or above.
- Civilian riders are observers only and shall not become involved verbally, or physically, with anyone unless an officer's safety is an issue or directed to do so by the officer. Civilian riders are prohibited from taking police actions of any kind.

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	Accreditation Standards: CALEA: 45.1.1, 45.2.1 KACP: 21.4
	Chapter: Field Operations
Subject: Civilian Rider Program	

### 8.10.3 BASIC ROLE OF RIDERS (CONTINUED)

- Civilian riders are prohibited from using the communications system, except in extreme, emergency situations.
- Civilian riders shall keep all information learned during their ride-along confidential.
- Civilian riders are prohibited from possessing, or handling, any deadly weapons or dangerous instruments for the duration of the ride. Possession of a Concealed Carry Deadly Weapons permit (CCDW) shall not alleviate the civilian rider from this prohibition. Sworn police officers with jurisdictional power within Jefferson County are exempt from this prohibition.

Civilian departmental members, wishing to participate in the Civilian Rider Program, must complete the Covenant Not to Sue form and obtain permission from their supervisor.

If the civilian is a LMPD volunteer, Explorer or Citizen Police Academy (CPA) participant, he/she shall request permission through his/her program coordinator and the appropriate division/section/unit commander.

Civilians may ride-along a maximum of four (4) times during a calendar year, unless otherwise approved by competent authority.

### 8.10.4 CIVILIAN RIDER PROGRAM REQUEST FORM AND COVENANT NOT TO SUE FORM

The original Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200) shall be forwarded, by the division commander, through the appropriate chain of command, to the Legal Advisor's Office. The original forms shall be retained by the Legal Advisor's Office for a minimum of three (3) years. One (1) copy of each completed form shall be retained in the division for three (3) years. In addition, one (1) copy of the approved Covenant Not to Sue form shall be provided to:

- The officer to whom the rider is assigned
- The rider

The officer shall keep his/her approved copy of the Covenant Not to Sue form with him/her throughout the duration of the ride-along.

If a civilian wishes to participate in the ride-along program more than one (1) time in a calendar year, but not more than four (4) times in a calendar year, a copy of the Civilian Rider Program Request form and the Covenant Not to Sue Form shall be completed each time there is a ride-along.

The Civilian Rider Program Request form and the Covenant Not to Sue form are only valid during the calendar year in which they were completed.

### 8.10.5 ASSIGNMENT OF CIVILIAN RIDERS

All requests made at the division/section/unit level shall be approved, or denied, by the division/section/unit commander. Requests for particular officers may be considered.

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	Accreditation Standards: CALEA: 45.1.1, 45.2.1 KACP: 21.4
Chapter: Field Operations	
Subject: Civilian Rider Program	

## 8.10.5 ASSIGNMENT OF CIVILIAN RIDERS (CONTINUED)

The division/section/unit commander shall designate someone on his/her staff to perform a warrant check and ensure that it has been completed, prior to signing off on the Civilian Rider Program Request form (LMPD #10-0001).

Riders shall only be assigned to a uniformed patrol unit, unless otherwise approved by the Chief of Police, or his/her designee, in writing.

When it is feasible, ride-along participants shall accompany officers of the same gender.

## 8.10.6 OFFICER'S RESPONSIBILITIES

When an officer is assigned a civilian rider, he/she shall:

- Ensure that the rider wears his/her seatbelt throughout the duration of the ride (KACP 21.4).
- Be responsible for directing the actions of the rider.
- Remind the rider that he/she is there for observational purposes only.
- Not identify the rider as a police officer.
- Prohibit the rider from accompanying him/her during the execution of a search warrant.
- Notify MetroSafe at the beginning and completion of the ride-along.
- Be prohibited from engaging in a pursuit while a civilian rider is in the vehicle. The personal safety of the officer and the civilian rider is the responsibility of the department. Therefore, officers may terminate a ride-along at any time.
- Not transport a prisoner in the same vehicle as a civilian rider.
- Advise the civilian rider to stay in the car during an emergency call for service.
- If a ride-along has to be terminated for any reason, the officer shall take the civilian to a safe location (e.g. fire station, restaurant, etc.) until the emergency assignment is completed and contact MetroSafe to let them know where the civilian rider is located.

## 8.10.7 SUPERVISOR'S RESPONSIBILITIES

The supervisor shall:

- Ensure that a warrant check has been completed
- Forward all original completed forms, through the appropriate chain of command, to the Legal Advisor's Office
- Retain a copy of the forms in the division
- Cancel the ride-along, if deemed necessary

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Chapter: Field Operations	
Subject: Civilian Rider Program	

## 8.10.8 CANCELLATION OF CIVILIAN RIDER

Platoon supervisors have the authority to cancel a request of a rider on a designated date if, in their opinion:

- Police activity may be impeded
- The rider is inappropriately dressed
- The rider is armed with a weapon or firearm
- Staffing levels are not adequate
- Other reasons as deemed appropriate by the platoon supervisor (e.g. inappropriate behavior of rider, alcohol consumption, etc.)

If the platoon supervisor deems that it is appropriate for a ride-along to be canceled, the platoon supervisor shall notify the division commander of the reason for the cancellation.

## 8.10.9 OTHER LAW ENFORCEMENT AGENCIES

Peace officers from other jurisdictions or law enforcement agencies may accompany an on-duty officer after completing a Covenant Not to Sue form (LMPD #03-08-0200). A commanding officer with the rank of major or above shall approve or deny the request.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.11
	Effective Date: 12/14/03 Prv. Rev. Date: 09/10/11 Revised Date: 10/08/12
	Accreditation Standards: KACP: 26.3, 26.4
Chapter: Field Operations	
Subject: NCIC Notification (Reports)	

## 8.11 NCIC NOTIFICATION

### 8.11.1 REPORTS REQUIRING NCIC NOTIFICATION

The following types of reports shall be reported to the National Crime Information Center (NCIC), prior to the officer or Police Report Technician (PRT) clearing from the call for service (KACP 26.3, 26.4):

- Missing persons (refer to SOP 8.32)
- Stolen vehicles (including construction equipment and trailers)
- Stolen/lost guns with known serial numbers
- Stolen boats
- Stolen securities
- Stolen license plates
- Vehicle/boat parts with unique serial numbers
- Stolen articles not listed above, with known serial numbers or unique owner-applied numbers, which have a value of \$500.00 or more.

Before clearing from the call for service, a member taking a report for the applicable stolen items listed above shall call the NCIC, by phone, at (502) 572-3480 to obtain the name and code number of the NCIC operator who he/she spoke to and shall enter this information in the narrative section of the report. The member shall then:

- Print a copy of the report to the NCIC, through the I/Leads Records Management System (RMS), and follow-up by phoning the NCIC to ensure that the report was received, or
- Fax a copy of the report to the NCIC and follow-up by phoning the NCIC to ensure that the report was received, or
- If unable to immediately print a copy of the report to the NCIC, through the I/Leads RMS, or to fax a copy, members shall phone the appropriate information in to the NCIC and follow-up by sending a copy of the report to the NCIC, through the I/Leads RMS or fax, as soon as possible. Again, it is necessary to phone the NCIC to ensure that the report was received.

The same procedures shall be followed when recovering a stolen vehicle, applicable stolen property or locating a missing person. All identifiable stolen property, including stolen vehicles, recovered as a result of an I/Leads RMS or NCIC "hit", must be verified through the NCIC before it can be seized/recovered. The stolen vehicle/property will not be taken out of the NCIC until a copy of the recovery report has been sent to the NCIC and its receipt has been verified. The I/Leads RMS will not automatically send this information to the NCIC. It is the responsibility of the reporting member to ensure that the NCIC is notified.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.12
	Effective Date: 05/15/04 Prv. Rev. Date: 10/08/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.3.6, 1.3.8, 61.2.1, 61.2.2 KACP: 1.11, 1.12, 10.2, 10.6, 30.8
Chapter: Field Operations	
Subject: Critical Incidents	

## 8.12 CRITICAL INCIDENTS

### 8.12.1 DEFINITION

**Critical Incident:** The use of force and/or any action taken by a member of the Louisville Metro Police Department (LMPD) that does, or potentially could, result in death or serious physical injury.

### 8.12.2 UNITS RESPONSIBLE FOR CRITICAL INCIDENT INVESTIGATION

The Public Integrity Unit (PIU) shall be responsible for investigating incidents where an officer's actions result, or potentially could have resulted, in death or serious physical injury to the public or to another police officer. Such incidents shall include:

- Officer-involved shootings resulting in death or serious physical injury (KACP 1.11a-b)
- Discharge of a firearm by an officer when the intention is to use deadly force (KACP 1.11a)
- Officer-involved use of force actions resulting in death or serious physical injury (KACP 1.11b)
- Incidents resulting in death, or serious physical injury, to persons while in the custody of departmental personnel (KACP 1.11b)
- All traffic deaths, or serious physical injuries, resulting from police pursuits or other officer-involved traffic collisions (CALEA 61.2.1a, 61.2.2a)
- Other officer-related incidents resulting in death, or serious physical injury, to the public (KACP 1.11b)

Officers with special investigative knowledge or experience may be called upon to assist the PIU in a specific investigation (e.g. Traffic Unit, Homicide, etc.) Officers assisting the unit shall report all findings and conclusions of the investigation directly to the PIU Commander. All information shall be held in the strictest of confidence.

The Homicide Unit shall be responsible for the investigation of incidents resulting in death, or serious physical injury, to departmental members.

### 8.12.3 RESPONSIBILITIES OF COMMANDING OFFICERS

Responsibilities of commanding officers shall include:

- Ensuring proper crime scene maintenance
- Notifying MetroSafe and appropriate support personnel (e.g. Louisville Metro Emergency Medical Services (EMS), Homicide, Traffic)
- Gathering basic information from the officers involved and starting a preliminary investigation
- Assigning escort officers
- Ensuring that the required paperwork is completed (Administrative Incident Report (AIR) (LMPD #03-03-0001), Workers' Compensation – First Report of Injury or Illness form (IA-1 form), Exposure Report forms (LMPD #04-08-0303), etc.) (CALEA 1.3.6a-d)

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Chapter: Field Operations	
Subject: Critical Incidents	

## 8.12.3 RESPONSIBILITIES OF COMMANDING OFFICERS (CONTINUED)

Commanding officers shall not secure an officer's weapon, unless exigent circumstances are present (e.g. officer is being transported to the hospital by EMS, officer used the weapon against a family member, officer is distraught, etc.).

## 8.12.4 PROCEDURES FOR OFFICERS INVOLVED (KACP 1.12)

Officers involved in use of force actions or motor vehicle collisions, which result in death or serious physical injury, shall immediately be placed on administrative leave, pending an administrative investigation (refer to SOP 2.5) (CALEA 1.3.8, 61.2.1a, KACP 10.2a). Each officer involved shall be assigned an escort officer at the scene by his/her commanding officer. The escort officer should be a Peer Support Team (PST) member, chaplain or commanding officer, when possible. The escort officer shall not have been involved in the critical incident and should remain with the officer throughout the entire initial investigation.

The escort officer is responsible for:

- Explaining the investigative process to the officer involved
- Assisting the officer in contacting his/her private attorney, friends or family members, as requested
- Transporting the officer to the PIU office, when requested by the PIU Commander or investigators
- Ensuring that the officer is isolated from all non-essential individuals for the remainder of the initial investigation
- Transporting the officer home at the conclusion of the initial investigation

The Crime Scene Unit (CSU) or PIU investigators shall photograph the officer involved.

The PIU shall secure in-car videos belonging to involved and responding officers.

The officer's weapon and any other evidence shall be collected at the PIU office, by the CSU, as directed by investigators. The officer should immediately be issued a replacement weapon.

The PIU shall request a recorded interview with the officer involved.

If the officer agrees to the interview, a standard interview format shall be used and the officer shall be advised of his/her constitutional rights, prior to questioning, utilizing a standard Miranda Rights Waiver form (LMPD #0006-96).

The officer may have access to the following, prior to being interviewed:

- FOP attorney
- Private attorney
- Chaplain/PST

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Chapter: Field Operations	
Subject: Critical Incidents	

## 8.12.4 PROCEDURES FOR OFFICERS INVOLVED (CONTINUED)

The officer may be required to submit a written statement for administrative purposes only.

The commander of the Special Investigations Division (SID) shall serve the officer involved with a Notification of Suspension or Limitation of Police Powers (LMPD #11-0008) (refer to SOP 2.5.2). This leave shall be without loss of pay or benefits and shall not be interpreted to imply, or indicate, that the officer acted improperly (CALEA 1.3.8).

The officer involved shall be available, upon reasonable notice, for official departmental interviews and statements regarding the incident.

Upon release by the PIU Commander, the officer shall be transported home.

## 8.12.5 DEBRIEFING

The PST shall hold a critical incident debriefing with the officer(s) involved as soon as possible after all involved officer(s) have given statements to the PIU. The PST commander, or his/her designee, shall be responsible for scheduling the debriefing, in order to ensure that necessary personnel are notified and able to attend. The debriefing is modeled after the guidelines set forth by the International Critical Incident Stress Foundation, Inc. The purpose of the debriefing is to provide a confidential setting where the officer can share his/her personal thoughts and feelings about the incident and to educate the affected officer in stress management techniques. The debriefing shall deal only with the personal effects of the incident and shall not be used as an operational critique.

It is the duty and obligation of PST members to maintain strict confidentiality regarding all matters that come to the attention of its members during debriefing sessions. It is the policy of the department to refrain from questioning a PST member regarding facts or opinions gathered from a critical incident debriefing that are not related to the involved officer's physical or mental well-being.

As members of the department, PST members are obligated to discuss, with the appropriate authority, matters concerning an officer when:

- The officer presents a danger to himself/herself or others, including drug abuse, excessive use of alcohol, the use of alcohol on-duty and/or mental or physical disability (KACP 30.8).
- There is reason to believe that the officer has committed a felony.
- There is reason to believe that the officer has committed child abuse or domestic violence.

A mental health assessment may also be required when an officer has been involved in a critical incident. The mental health debriefing is an individual session(s) conducted by the departmentally-furnished mental health professional/psychologist. The mental health assessment is completely unrelated to the PST debriefing (KACP 10.6). If the mental health professional/psychologist determines that the officer is fit to return to duty, a letter of confirmation shall be sent to the Assistant Chief of Police/Administrative Bureau and Police Human Resources (HR).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.12
	Effective Date: 05/15/04 Prv. Rev. Date: 10/08/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 1.3.6, 1.3.8, 61.2.1, 61.2.2 KACP: 1.11, 1.12, 10.2, 10.6, 30.8
Chapter: Field Operations	
Subject: Critical Incidents	

## 8.12.6 POST INCIDENT

The Chief of Police, or his/her designee, shall authorize a return to duty on a case-by-case basis. This decision shall be based on the following:

- Release by the commander of the SID
- Release by the departmental physician (if the officer has been physically injured)
- Release by the departmental mental health professional/psychologist

During a critical incident investigation, the Office of the Commonwealth's Attorney reviews the incident to decide if any charges should be filed against the officer as a result of his/her action(s). If the officer is cleared of any wrongdoing or indictments, the Office of the Commonwealth's Attorney will send a letter of confirmation to the SID Commander and Police HR. The SID Commander shall forward a copy of the confirmation letter to the Assistant Chief of Police/Administrative Bureau, who shall notify Police HR to restore the officer's full police powers.

Once the Assistant Chief of Police/Administrative Bureau has approved the officer's return to duty, Police HR shall serve the officer involved with a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.

If an officer is returning to duty after being on administrative leave and is issued a temporary or loaned firearm, he/she shall successfully qualify with this firearm prior to returning to duty.

If the officer has been on any type of leave in excess of 180 days and is able to return to full duty:

1. The Assistant Chief of Police/Administrative Bureau shall notify Police HR.
2. Police HR shall complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
3. Upon completion of the Return to Duty Clearance form, Police HR shall ensure that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
4. Police HR shall notify the officer's division/section/unit commander of the date that the officer shall be returning to work.
5. The officer's full police powers shall then be restored.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.13
	Effective Date: 07/16/04 Prv. Rev. Date: 07/11/08 Revised Date: 09/10/09
	Accreditation Standards: CALEA: 42.2.2, 42.2.11, 55.2.4
Chapter: Field Operations	
Subject: Out of Court Suspect Identification	

## 8.13 OUT OF COURT SUSPECT IDENTIFICATION

### 8.13.1 POLICY

Out of court victim/witness identification of a suspect is a frequently used investigative tool. Officers shall strictly adhere to procedures set forth in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons and establish evidence that is both reliable and in compliance with established legal procedures.

It must be stressed that this method of suspect identification is only one (1) of many investigative tools at an officer's disposal. Officers should consider the totality of the circumstances and attempt to determine the victim's/witness's level of confidence before employing any specific out of court identification method (CALEA 42.2.11e). Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

Other identification methods (e.g. fingerprints, blood grouping, DNA, etc.) should be utilized, if possible, to assist with an accurate identification (CALEA 42.2.2e). Victim/witness information can be used in several ways to aid in identifying suspects. Methods of suspect identification include, but are not limited to:

- Composite identification
- Line-up identification
- One-on-one identification
- Photo-pack identification
- Photo-book identification
- Show-up identification

Every effort should be made to keep the victim/witness informed of the process. When scheduling a procedure covered in this policy, it should be done at a time that is as convenient for the victim/witness as possible (CALEA 55.2.4c).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.14
	Effective Date: 07/16/04 Prv. Rev. Date: 07/11/08 Revised Date: 09/10/09
	Accreditation Standards:
Chapter: Field Operations	
Subject: Composites	

## 8.14 COMPOSITES

### 8.14.1 DEFINITION

A composite is the pictorial compilation of physical characteristics of a suspect, based upon victim/witness information.

### 8.14.2 PROCEDURES

Before making a request for a composite, officers shall attempt to assess the victim's/witness's level of confidence and his/her ability to provide a sufficient physical description for a composite. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

Officers needing a composite shall contact an on-duty Major Crimes Division commanding officer for a list of persons authorized to do composites.

Composite procedures shall include:

- Selecting an environment that minimizes distractions
- Assessing the ability of the victim/witness to provide a description
- Conducting the procedure with each victim/witness individually
- Avoiding contamination of victim/witness memory through the viewing of other composites
- Determining with the victim/witness if the composite is a reasonable representation of the perpetrator

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.15
	Effective Date: 07/16/04 Prv. Rev. Date: 09/10/09 Revised Date: 04/10/10
	Accreditation Standards: CALEA: 42.2.11
Chapter: Field Operations	
Subject: Line-ups	

## 8.15 LINE-UPS

### 8.15.1 DEFINITION

A line-up is the live presentation of multiple individuals, including one (1) suspect, before a victim/witness. Line-ups may necessitate the presence of the suspect's attorney and line-ups require the procurement of at least five (5) other persons, generally prisoners/inmates, volunteer citizens or police officers, who are similar in appearance to the suspect. Therefore, careful consideration should be given to the decision to use a live line-up as opposed to another suspect identification technique.

### 8.15.2 GENERAL GUIDELINES

If a live line-up is used for suspect identification, it shall be coordinated with, and attended by, a prosecutor from the Office of the Commonwealth's Attorney. A line-up may be conducted under the following conditions:

- The suspect has been lawfully arrested based on probable cause
- Court order
- Voluntarily or by the request of the suspect

The officer requesting a line-up shall be responsible for identifying a suspect and the other persons who shall be in the line-up. A line-up should take place as soon as practicable after the arrest of a suspect. Line-up arrangements (e.g. contacting viewers, obtaining non-suspect participants, arranging for an attorney when appropriate) should be completed prior to the arrest, whenever possible. A member of the Major Crimes Division shall provide the requesting officer with direction on how to select the other persons who will be in the line-up.

### 8.15.3 REQUESTING A LINE-UP

Before making a request for a line-up, officers shall attempt to assess the victim's/witness's level of confidence and their ability to make an identification. Factors to consider include, but are not limited to (CALEA 42.2.11e):

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The level of certainty demonstrated by the victim/witness in the identification process.
- The length of time between the crime and the identification process.

Officers requesting a line-up shall contact the Major Crimes Division Commander, who shall assign personnel to assist with arranging and conducting the line-up.

Officers shall provide Major Crimes Division personnel a minimum of 24-hours' notice, when possible, in order to facilitate the gathering of all persons needed for a line-up. Major Crimes Division personnel shall assist other division/section/unit personnel with conducting the line-up to ensure that the line-up is conducted according to established legal practices



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Chapter: Field Operations	
Subject: Line-ups	

## 8.15.3 REQUESTING A LINE-UP (CONTINUED)

The requesting officer's division/section/unit shall be responsible for the costs, if any, of conducting a line-up. A line-up shall not be used in the following circumstances:

- Suitable non-suspects are unavailable for a line-up
- A victim/witness knew the identity of the suspect prior to the offense
- A victim/witness learned the identity of the suspect after the offense occurred, without the assistance of the police, or has had an opportunity to identify the suspect in a previous confrontation procedure

## 8.15.4 REFUSAL OF A LINE-UP BY A SUSPECT

A lawfully arrested suspect, in custody, may not refuse to take part in a line-up. When a suspect who has been lawfully arrested or court ordered to appear in a line-up refuses to cooperate, perform specific acts during the line-up or otherwise disrupts the line-up, the suspect shall be advised that they have no right to refuse cooperation and the evidence of their refusal will be used against them at trial. If a suspect continues to refuse to cooperate, the precise words and actions of the suspect shall be documented. The decision about whether compulsory cooperation is appropriate shall be made by a commanding officer, after consultation with the prosecutor from the Office of the Commonwealth's Attorney.

## 8.15.5 LINE-UP REQUIREMENTS

The following procedures shall be followed while conducting a line-up (CALEA 42.2.11a):

- All line-ups shall consist of at least five (5) other persons in addition to the suspect.
- Persons placed in a line-up shall have the same general physical characteristics. Factors such as the following shall be considered:
  - Race
  - Sex
  - Age
  - Height
  - Weight
  - Hair color
  - Hair length
  - Physical build
- Suspects shall be informed that they can choose their initial position in the line-up and that they may change their position after each viewing.
- Officers administering or present at a line-up shall not say or do anything, or otherwise provide feedback, which would distinguish the suspect from the other line-up participants (CALEA 42.2.11f).
- Non-suspects in a line-up shall be instructed to conduct themselves so as not to single out the actual suspect.

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	Accreditation Standards: CALEA: 42.2.11
Chapter: Field Operations	
Subject: Line-ups	

## 8.15.5 LINE-UP REQUIREMENTS (CONTINUED)

- The suspect may be compelled to utter specific words or phrases, make specific gestures or assume a particular position, when requested by the victim/witness.
- If a victim/witness has described and identified a specific, distinctive item that was worn or possessed by the perpetrator, the suspect may be compelled to wear or hold the item, if the exact or a similar item is available.
- All of the other participants shall perform whatever act is required of the suspect.
- If there are multiple victims/witnesses who will be viewing the line-up, each will do so separately from the others (CALEA 42.2.11c).
- Video recordings shall be made of all line-ups. Optional audio recordings may also be made (CALEA 42.2.11b).

Prior to viewing the line-up, the officer conducting the line-up shall instruct the victim/witness on the proper viewing of a line-up by advising him/her that (CALEA 42.2.11d):

- They will be looking at a group of individuals in an attempt to identify a suspect who might have committed a specific crime and will be requested to state whether one (1) of the individuals shown is the perpetrator of the crime.
- It is just as important to clear innocent persons from suspicion as to identify guilty parties.
- The person who committed the crime may or may not be in the group of individuals being presented.
- Physical features such as head and facial hair are subject to change.
- They may take as much time as needed to view the line-up.
- They are not obligated to choose an individual from the line-up.
- Regardless of whether or not an identification is made, the police will continue to investigate the incident.

The officer conducting the line-up should ask the victim/witness if he/she understands how the procedure will be conducted and if he/she has any questions. After the line-up has been completed, the officer should instruct the victim/witness not to discuss the line-up or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, if media exposure could jeopardize a pending investigation.

## 8.15.6 LEGAL REPRESENTATION

A suspect has the right to be represented by legal counsel for any offense for which he/she is in custody or charged. This includes the right to have counsel present at a line-up in which they are a participant, for an offense for which they have been charged. The suspect shall be advised of these rights. As in any case, if a charged suspect cannot afford to hire an attorney, one shall be appointed to represent them before a line-up is conducted. A suspect may waive the right to have an attorney present for the line-up. If a suspect waives his/her right to have counsel present, he/she must complete and sign a Live Line-up Legal Representation Waiver (LMPD #08-0014).

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Chapter: Field Operations	
Subject: Line-ups	

## 8.15.6 LEGAL REPRESENTATION (CONTINUED)

When a suspect's attorney is present at the line-up, they will be permitted to observe the procedure and to make suggestions, but will not be permitted to control or obstruct the procedure. The following procedures shall be adhered to concerning the activities of a suspect's attorney:

- Any suggestion made about the procedure will be considered and recorded.
- Suggestions which would render the procedure more consistent with this policy may be implemented.
- Suggestions which do not comply with this policy, or which otherwise make the procedure suggestive, shall be disregarded.
- Attorneys shall be permitted to be present when a victim/witness states their conclusions about the line-up.
- Attorneys shall be instructed to remain silent during both the line-up and the victim/witness conclusions.
- Attorneys may speak with any victim/witness *after* a line-up procedure, *if* the victim/witness agrees to speak with them.
- A victim/witness taking part in a line-up procedure may be told that they are under no obligation to speak with a suspect's attorney.

## 8.15.7 DOCUMENTATION (CALEA 42.2.11g)

In addition to the video recording of all line-ups, a Line-up Identification form (LMPD #04-08-0815) shall be completed for each victim/witness who views a line-up, regardless of whether a positive identification is made. If a victim/witness views more than one (1) line-up, the form shall be completed for any subsequent line-up.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.16
	Effective Date: 07/16/04 Prv. Rev. Date: 07/11/08 Revised Date: 09/10/09
	Accreditation Standards: CALEA: 42.2.12
Chapter: Field Operations	
Subject: One-on-One Identification	

## 8.16 ONE-ON-ONE IDENTIFICATION

### 8.16.1 DEFINITION

A one-on-one identification is the presentation of a single suspect to a victim/witness beyond a reasonable amount of time following the commission of a crime. Because it occurs beyond a reasonable amount of time, a one-on-one identification always requires the suspect's consent. A one-on-one identification is conducted for the purpose of identifying, or eliminating, the suspect as the perpetrator. A one-on-one identification differs from a typical show-up identification (see SOP 8.19), which occurs within a reasonable amount of time, and therefore, does not require the suspect's consent.

### 8.16.2 PROCEDURES

A one-on-one identification should only be used when other options are not available. Before attempting a one-on-one identification, officers shall attempt to assess the victim's/witness's level of confidence and his/her ability to make an identification (CALEA 42.2.12e). Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

Circumstances that dictate the use of a one-on-one identification may include, but are not limited to (CALEA 42.2.12a):

- The lack or unavailability of a suitable mug shot, or other acceptable photograph, that could be used for a photo-spread or photo-book
- The lack or unavailability of suitable individuals to organize and conduct an acceptable line-up
- Request of the suspect

Officers must be able to articulate the reason(s) for not using other methods of identification.

The officer who conducts a one-on-one identification shall:

- Determine and document a description of the suspect prior to the one-on-one identification.
- Request that the suspect sign the Consent to One-on-One Identification form (LMPD #04-08-0816) for a one-on-one identification in the presence of the investigating officer and one (1) other witness. A one-on-one identification may not take place without the consent of the suspect. If the suspect verbally consents, but refuses to sign the consent form, the investigating officer shall write the word "refused" in the signature space of the form. The investigating officer and the secondary witness shall both sign in the witness spaces on the form.

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	Accreditation Standards: CALEA: 42.2.12
Chapter: Field Operations	
Subject: One-on-One Identification	

## 8.16.2 PROCEDURES (CONTINUED)

- Attempt to conduct the one-on-one identification in an area out of public view. If the suspect is in custody, the identification shall take place at a departmental facility. If not in custody, the officer should request that the suspect voluntarily accompany him/her to a departmental facility (CALEA 42.2.12b).
- Not require the suspect to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
- Conduct the one-on-one identification with each victim/witness separately (CALEA 42.2.12c).
- Advise the victim/witness that it is just as important to clear innocent persons from suspicion as it is to identify guilty parties (CALEA 42.2.12d).
- Advise the victim/witness that the person he/she is looking at may or may not be the perpetrator (CALEA 42.2.12d).
- Advise the victim/witness that features such as head and facial hair are subject to change (CALEA 42.2.12d).
- Advise the victim/witness that, regardless of whether or not an identification is made, the police will continue to investigate the incident (CALEA 42.2.12d).
- If a positive identification is made and other witnesses are not readily available to participate in the procedure, the officer should consider using other identification procedures (e.g. line-up, photo-pack).
- Not present the same suspect to the same victim/witness more than once.
- Have the victim/witness complete the One-on-One Identification form (LMPD# 04-08-0817), regardless of whether or not an identification is made. The investigating officer and secondary witness shall both sign in the witness spaces on the form (CALEA 42.2.12g).

One-on-one identifications may be conducted at any time after a suspect has given consent. A suspect may verbally withdraw his/her consent at any time prior to the identification procedure.

Persons involved in this procedure are prohibited from providing feedback, making statements or behaving in a manner that might influence the judgment or perception of the victim/witness (CALEA 42.2.12f).

After the one-on-one identification process is complete, the officer should instruct the victim/witness not to discuss the process or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, if media exposure could jeopardize a pending investigation.

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	Effective Date: 07/16/04 Prv. Rev. Date: 09/10/09 Revised Date: 04/10/10
	Accreditation Standards: CALEA: 42.2.11 KACP: 27.1
Chapter: Field Operations	
Subject: Photo-Packs	

## 8.17 PHOTO-PACKS

### 8.17.1 DEFINITION

Photo-pack identification is the showing of multiple photographs, including a single suspect, to a victim/witness, in an attempt to obtain identification. Photo-pack identifications must use multiple photographs shown sequentially or simultaneously to a victim/witness.

### 8.17.2 PHOTO-PACK STANDARDS

Before allowing a victim/witness to view a photo-pack, officers shall attempt to assess his/her level of confidence and ability to make identification. Factors to consider include, but are not limited to (CALEA 42.2.11e):

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

When creating a photo-pack, officers shall (CALEA 42.2.11a):

- Use at least five (5) photos of individuals who are of the same sex and race and are reasonably similar in age, height, weight and general appearance to the suspect, for a minimum of six (6) photos.
- Avoid using non-suspect photos that so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the non-suspects. Complete uniformity of features is not required.
- Create a consistent appearance between the suspect and the non-suspects with respect to any unique feature (e.g. scars, tattoos, etc.) used to describe the perpetrator by artificially adding or concealing the feature.
- Keep the original of all photos that have been scanned and adjusted. Officers who perform any adjustments to pictures must be able to articulate the reason for the change.
- Select the photo that resembles the suspect description or appearance at the time of the incident, if multiple photos of the suspect are available.
- Not reuse non-suspects in photo-packs shown to the same victim/witness.
- Avoid mixing color and black and white photos.
- Ensure that photographs are of the same size and composition and never include more than one (1) photo of the same suspect in a pack.
- Position the suspect photo randomly in the pack. Consider placing the suspect photo in different positions in each photo-pack, both with suspects in multiple cases and with multiple victims/witnesses in the same case.
- Cover any portions of the mug-shots/photographs that provide identifying information on the suspect, and similarly cover those used in the pack, to create an appearance that is as consistent as possible.
- View the pack after completion to ensure that the suspect does not unduly stand out.

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	Accreditation Standards: CALEA: 42.2.11 KACP: 27.1
Chapter: Field Operations	
Subject: Photo-Packs	

## 8.17.3 OBTAINING PHOTOS FOR A PHOTO-PACK

Photos used for a photo-pack may be obtained from any source, as long as the non-suspect photos used are similar in size and composition, and do not contain content that would suggest to the victim/witness which photo to choose. The preferred source for photos is the Louisville Metro Department of Corrections (LMDC) MugsPLUS web site, which may be accessed via the LMPD Intranet. If the LMDC does not have an available suspect photo, the Kentucky State Police (KSP) Automated Fingerprint Identification System (AFIS) Branch may be used as a source to obtain a Kentucky driver's license photo for felony or serial misdemeanor cases. Because of confidentiality restrictions imposed by the Kentucky Department of Transportation (DOT), an individual's Kentucky drivers license photo may only be used in a photo-pack if they are a suspect. Non-suspect photos must be obtained from an alternate source. To obtain a driver's license photo from KSP, members shall email a request, using the LMPD email system, to [livescan@ky.gov](mailto:livescan@ky.gov). The photo request, at a minimum, shall list the following:

- Investigating officer's last name, first name and middle initial
- Investigating officer's code number
- Investigating officer's contact phone number
- Department name
- Division/section/unit
- County
- Case number(s) (report number)
- Offense(s) committed
- Offense date
- Suspect's/accused's last, first and middle names
- Suspect's/accused's date of birth
- Suspect's/accused's Social Security Number (SSN)
- Suspect's/accused's Kentucky driver's license number

## 8.17.4 PHOTO-PACK PROCEDURE

When showing a photo-pack to a victim/witness, officers shall (CALEA 42.2.11d):

- Make a video and/or audio recording of the photo-pack identification process (CALEA 42.2.11b).
- Show the photo-pack to only one (1) victim/witness at a time (CALEA 42.2.11c).
- Advise the victim/witness they will be looking at a set of photographs.
- Advise the victim/witness that it is just as important to clear innocent persons from suspicion as to identify guilty parties.
- Advise the victim/witness that the person who committed the crime may or may not be in the set of photographs being presented.
- Advise the victim/witness that features such as head and facial hair are subject to change.
- Advise the victim/witness that, regardless of whether or not an identification is made, the police will continue to investigate the incident.

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	Accreditation Standards: CALEA: 42.2.11 KACP: 27.1
Chapter: Field Operations	
Subject: Photo-Packs	

## 8.17.4 PHOTO-PACK PROCEDURE (CONTINUED)

The officer conducting the photo-pack process should ask the victim/witness if he/she understands how the procedure will be conducted and if he/she has any questions. After conducting the photo-pack process the officer shall:

- Have the victim/witness sign the back of the photo or the display, next to the person whom he/she identified, if identification is made. Do not use the signed photo/display again.
- Have the victim/witness complete the Photo-pack Identification form (LMPD# 04-08-0819), whether or not an identification is made (CALEA 42.2.11g).
- Preserve the photo-pack for future reference, whether or not an identification is made (CALEA 42.2.11g, KACP 27.1).
- Advise the victim/witness that he/she should not discuss the photo-pack or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, if media exposure could jeopardize a pending investigation.

Officers involved in this procedure shall not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness (CALEA 42.2.11f).



# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 8.18
	Effective Date: 07/16/04 Prv. Rev. Date: 07/11/08 Revised Date: 09/10/09
	Accreditation Standards:
Chapter: Field Operations	
Subject: Photo-Books	

## 8.18 PHOTO-BOOKS

### 8.18.1 DEFINITION

A photo-book is a large collection of photographs, placed in a book or binder, for the purpose of suspect identification. A photo-book may be used when no suspect has been identified.

### 8.18.2 PHOTO-BOOK STANDARDS

Each division/section/unit may set up and maintain a photo-book based on the following criteria:

- Photo-book photographs shall consist of mug-shots from the Louisville Metro Department of Corrections (LMDC) MugsPLUS system.
- Due to the legal necessity of maintaining original copies of photographs from other sources, including but not limited to, driver license, other law enforcement agencies, portraits or any scanned/altered photo, these types of photographs, if used for victim/witness identification, shall be presented in a photo-pack (refer to SOP 8.17).
- Photographs may be separated by race and gender.
- Photographs may be separated by the subject's offense history.
- The total number of photographs in a photo-book shall not be limited.
- Only one (1) photograph of each individual shall be placed in the photo-book.

### 8.18.3 PROCEDURE

Before attempting to identify a potential suspect by allowing a victim/witness to view a photo-book, officers shall attempt to assess his/her level of confidence and ability to make an identification. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

When presenting the photo-book, the officer shall:

- Show the photo-book to only one (1) victim/witness at a time.
- Advise the victim/witness that he/she shall be looking at a book of photographs.
- Advise the victim/witness that it is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

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	Accreditation Standards:
Chapter: Field Operations	
Subject: Photo-Books	

## 8.18.3 PROCEDURE (CONTINUED)

- Advise the victim/witness that the person who committed the crime may or may not be in the photographs being presented.
- Advise the victim/witness that, regardless of whether or not identification is made, the police shall continue to investigate the incident.
- Advise the victim/witness that features such as head and facial hair are subject to change.
- If an identification is made, remove the photograph chosen, have the victim/witness sign the back and maintain the photograph as evidence.
- Have the victim/witness complete the Photo-Book Identification Form (LMPD# 04-08-0818), regardless of whether or not an identification is made.
- Advise the victim/witness that he/she should not discuss the results with other victims/witnesses and may discourage him/her from discussing the case with the media, if media exposure could jeopardize a pending investigation.

If a positive identification is made by a victim/witness, the officer shall consider using other identification methods for any other victims/witnesses.

Officers involved in this procedure shall not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness.

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	Accreditation Standards: CALEA: 42.2.12
Chapter: Field Operations	
Subject: Show-Ups	

## 8.19 SHOW-UPS

### 8.19.1 DEFINITION

A show-up identification is the presentation of a single suspect to a victim/witness, within a reasonable amount of time, following the commission of a crime. A show-up identification is conducted for the purpose of identifying, or eliminating, the suspect as the perpetrator. A show-up identification differs from a *typical* one-on-one identification (refer to SOP 8.16), which occurs beyond a reasonable amount of time, and therefore, requires the suspect's consent.

### 8.19.2 PROCEDURE

Circumstances that allow the use of a show-up are (CALEA 42.2.12a):

- Location: If a suspect is located in close proximity to the crime scene, and
- Timing: If the suspect is located within an hour of the crime being committed, and
- Physical Description: If the suspect reasonably matches the physical description provided by a credible witness to the crime.

If these three (3) conditions are not met, a photo line-up should be arranged.

Before conducting a show-up, officers shall attempt to assess the victim's/witness's level of confidence and his/her ability to make an identification (CALEA 42.2.12e). Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime
- The victim's/witness's degree of attention
- The accuracy of the victim's/witness's prior description of the perpetrator
- The level of certainty demonstrated by the victim/witness in the identification process
- The length of time between the crime and the identification process

When an officer conducts a show-up, he/she shall:

- Ensure that the suspect is presented to the victim/witness within a reasonable amount of time.
- Prior to the show-up, determine and document a description of the suspect.
- Not conduct the show-up with more than one (1) victim/witness at a time (CALEA 42.2.12c).
- Transport a victim/witness to the location of the detained suspect to limit the legal impact of the suspect's detention. The suspect may waive his/her right to have the victim/witness brought to him/her and be transported to the victim/witness. Persons who are under arrest may be transported to the location of the victim/witness (CALEA 42.2.12b).
- Consider officer and public safety when deciding whether or not to have the suspect in handcuffs during the show-up.
- Not require the suspect to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.

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## 8.19.2

### PROCEDURE (CONTINUED)

- Not present the same suspect to the same victim/witness more than once.
- Advise the victim/witness that it is just as important to clear innocent persons from suspicion as it is to identify guilty parties (CALEA 42.2.12d).
- Advise the victim/witness that the person he/she is looking at may or may not be the perpetrator (CALEA 42.2.12d).
- Have the victim/witness complete the One-on-One Identification form (LMPD# 04-08-0817), regardless of whether or not an identification is made (CALEA 42.2.12g).
- Consider using other identification procedures (e.g. line-up, photo-pack) for any subsequent victims/witnesses, if a positive identification is made from one (1) victim/witness.
- Not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness (CALEA 42.2.12f).

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	Accreditation Standards: CALEA: 43.1.1
Chapter: Field Operations	
Subject: Narcotics Investigation	

## 8.20 NARCOTICS INVESTIGATION

### 8.20.1 DECONFLICTION

Deconfliction is the process, or system, used to determine if multiple law enforcement agencies or divisions/sections/units are investigating the same person, crime or organization. This process will also provide notification and contact information to each agency or division/section/unit having a shared interest in the case determined to be in conflict.

Louisville Metro Police Department (LMPD) members are required to enter information into the High Intensity Drug Trafficking Area (HIDTA) software program. The deconfliction software program is designed to (CALEA 43.1.1c):

- Link agencies within a three (3) state area to prevent investigative conflicts
- Alert other divisions/sections/units and law enforcement personnel of a potential conflict regarding an investigation or other drug investigative activity which has been entered into the system
- Provide safety for officers involved in drug investigations and/or investigative activities involving the same target

Members who are conducting a drug investigation and/or drug investigative activity are responsible for entering information into the HIDTA system **prior** to the action taking place. For the purpose of this directive, drug investigation and/or drug investigative activity includes, but is not limited to:

- Drug arrests
- Undercover buys
- Buy-busts
- Controlled deliveries
- Marijuana eradications
- Knock and talks
- Reverse buys
- Methamphetamine labs (meth labs)
- Surveillances
- Search warrants
- Meetings with drug trafficking suspects

### 8.20.2 MARIJUANA PLANTS

Members encountering more than 25 plants in an indoor grow operation should consider them a hazard that poses a serious danger to responders. Such hazards include, but are not limited to:

- Mold
- Electrical hazards
- Chemical reactions

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## 8.20.2 MARIJUANA PLANTS (CONTINUED)

- Bombs and booby traps
- Oxygen deficiency

Members finding greater than 25 marijuana plants should treat it as a clandestine lab and shall have MetroSafe contact the on-call Clandestine Laboratory Enforcement Team (CLET) (refer to SOPs 8.1, 12.4 and 12.12).

## 8.20.3 CASE CRITERIA FOR NARCOTIC INVESTIGATIONS

All drug traffickers have been classified into three (3) groups (Class I, Class II and Class III violators). The guidelines have been further classified by the certain types of drugs (e.g. cocaine, marijuana, methamphetamine, heroin and pharmaceuticals).

The criteria for Narcotics Division cases and other division/section/unit cases are as follows:

- **COCAINE**
  - Class I Violator Trafficking one (1) kilogram or greater
  - Class II Violator Trafficking ¼ lb. to one (1) kilogram
  - Class III Violator Trafficking less than ¼ lb.
- **MARIJUANA**
  - Class I Violator Trafficking 25 lbs. or greater
  - Class II Violator Trafficking ten (10) lbs. to 25 lbs.
  - Class III Violator Trafficking less than ten (10) lbs.
- **METHAMPHETAMINE**
  - Class I Violator Trafficking one (1) kilogram or greater
  - Class II Violator Trafficking 50 grams to one (1) kilogram
  - Class III Violator Trafficking less than 50 grams
- **HEROIN**
  - Class I Violator Trafficking 50 grams or greater
  - Class II Violator Trafficking five (5) grams to 50 grams
  - Class III Violator Trafficking less than five (5) grams

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## 8.20.3 CASE CRITERIA FOR NARCOTIC INVESTIGATIONS (CONTINUED)

- **PHARMACEUTICALS**

- Class I Violator Trafficking 300 pills or greater
- Class II Violator Trafficking 100 pills to 300 pills
- Class III Violator Trafficking less than 100 pills

## 8.20.4 CRITERIA FOR CLASS I VIOLATORS

Class I violators shall be investigated primarily by members assigned to the Narcotics Division due to their access to appropriate resources (e.g. personnel, equipment, fiscal resources, etc.) and expertise in narcotics investigations. In cases where division members receive information, either through investigative efforts or informant information regarding a Class I violator, they shall notify a Narcotics Division commanding officer and advise him/her of the information. A detective of the Narcotics Division shall be assigned to the case and shall investigate it by utilizing members of the originating division/section/unit to ensure a successful outcome.

## 8.20.5 CRITERIA FOR CLASS II VIOLATORS

Class II violators shall be investigated primarily by patrol division members. Commanding officers from the patrol division investigating a case shall request assistance from Narcotics Division members, if needed. This request shall be made by a commanding officer from the patrol division working the case to the Narcotics Division commanding officer. However, at a minimum, when patrol division members are working a case involving a Class II violator, they shall contact a Narcotics Division commanding officer to advise him/her of their target. This is intended to prevent any investigative duplication and/or conflicts.

If it appears that the division case will yield an investigation that includes a Class I violator, a Narcotics Division detective shall assist with the investigation. If the detective who initiated the original case or information wishes to participate in the investigation of the Class I violator, he/she may do so with the approval of the division and the Narcotics Division commanders.

## 8.20.6 CRITERIA FOR CLASS III VIOLATORS

Class III violators shall be investigated by division members. Class III violators are to be considered as street-level dealers for purposes of this criterion.

## 8.20.7 SPECIALIZED INVESTIGATIONS

Due to their complexities, doctors, pharmacists and clandestine labs shall be classified as Class I violators and shall be investigated by the Narcotics Division. Cases involving stolen, forged or altered prescriptions shall also

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## 8.20.7 SPECIALIZED INVESTIGATIONS (CONTINUED)

be classified as Class I violators and shall be investigated by the Narcotics Division.

## 8.20.8 DRUGS STOLEN IN COMMERCIAL ROBBERY/BURGLARY/THEFT

A Narcotics Division commanding officer shall be contacted when an investigation concerns commercial robberies, burglaries or thefts of any suspected pharmaceuticals, including controlled, non-controlled/legend and over-the-counter substances. The Narcotics Division has the ability to trace many of these pharmaceuticals back to their place of origin, which could help develop further leads into the investigation. In addition, the Narcotics Division shall also provide expertise and resources to the investigating unit.

A Narcotics Division commanding officer shall also be contacted regarding the theft of all pharmaceutical blanks (blank prescription slips/pads).



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	Accreditation Standards: CALEA: 12.1.4
Chapter: Field Operations	
Subject: Cross Division Actions	

## 8.21 CROSS DIVISION ACTIONS

### 8.21.1 DEFINITION

**Cross Division Action:** Any police action performed by an on-duty officer outside of the boundaries of his/her assigned division.

### 8.21.2 NOTIFICATION (CALEA 12.1.4)

An officer shall notify his/her supervisor and MetroSafe when performing any of the following police actions in another division:

- Search of a premises, whether by consent or warrant
- Arrest, whether on probable cause or by warrant
- Narcotics operations
- Surveillance/stake-out

When an officer is dispatched into another division, it is the dispatcher's responsibility to inform commanding officers from the division to which the officer is assigned and the division to which the officer is sent.

If any planned action is of a sensitive nature, the commanding officer from the originating division/section/unit shall inform the MetroSafe supervisor and the commanding officer from the affected division, by phone. The commanding officer from the originating division shall also inform MetroSafe and the commanding officer of the affected division if any officers are going to be acting in a covert manner. The MetroSafe supervisor and the commanding officer who are notified shall have discretion as to what information is disseminated to the dispatcher or the officers working the affected area.

### 8.21.3 EXEMPTIONS

Centralized detectives and division units shall call-out on their assigned channel when conducting interviews or investigations that are not listed in SOP 8.21.2.

Members of specialty units responding to call-outs are exempt from notification. The call-out shall act as notification.

Units that routinely conduct sensitive operations (e.g. Narcotics Division, Special Investigations Division) shall have initial discretion on notification. The decision shall rest with the unit commander, or his/her designee, who shall have the rank of lieutenant or higher. However, if the operation conducted is the service of a warrant, notification is mandatory.

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## 8.21.4 OTHER JURISDICTIONS

Officers conducting self-initiated activity in an incorporated area of Jefferson County shall notify MetroSafe of the location to which they are going. If they are going into the jurisdiction to do any action that is covered in SOP 8.21.2, they shall notify MetroSafe and the agency that has jurisdiction. Notification of the other jurisdiction may be made through MetroSafe. If there is no independent police coverage, or a limited coverage and no police officer is working, the commanding officer of the initiating division/section/unit shall note that information. If there is an articulable reason as to why another jurisdiction should not be notified, authorization shall be made by a division/section/unit commander, or his/her designee. In any case, MetroSafe shall be notified that officers are outside of their jurisdiction. Notification can be made by the officer, via phone or radio.

Officers shall not conduct self-initiated activity outside of Jefferson County without first receiving the approval of their commanding officer. Upon receipt of this approval, officers are to follow the procedures described above for notifying MetroSafe and the law enforcement agency having jurisdiction over the location of the activity.

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Chapter: Field Operations	
Subject: Abuse, Neglect and Dependency	

## 8.22 ABUSE, NEGLECT AND DEPENDENCY

### 8.22.1 DEFINITIONS - CHILD

**Abused or Neglected Child:** A child whose health or welfare is harmed, or threatened with harm, when his/her parent, guardian or other person exercising custodial control, or supervision, of the child:

- Inflicts, or allows to be inflicted upon the child, physical or emotional injury by other than accidental means.
- Creates, or allows to be created, a risk of physical or emotional injury to the child by other than accidental means.
- Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child, including, but not limited to, parental incapacity due to alcohol and other drug abuse.
- Continuously, or repeatedly, fails or refuses to provide essential parental care and protection for the child, considering the age of the child.
- Commits, or allows to be committed, an act of sexual abuse, sexual exploitation or prostitution upon the child.
- Creates, or allows to be created, a risk that an act of sexual abuse, sexual exploitation or prostitution will be committed upon the child.
- Abandons, or exploits, the child.
- Does not provide the child with adequate care, supervision, food, clothing, shelter, education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing the person's religious beliefs shall not be considered a negligent parent solely because of the failure to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child.

**Child:** Any person under 18 years of age.

**Dependency:** Any child who is under improper care, custody, control or guardianship that is not due to an intentional act of the parent, guardian or person exercising custodial control or supervision of the child.

### 8.22.2 REPORTING DUTIES - CHILD

Pursuant to Kentucky Revised Statute (KRS) 620.030, any person who knows, or has reasonable cause to believe, that a child is dependent, neglected or abused shall immediately make a report. Officers who encounter a child, who is abused, neglected or dependant shall contact the Crimes Against Children Unit (CACU) and Child Protective Services (CPS). The CACU, depending on the circumstances, shall either respond or direct the officer to take a report (CALEA 44.2.2b). In addition to the basic incident report (refer to SOP 3.5), officers shall complete an eJC-3 or paper JC-3 report.

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## 8.22.2 REPORTING DUTIES – CHILD (CONTINUED)

If a child is over 16 years of age and a victim of sexual assault or abuse and the alleged offender is not a caretaker, the officer shall contact the Sex Crimes Squad of the Special Victims Unit (SVU).

## 8.22.3 EMERGENCY CUSTODY ORDER CRITERIA

An officer may take a child into emergency custody if the child is less than 18 years of age and one (1), or more, of the following conditions are met:

- There are reasonable grounds to believe that the child is in danger of imminent death, serious physical injury or is being sexually abused (CALEA 44.2.2b, KACP 18.5b).
- The parents, or other persons exercising custodial control or supervision, have repeatedly inflicted, or allowed to be inflicted by other than accidental means, physical injury or emotional injury. This shall not include reasonable and ordinary discipline as recognized in the community where the child lives as long as it does not result in abuse or neglect as defined in KRS 600.020(1).
- The parents, or other persons exercising custodial control or supervision, are unable or unwilling to protect the child.

Between the hours of 0800 and 2400, if an officer has reasonable grounds to believe that a child is in danger of imminent death or serious physical danger, the officer shall request that MetroSafe contact Child Protective Services (CPS). A social worker will respond to the scene within 30 minutes and take responsibility for making the decision as to whether or not the child should be removed. If the social worker determines that the child must be removed, then the social worker will take responsibility for obtaining an Emergency Custody Order. The worker may request assistance in transporting the child to the Home of the Innocents, located at 1100 East Market Street.

If an officer suspects that a child has been, or is being, abused, dependent or neglected, but there is not enough probable cause to warrant an emergency custody order, the officer shall report his/her suspicions to the Child Abuse Hotline (502) 595-4550 and the CACU.

## 8.22.4 EMERGENCY CUSTODY ORDER PROCEDURES AND DOCUMENTATION (KACP 17.5, 18.5b)

If an officer determines that the above conditions exist, he/she may take the juvenile into protective custody and follow the procedures above. If the child is in need of medical attention, the officer shall request that Louisville Metro Emergency Medical Services (LMEMS) respond to the scene or take the child to a hospital (CALEA 44.2.2d).

Between 2400 and 0800 hours, prior to taking a child into custody, officers shall notify the CACU and their commanding officer of the situation. If certain criteria are met, the CACU detective shall respond to the scene.

If the detective does not respond to the scene, the officer shall complete a basic incident report (refer to SOP 3.5) and an eJC-3 or paper JC-3, by the end of his/her shift, and fax a copy of the form to the CACU and CPS.

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## 8.22.4 EMERGENCY CUSTODY ORDER PROCEDURES AND DOCUMENTATION (CONTINUED)

If no victim or perpetrator information can be obtained at the scene or from the child (e.g. the child is very young and found wandering in the street), the officer is not required to complete the basic incident report or an eJC-3 or paper JC-3. The officer shall also notify the Child Abuse Hotline of the incident at (502) 595-4550. Call takers will ask for pertinent information at that time.

If the emergency removal of a child takes place between 2400 and 0800 hours or on weekends, a CPS worker might not respond to the scene. In such cases, the officer shall take the child into custody and may deliver him/her to the Home of the Innocents, or, with consent of the parent/guardian, he/she may entrust the child to another person.

If the parent/guardian consents to the child being entrusted to another competent person, the officer need not seek an Emergency Custody Order, but shall:

- Record the name, age, address, phone number and relationship of the person to whom the child is released.
- Report this information, with a detailed account of the incident, to the CACU and the Child Abuse Hotline.

If the parent/guardian will not provide consent, or if there is no other person with whom to entrust the child, the officer shall:

- Deliver the child to the Home of the Innocents.
- Provide written notice to the parent or guardian by completing the Notice of Emergency Removal form (LMPD #04-08-0301) per KRS 620.040 (5) (d). If the officer is unable to locate the parent or guardian, he/she shall leave the notice with a neighbor or at the residence in a highly visible area. If no victim, or perpetrator, information can be obtained at the scene or from the child (e.g. the child is very young and found wandering in the street), then the officer is not required to complete the Notice of Emergency Removal form.

If the officer takes the child to the Home of the Innocents between the hours of 0800 and 2400, Monday through Friday, the officer shall notify CPS. CPS will take responsibility for obtaining the Emergency Custody Order. The officer shall complete the eJC-3 or paper JC-3 and give a copy to the responding CPS worker. If the officer takes the child to the Home of the Innocents, between the hours of 2400 and 0800, Monday through Friday or on the weekend, the officer shall:

- Complete an incident report for the child listing the charge as dependency. If the officer cannot obtain the child's information (e.g. due to age, refusal, etc.), the officer shall complete the report listing the individual as Jane/John Doe.
- Complete the Emergency Custody Order Affidavit (AOC-DNA-2.1). This form should be available at the Home of the Innocents.
- Request that personnel at the Home of the Innocents provide the name and contact number of the on-call judge.

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## 8.22.4 EMERGENCY CUSTODY ORDER PROCEDURES AND DOCUMENTATION (CONTINUED)

- Contact the on-call judge, via the recorded line at the Home of the Innocents. The officer shall note on the Emergency Custody Order Affidavit that a verbal Emergency Custody Order was granted by (Judge) on (date) at (time). The officer shall leave a copy of the eJC-3 or paper JC-3 and the Emergency Custody Order affidavit at the Home of the Innocents, to be given to CPS. CPS will obtain the judge's signature.

## 8.22.5 DEFINITIONS - ADULT

**Adult:** A person 18 years of age or older who, because of a mental or physical dysfunction, is unable to manage his/her own resources, carry out the activity of daily living, protect himself/herself from neglect or from a hazardous or abusive situation without assistance from others, and who may be in need of protective services.

**Abuse:** The infliction of physical pain, mental injury or injury.

**Exploitation:** Obtaining or using another person's resources, including, but not limited to, funds, assets or property by deception, intimidation or similar means with the intent to deprive the person of those resources.

**Caretaker:** An individual or institution who has the responsibility for the care of an adult as a result of family relationship, or who has assumed the responsibility for the care of the adult person voluntarily, by contract, employment, legal duty or agreement.

**Neglect:** A situation in which an adult is unable to perform or obtain for himself/herself the services which are necessary to maintain his/her health or welfare, or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult, or a situation in which a person deprives his/her spouse of reasonable services to maintain health and welfare.

## 8.22.6 REPORTING DUTIES – ADULT (KACP 17.5)

Pursuant to KRS 209.030, any person, having reasonable cause to suspect that an adult has suffered abuse, neglect or exploitation, shall report the information to Adult Protective Services. Officers shall notify the Crimes Against Seniors Squad of the SVU when they receive information that an elderly person is abused, neglected or dependent. This includes targeting a person for criminal acts specifically because of his/her age.

If an officer has an adult who is neglected or dependent, they shall notify Adult Protective Services, via MetroSafe. The officer shall fill out an eJC-3 or paper JC-3 (refer to SOP 3.5).

If an adult is a victim of domestic violence, the officer shall refer to SOP 8.6.

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Chapter: Field Operations	
Subject: Informants	

## 8.23 INFORMANTS (KACP 17.7)

### 8.23.1 DEFINITIONS

**Informant:** A specific person identified in reports by a code name and “N” number, who, by direction, seeks out and furnishes criminal investigative or criminal intelligence information for a member of the department under any of the following conditions:

- For payment or compensation of any nature
- For anonymous inclusion in affidavits
- For beneficial/preferential treatment in any criminal justice investigation, trial, judicial hearing or probation/parole matter for himself/herself or another
- When equipped with an electronic recording device by a criminal justice agency to gather evidence or monitor criminal activity for anonymous inclusion in criminal or intelligence reports
- When a person is documented as a confidential informant for any other criminal justice agency or who has been documented as such by a criminal justice agency during the preceding five (5) years

### 8.23.2 REGISTERING INFORMANTS

For the purposes of this policy, an acting sergeant shall not be considered a commanding officer.

Officers may not utilize current Drug Court participants as informants. Officers shall conduct a search in the I/Leads Records Management System (RMS) to ensure that the informant is not a Drug Court participant before proceeding with the registration process.

After an officer has developed an informant who he/she intends to use for investigative purposes, he/she shall meet with his/her commanding officer and the informant to complete the forms outlined below (CALEA 42.2.7b):

- **Informant Information Sheet** (LMPD #05-08-0300): This will record the informant’s fictitious name, biographical and background information and notes regarding the subject’s arrest record and warrant status. A current photograph, legal picture identification and a criminal history of the informant should also be attached to the form. The “N” number should be left blank and will be assigned by the Narcotics Division Major Case Lieutenant. The form must be completed in blue ink only and signed by the officer, his/her commanding officer and the informant. The informant is required to sign his/her code name three (3) times.
- **Informant Cooperation Agreement** (LMPD #05-08-0301): This form outlines what is expected of the confidential informant and what actions are prohibited while under the direction of departmental members. The form must be completed in blue ink only and signed by the officer, his/her commanding officer and the informant.
- **Consent to Monitor** (LMPD #05-08-0302): This form shall be completed by the informant in case an operation or situation may require the use of monitoring devices. The form must be completed in blue ink only and signed by the officer, his/her commanding officer and the informant.

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Subject: Informants	

## 8.23.2 REGISTERING INFORMANTS (CONTINUED)

Prior to the end of his/her tour of duty, the officer shall take the completed forms and attachments to the Property Room. The Property Room clerk shall provide the officer with a manila envelope. The officer shall seal the forms and attachments in the envelope and initial the seal. He/she shall then place the envelope in the drug safe.

Designated Narcotics Division detectives shall collect the envelopes and deliver them directly to the Narcotics Division Major Case Lieutenant for filing and processing. The lieutenant shall:

- Review the submitted forms for accuracy and completeness.
- Ensure that the selected code name has not been previously assigned/duplicated.
- Assign a "N" number to the informant.
- Perform background checks on the informant. After reviewing the enclosed criminal history, the lieutenant shall shred the criminal history document.
- Determine if the informant has been, or is currently being, used by other members of the department and whether the informant has ever been deactivated (e.g. declared unsafe for use).
- Contact the officer and inform him/her whether the use of the informant is approved or denied, and provide the officer with the informant's "N" number, when applicable.
- Maintain and secure all informant files in a master file (CALEA 42.2.7a, c).

If an informant selects a code name that has already been chosen, the lieutenant shall contact the officer and instruct him/her to complete new forms with his/her commanding officer and the informant using a different code name.

Once approved by the lieutenant, the informant may be used as many times as needed by the officer for a three (3) year period from the date the informant was originally signed up or until notified of an informant's deactivation. At the end of the three (3) year period all informant forms must be resubmitted to the Major Case lieutenant before an officer may reuse the informant.

## 8.23.3 RELIABILITY AND INFORMANT INFORMATION

The initiating officer should attempt to establish the credibility and reliability of the informant. Such attempts may involve, but are not limited to, the following:

- Assessing and/or corroborating any information previously provided
- Checking with other agencies/employees for whom the informant provided information
- Keeping the informant under surveillance
- Using controlled situations

If an informant becomes unsafe for use, the officer shall notify the Narcotics Division Major Case Lieutenant as soon as possible. The lieutenant shall ensure that all officers who use the informant are notified that the individual has been deactivated.



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Chapter: Field Operations	
Subject: Informants	

## 8.23.4 HANDLING PROCEDURES (CALEA 42.2.7f)

When the use or role of an informant is questionable, officers shall seek guidance from their supervisors, the department legal advisor and/or the appropriate prosecuting attorney.

Officers having enough probable cause to arrest a subject may forego an immediate arrest if the subject is willing to become an informant. In such cases, the officer shall be required to record the facts pertaining to the offense and place the related evidence into the Property Room. If the informant does not follow through on his/her promises of assistance, officers should apply for warrants for the original offense or consult with the Office of the Commonwealth's Attorney regarding the possibility of direct indictments. For the purposes of this procedure, officers shall not forego an arrest if the probable cause for the arrest is related to any of the following crimes:

- Violent crimes
- Crimes involving domestic violence (e.g. violation of a protective order, stalking)
- Crimes involving deadly weapons

Furthermore, officers shall not forego an arrest of a subject if there is a possibility that a victim may receive restitution through court proceedings. However, nothing shall prevent the officer from meeting with the appropriate prosecuting attorney and the defendant after the arrest to reach an agreement regarding pending criminal charges. Only the appropriate prosecuting attorney may make an agreement regarding pending criminal charges against an informant. Therefore, officers are prohibited from making false promises.

An officer should not meet with an informant of the opposite sex unless in the presence of another officer. The initiating officer's commanding officer may grant an exception if it is in the best interest of the department.

When activity involving an informant might create life-threatening situations, the approval for the operation shall be required from the division/section/unit commander. In exigent circumstances, the division/section/unit commander shall be notified as soon as reasonably possible.

Contact officers should attempt to determine whether the informant is being used by another officer or law enforcement agency in order to prevent the duplication of efforts.

The department shall accept information from any source. However, officers are prohibited from using persons below the age of 18 as informants, unless authorization has been given by the division/section/unit commander. If persons under 18 years of age are used as informants, officers shall do so in compliance with the Kentucky Revised Statutes (KRS) and shall only use the juvenile for information purposes. Unless exigent circumstances are present, a waiver of liability shall be obtained from a parent or guardian and stored in the appropriate informant's file (CALEA 42.2.7g).

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## 8.23.5 PAYMENT (CALEA 42.2.7e)

Payment for informants, controlled buys and investigative expenses shall be obtained from the investigative fund of each division/section/unit and authorized by a commanding officer (CALEA 43.1.3). Commanding officers in patrol divisions shall determine the amount of monetary payment based on the Informant Pay Scale for Patrol Divisions, which may be found in the Forms folder on the departmental Intranet.

When a payment, controlled buy or related investigative expense is incurred, the paying officer shall ensure that he/she, another officer and a commanding officer witness the payment and sign the Informant Activity/Payment form (LMPD #05-08-0303), along with the informant. Witness signatures and the informant's signature shall be required on every Informant Activity/Payment form. Commanding officers shall also monitor and encourage the paying officer to use officers with whom he/she is not usually partnered as witnesses to the other payments. Commanding officers are encouraged to specifically sign/witness forms themselves, when the investigative fund under their control is utilized. The Informant Activity/Payment form must be completed in blue ink only and is required in the following situations:

- Any controlled buy to qualify an informant
- Any buy with later prosecution
- Any controlled buy where the informant receives a monetary payment
- Any buy with an arrest
- After the execution of a search warrant
- Any controlled buy with no payment
- When payments are given to the informant by a departmental member
- When the informant provides information resulting in arrests and/or seizures
- When the informant is working with an officer in anticipation of obtaining favorable court review of pending charges
- When the informant incurs incidental expenses while acting under the direction of an officer

If an informant provides information or services at no cost, the officer must still complete and sign the Informant Activity/Payment form and shall note that no payment was provided.

After the Informant Activity/Payment form has been completed, the officer shall take copies of the form to the Property Room, where he/she shall seal the copies and any attachments in a manila envelope provided by the Property Room clerk. The officer shall then initial the seal and place the envelope in the drug safe. Designated Narcotics Division detectives shall collect the envelopes and deliver them directly to the Narcotics Division Major Case Lieutenant for filing. Commanding officers responsible for their respective division investigative fund shall submit the original Informant Activity/Payment form and associated documentation related to informant activity to the Business Administrator, Office of Management and Budget (OMB), located at 611 West Jefferson Street, for investigative fund reconciliation purposes (refer to SOP 8.37.4).

Assistance, financial or otherwise, shall only be granted after the informant provides the requested information or services and his/her information or service substantially benefits the department by initiating, or clearing, cases against other individuals. Informants working with officers for the purpose of favorable judicial review shall not receive other forms of payment until their current case has been adjudicated.

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## 8.23.5 PAYMENT (CONTINUED)

During a drug or controlled buy, informants will commonly attempt to cut out a portion of the drugs purchased for their own use. This practice is strictly prohibited as is the payment of drugs to informants by officers for their services.

## 8.23.6 CONFIDENTIALITY (CALEA 42.2.7c-d)

Since emails are considered public records, officers are prohibited from sending email correspondence that includes an informant's actual information (e.g. name, address, background details).

The Narcotics Division Major Case Lieutenant shall maintain the central repository for all informant files. Departmental members are prohibited from retaining any files, which contain the informant's real name, in other locations (e.g. divisions/sections/units).

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Chapter: Field Operations	
Subject: Warrantless Searches	

## 8.24 WARRANTLESS SEARCHES (CALEA 1.2.4, 11.3.1b)

### 8.24.1 POLICY

In special circumstances and limited emergency situations, justification may exist for a Louisville Metro Police Department (LMPD) officer to conduct a search without a warrant. While search warrants are preferred from a legal standpoint, officers are authorized to conduct warrantless searches as outlined in this policy and by existing law. When searching without a warrant, officers must be able to articulate their justification for the search.

### 8.24.2 DEFINITIONS

**Search:** An examination of an individual's premises, person or property in which he/she has a reasonable expectation of privacy. The purpose of the search is discovering contraband, weapons or other evidence of guilt, to be used in a criminal prosecution. A search involves a prying into, or the manipulation of, concealed or hidden places trying to discover something inconspicuous. Items in plain view shall not constitute a search (KACP 1.4b). A search shall only be conducted pursuant to a warrant, with consent or under exigent circumstances with probable cause.

**Consent Search:** A search made by law enforcement officers based on the consent of the individual whose person or property is being searched.

**Probable Cause:** The level of evidence, held by a rational and objective observer, necessary to justify logically accusing a specific suspect of a particular crime, based upon reliable objective facts.

**Pat Down:** A "frisk," or the external feeling of the outer garments of an individual, for weapons. A pat down shall only be conducted on reasonable grounds that the individual being subjected to the pat down is armed and dangerous to the officer or others. A pat down does not include manipulating, or grasping, the outer garments or reaching inside of, or opening, the garments (e.g. pockets, jackets, etc.).

**Terry Stop:** A stop of an individual by law enforcement officers based upon reasonable suspicion that the individual may have been engaged, is engaging or is about to engage in criminal activity.

### 8.24.3 SPECIAL CIRCUMSTANCES (KACP 1.4c)

#### Pat Down Search during a Terry Stop

Officers may conduct a pat down search of an individual during a Terry Stop if there is reason to believe that the subject is armed and dangerous (refer to SOP 3.6). If, during the pat down, the officer feels something solid that could reasonably be, or contain, a weapon, he/she shall reach inside of the clothing and seize the object. Additionally, if through the officer's touch and experience, he/she immediately recognizes the object as contraband, then he/she shall seize it.

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## 8.24.3 SPECIAL CIRCUMSTANCES (CONTINUED)

If the Terry Stop involves a person in a vehicle and the officer has reason to believe that the suspect is armed and dangerous and might gain control of weapons within the vehicle, the officer shall search the subject as outlined above and shall also search the passenger compartment of the vehicle, looking only in places where weapons may be hidden.

### Search Incident to a Lawful Arrest

An officer shall search a subject immediately after arrest. The officer may search the entire person of the subject and the nearby area from which the subject might have been able to handle a weapon or destructible evidence.

An officer may search a vehicle, incident to a recent occupant's arrest, only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense of the arrest (*Arizona v Gant*). The officer shall not search the trunk, motor compartment or other areas of the vehicle without a warrant, probable cause, consent or exigent circumstances.

### Search of a Vehicle Based on Probable Cause

While search warrants are preferred in any search situation, an officer who has probable cause to believe that a vehicle contains evidence of a crime may search the vehicle before, or after, an arrest, or without making an arrest. The officer may search the vehicle at the scene where he/she stops it, or otherwise locates it in a public place, or after it has been moved elsewhere by the authorities. In such instances, the officer must be able to explain the exigency of the circumstances.

The officer may search the entire vehicle including the glove compartment, trunk, hubcaps, hood area and containers found within (e.g. bags, boxes, suitcases, etc.), providing only that he/she limit his/her search to those areas/containers which could physically contain the seizable item that he/she has probable cause to believe is in the vehicle.

If an officer has probable cause to believe that a container in a vehicle contains evidence of a crime, but his/her probable cause does not extend to the vehicle itself, the officer is allowed to stop the vehicle, seize the specific container and search within it, without obtaining a warrant.

### Entry of Premises without a Warrant

Officers may legally enter premises without a warrant, or consent, if any of the following exigent circumstances exist:

- Entry of premises in fresh pursuit to arrest: when chasing a suspect after a crime has been committed and the suspect enters a building shortly before the police arrive (KACP 30.9).
- Entry of premises to protect life or health: when there is probable cause to believe that someone is injured and needs help or is threatened with injury or death.

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## 8.24.3 SPECIAL CIRCUMSTANCES (CONTINUED)

- Entry of premises to prevent destruction of evidence: when there is probable cause to believe that evidence that could be easily destroyed is on the premises and there is good reason to believe that the evidence is being, or is about to be, destroyed.

## 8.24.4 CONSENT SEARCH (KACP 1.4d)

### Persons

Consent searches of an individual's person can be granted only by the individual to be searched.

### Vehicles and Dwellings

The use of the Consent to Search form (LMPD #06-0036) is mandatory for all consent searches of premises or vehicles. An exception to this order would be situations where verbal consent is given to search a vehicle or home and consent is recorded using one (1) of the department's in-car cameras or a tape recorder.

In situations where a person verbally consents to a search, but refuses to sign the Consent to Search form, the refusal must be documented on the form and signed by a commanding officer. Officers shall not conduct such a search until their commanding officer has signed the form and granted his/her approval.

If consent is granted, officers may conduct a protective sweep of a dwelling for their own safety; or incident to arrest if there is reasonable suspicion that other persons may be present; or if probable cause exists and there are exigent circumstances. A "knock and talk" does not automatically give an officer the justification to perform a protective sweep. When a search is authorized by consent, the scope of the search is limited by the terms of its authorization. The consent does not extend to the entire dwelling, only the immediate area/room where the consent to search has been given. Any objects found and seized in the area/room where a consent to search has been given are admissible at trial as an exception to the warrant requirement. In the absence of consent, officers may not conduct a warrantless search or seizure of additional areas/rooms without both probable cause and exigent circumstances.

In order for a protective sweep to be justified, one (1) of the following must be present:

- Consent
- Reasonable suspicion (must be incident to an arrest)
- Probable cause and exigent circumstances

### Coercion

Consent searches shall only be considered legal when consent is given voluntarily by a person with the authority to consent. The person must be aware of what he/she is doing, the area(s) to be searched and provide consent of his/her own free will.

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## 8.24.4 CONSENT SEARCH (CONTINUED)

Officers shall not force, threaten or deceive an individual into consenting to a search (e.g. threatening to seize a vehicle or dwelling while a warrant is obtained and no probable cause exists for obtaining a warrant, etc.). If possible, no more than two (2) officers should be present when obtaining consent.

### Limiting/Withdrawing Consent

An individual may limit his/her consent to cover only certain areas or may withdraw his/her consent at any time. As soon as the subject indicates that he/she wants the search to stop, no further search may be justified as a consent search.

### Consent to Search Form Retention/Submission

The original hardcopy of the Consent to Search form shall be retained by the officer for inclusion in a case file (refer to SOP 8.35). A copy shall be forwarded to the Legal Advisor's Office, via interoffice mail, for filing. Consent to Search forms shall be retained pursuant to federal, state and local records retention schedules (CALEA 82.1.3).

## 8.24.5 SEARCH SITUATIONS NOT PROTECTED BY THE FOURTH AMENDMENT

The following situations are not protected by the Fourth Amendment:

### Open Fields

An open field is any land area, whether open, wooded or otherwise, which is not included in the curtilage. An officer may search an open field without a warrant, without probable cause, despite notices or other efforts showing an expectation of privacy and despite the fact that the search may constitute a technical trespass. When in an open field area, the officer may not, on that account alone, search a building, person or non-abandoned car.

### Public Area

An officer may search public areas such as roads, sidewalks, public parks, etc. Various commercial establishments such as bars and retail stores may also be searched by an officer in areas where prospective customers are allowed, at times when they are allowed to be there and making no closer examination of things therein than an ordinary customer would. However, individuals in public areas have a reasonable expectation of privacy, on their persons and in their luggage and vehicles, while in a public area.

### Abandoned Property

An expectation of privacy may be lost either by discarding property in a place where others would have access to it or by disclaiming ownership of the property.

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## 8.24.6 IMPOUNDED VEHICLES

Mere legal custody of an impounded vehicle does not automatically create a right to search. In order to search a lawfully impounded vehicle, an officer must have the consent of the owner, exigent circumstances or a search warrant based on the officer's affidavit that the vehicle contains evidence or constitutes the fruit or instrumentality of a crime (KACP 1.4c-d).

Routine inventory searches of impounded vehicles are not permitted. However any evidence in plain view, seizable under the Plain View Doctrine, may be seized as evidence (KACP 1.4b). Other articles in plain view which are not evidence, but are considered valuable personal property, must be removed and taken to the Property Room or shall be removed from plain view within a secured vehicle.

## 8.24.7 EXTRACTING EVIDENCE FROM A SUSPECT'S MOUTH

Use of physical force to search a suspect's mouth for contraband is prohibited, unless:

- A lawful arrest of the person has been made, based upon probable cause;
- There is probable cause to believe that the suspect has hidden a seizable item (e.g. illegal drugs) within his/her mouth;
- There is a clear indication that a seizable item will be found within the suspect's mouth; and
- Either a search warrant has been issued authorizing an intrusion into the suspect's mouth or exigent circumstances (e.g. imminent destruction of evidence or a medical emergency) exist (KACP 1.4c).

Once all of the prerequisites listed above have been satisfied, an officer may use reasonable force to extract the contraband hidden in the suspect's mouth. A supervisor shall be notified and shall complete an Administrative Incident Report (AIR) (LMPD #03-03-0001) whenever force is used in these situations.

The Electronic Control Weapon (ECW) shall not be utilized to prevent the swallowing of evidence nor shall it be utilized to dislodge or retrieve evidence from a suspect's mouth or other body cavities (refer to SOP 9.1).

If an officer reasonably believes that a suspect has swallowed contraband that could have a negative effect upon his/her health, the officer shall seek medical attention for the suspect as soon as reasonably possible.



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Chapter: Field Operations	
Subject: Interviews and Interrogations	

## 8.25 INTERVIEWS AND INTERROGATIONS

### 8.25.1 DEFINITIONS

**Interview:** The formal questioning of an individual by law enforcement authorities for the purpose of obtaining facts or information.

**Interrogation:** The process of focused questioning, directed by police, to a person suspected of a crime, in order to seek a confession.

**Custodial Interrogation:** Questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his/her freedom of action in any significant way.

### 8.25.2 INFORMATION DEVELOPMENT

Information in criminal investigations may be developed from sources including, but not limited to, the following:

- Witnesses, informants and suspects
- Public records and lawfully-obtained private records
- Background investigations (e.g. criminal history)
- Surveillance
- Physical evidence

### 8.25.3 INTERVIEWS (CALEA 1.2.3a, 42.2.1d, KACP 17.6)

When conducting interviews, officers should attempt to adhere to the following guidelines:

- Interviews should be conducted as soon as possible after the crime has been committed.
- Witnesses should be located, identified, separated and subsequently interviewed separately, to protect the integrity of their statements (CALEA 42.2.1b).
- Officers shall ensure the security of witnesses, suspects and victims during interviews conducted at departmental facilities.
- When appropriate, the officer should document interviews in an investigative letter or report.

### 8.25.4 INTERROGATIONS (CALEA 1.2.3b-c)

When interrogating a suspect/arrestee in custody, the following guidelines shall be followed:

- Officers shall ensure the security of custodial suspects/arrestees during interrogations. Interrogations taking place in temporary holding cells shall be in accordance with SOP 8.30.

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## 8.25.4 INTERROGATIONS (CONTINUED)

- Custodial suspects/arrestees shall not be left unmonitored in an interview room. An officer shall remain inside of the interview room with the custodial suspect/arrestee, or an officer shall have visual contact with the custodial suspect/arrestee through a window or via electronic monitoring equipment.
- Custodial suspects/arrestees shall be searched prior to interview or interrogation and all items found shall be documented on the Temporary Holding Cell Use form (LMPD #09-0012).
- The interview room/temporary holding cell shall be searched before and after each interrogation.
- Miranda warnings shall be read by officers from the Rights Waiver form (LMPD #0006-96).
- Officers shall ensure that custodial suspects/arrestees understand their right to remain silent and their right to an attorney.
- Custodial suspects/arrestees may be interrogated only when they knowingly and intelligently waive their rights. Oral waivers are often sufficient, but written waivers, particularly for felony charges, are preferred and should be obtained, whenever possible.
- When a custodial suspect/arrestee clearly invokes his/her right to remain silent, the interrogation shall terminate immediately. Simply remaining silent is not considered a notice the defendant intends to exercise his/her right to remain silent (see *Berghuis v Thompkins*). An interrogation may resume:
  - After a reasonable amount of time, the officer may re-administer the Miranda warnings. If the custodial suspect/arrestee then waives his/her rights, the officer may resume interrogation.
  - Whenever the custodial suspect/arrestee initiates communication with the officers. However, Miranda warnings shall be re-administered and a waiver obtained before questioning.
- Officers shall not delay a custodial suspect/arrestee's arraignment solely to re-initiate interrogation after a custodial suspect/arrestee has invoked his/her right to silence.
- If a suspect/arrestee waives his/her right to counsel, a waiver shall be obtained prior to questioning. When a suspect/arrestee makes reference to counsel but his/her intentions are unclear, officers shall question the suspect/arrestee further to clarify his/her intentions.
- When a suspect invokes his/her right to counsel, the interrogation shall cease immediately. The suspect shall not be interrogated again by any officer about the crime for which he/she is charged, or any other crime, unless:
  - The suspect's attorney is present at the questioning; or
  - The suspect initiates new contact with the police; or
  - A minimum of a 14 day break in interrogation custody has passed since the suspect initially invoked his/her right to counsel (see *Maryland v Shatzer*).

Under any of the above exceptions, Miranda warnings shall be re-administered and a new rights waiver obtained.

- Officers shall not initiate questioning of a defendant who has not previously invoked his/her right to counsel, but who has been appointed or engaged counsel at a preliminary hearing for the crime for which the defendant is appearing in court. Officers may, however, question the defendant about any other crime.

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## 8.25.4 INTERROGATIONS (CONTINUED)

- Threats, false promises and/or coercion to induce a custodial suspect's/arrestee's confession are prohibited.
- Normally, no more than two (2) officers should simultaneously actively participate in an interview or interrogation. Exceptions must be approved by a commanding officer and documented to the division/section/unit commander.
- The time duration of continuous interrogations should be based on the seriousness of the crime, the subject's age and maturity level and the subject's previous experience with law enforcement.

## 8.25.5 AUDIO AND VIDEO RECORDING OF INTERVIEWS/INTERROGATIONS (CALEA 83.2.2)

The department conducts audio and/or video recorded interviews/interrogations of suspects/arrestees involved in serious crimes (homicide, robbery, rape/sexual assault and kidnapping) and other crimes at the discretion of the supervisor. Other witness and victim interviews/statements may be recorded at the discretion of the supervisor/investigator. If the case involves felony charges, documentation of interviews should be incorporated into an investigative letter or transcribed if they have been audio or video recorded.

The circumstances surrounding the conduct of interrogations and recordings of such interrogations shall be fully documented. When possible, officers shall turn on the recording equipment prior to entering the room in order to fully document the interview/interrogation. Documentation should include, at a minimum, the following criteria:

- The location, date, time and duration of the interrogation
- The identities of officers and others present during the interrogation
- The time that Miranda warnings were given and the suspect's/arrestee's responses
- The time at which waivers were provided and information as to whether the suspect/arrestee agreed to sign them
- The nature, times and durations of any breaks in questioning (e.g. to provide the suspect/arrestee food, drink, use of lavatories, etc.)

Field interviews/interrogations captured by the Mobile Video System (MVS) shall be retained pursuant to the MVS policy (refer to SOP 4.1).

Video and/or audio recording of interviews and interrogations shall be conducted in accordance with applicable laws. After recording an interview or interrogation, the officer shall immediately remove the tabs on the tape to prevent erasure. The tape shall be stored in the appropriate case file. Tapes may be duplicated and altered, but must be clearly marked accordingly. The original tape shall be clearly marked as the original and shall never be altered. It shall be retained as evidence.

If the interview room is equipped with a digital video recorder (DVR) or other digital recording device, copies of the interview/interrogation shall immediately be burned and labeled as such, for inclusion in the appropriate case file. The original disc shall be labeled as the original and shall never be altered. It shall be retained as evidence.

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## **8.25.5 AUDIO AND VIDEO RECORDING OF INTERVIEWS/INTERROGATIONS (CONTINUED)**

If the interview room is equipped with Arbitrator, the video shall be transferred into DIMS by the end of the officer's tour of duty.

Evidence shall be retained pursuant to applicable federal law, state statute and departmental policy.

## **8.25.6 JUVENILES**

Refer to SOP 10.7.6 for procedures related to interviews and interrogations of juveniles.

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Standard Operating Procedures	SOP Number: 8.26
	Effective Date: 12/08/08 Prv. Rev. Date: 09/10/11 Revised Date: 03/10/13
	Accreditation Standards:
Chapter: Field Operations	
Subject: Pawn Investigations	

## 8.26 PAWN INVESTIGATIONS

### 8.26.1 PURPOSE

The purpose of this policy is to assist in the investigation and recovery of a victim's property with minimal loss to the pawn shops, secondhand dealers and/or the victim(s). The Pawn Investigations Squad shall be responsible for conducting physical examinations of pawn shops/secondhand dealers, inspecting the records of pawn shops/secondhand dealers to ensure compliance with applicable state statutes and local ordinances and assist members with issues associated with pawn shops/secondhand dealers or property from pawn shops.

### 8.26.2 DEFINITIONS

**Temporary Hold:** A request by a sworn member to place an item on hold. A temporary hold is good for two (2) days.

**Order of Replevin:** A court order to return item(s) to a victim.

### 8.26.3 LEADS ONLINE

Leads Online ([www.leadsonline.com](http://www.leadsonline.com)) is a national pawn and secondhand dealer database available to law enforcement to assist in locating stolen property. The Leads Online Training Guide can be found on the Louisville Metro Police Department (LMPD) Intranet by clicking on the "Research and Development" link and then clicking on "Manuals".

The Pawn Investigations Squad has the responsibility for enforcing compliance with the Louisville Metro ordinance 115.122(B) requiring online reporting. The Pawn Investigations Squad is the point of contact for the online reporting system.

### 8.26.4 HOLDS

When requesting information from a pawn shop, non-uniformed sworn members shall show their credentials to the pawn shop personnel.

Sworn members may place a temporary hold on item(s) in a pawn shop. The member shall contact the Pawn Investigations Squad to place a permanent hold on the item(s). If a member does not contact the team within two (2) days, the temporary hold shall expire and the item(s) shall be released.

A sworn member shall request a 30-day or permanent hold by emailing or calling the Pawn Investigations Squad. Only the Pawn Investigations Squad is able to place a permanent hold on an item.

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## 8.26.4 HOLDS (CONTINUED)

Sworn members may utilize Leads Online to place items on hold. However, members shall still need to contact the Pawn Investigations Squad to complete the hold process.

A list of holds for sworn members shall be sent out semi-annually. Sworn members shall have 30 days to respond to this list, using the Pawn email address. If the sworn member fails to respond to this list, the Pawn Investigations Squad shall contact the sworn member's division/section/unit commander to obtain the sworn member's response. Items on a 30-day or permanent hold shall not be released from the hold without a court order (Order of Replevin), unless confirmation is obtained from the sworn member placing the hold that all court proceedings have concluded, the item(s) is no longer pertinent to the investigation or that the item(s) is to be released to the victim, pursuant to SOP 8.26.5. This shall be documented on the Pawn Hold Notification form (LMPD #08-0019).

## 8.26.5 RELEASES

Held property can be released to the victim by agreement between the victim and the sworn member. There are three (3) methods to be used when releasing said property:

- The victim agrees to prosecute and pays the pawn shop the amount that the item was pawned and may seek restitution through the court.
- The victim refuses to prosecute and may purchase the pawned item for the amount that it was pawned plus any interest that has accrued.
- An Order of Replevin, signed by a judge, shall list the item(s) to be released and the name of the person to whom the item(s) shall be released, the ticket number(s), the pawn shop(s) involved, the name of the pawner and the amount to be returned to the pawn shop, if any. A copy of this court order shall be forwarded to the Pawn Investigations Squad.

In cases involving multiple defendants and multiple pawn shops, separate Order of Replevins must be filled out based on each defendant's involvement at each specific pawn shop (e.g. if there are two (2) defendants and two (2) pawn shops involved, four (4) Order of Replevins shall be completed).

If an item is to be released to the victim without a court order (Order of Replevin), the Pawn Investigations Squad must be notified. The Pawn Investigations Squad shall notify the pawn shop of the conditions of the release.

## 8.26.6 REMOVAL OF ITEMS FROM PAWN SHOPS

No property shall be removed from the possession of any pawnbroker without the due process of law as required by the state or local laws and ordinances regulating pawnbrokers (KRS 226.060) or without the authorization of the Pawn Investigations Squad.

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## 8.26.6 REMOVAL OF ITEMS FROM PAWN SHOPS (CONTINUED)

When a search warrant or court order is executed at a pawn shop, a copy of the court order/search warrant, along with a list of the property removed, shall be given to the pawn shop and a copy forwarded to the Pawn Investigations Squad.

## 8.26.7 ARRESTS

When a sworn member makes an arrest of an individual who has pawned stolen property, the member shall list the pawn shop(s) as a victim/witness on the citation/arrest slip.

If a subject is not incarcerated for more than 12 months, the sworn member shall request, as part of a plea agreement, that the defendant pay restitution to the victim/pawn shop.

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Chapter: Field Operations	
Subject: Fire & LMEMS	

## 8.27 FIRE & LMEMS

### 8.27.1 ASSISTING FIRE/LMEMS PERSONNEL (CALEA 61.2.3c)

When responding to a fire or hazardous materials (HAZMAT) scene, an officer shall:

- Contact MetroSafe to determine if a designated response route has been identified so as to avoid any travel through a potentially contaminated area.
- If no route has been identified, attempt to respond from an upwind and uphill direction.
- Report to the ranking fire department officer, also known as the Incident Commander (IC).
- Provide assistance, as directed by the IC.
- Ensure that the location of his/her parked vehicle is approved by the IC so as not to interfere with Fire/Louisville Metro Emergency Medical Services (LMEMS) operations and remain close by the vehicle in case it must be moved quickly.
- Contact his/her supervisor and inform him/her of the incident.
- Use personal protective equipment (PPE), as recommended by the IC (refer to SOP 12.2.5)
- Remain on the scene, in the established safe area, as directed by the IC, until relieved by another officer or dismissed by the IC.
- Remember that the fire department is in control of a fire or HAZMAT scene.

The officer's responsibilities may include, but are not limited to, the following:

- Protecting Fire/LMEMS personnel from harassment.
- Controlling spectators in the area.
- Protecting unattended Fire/LMEMS equipment.
- Assisting with evacuation efforts.
- Rerouting traffic. When rerouting non-emergency vehicles, officers shall divert cars around the scene to avoid impeding firefighting apparatus. No vehicles shall be allowed to drive over fire hoses without approval from the IC (KRS 189.930(4)).

An on-duty commanding officer from the involved division shall respond to all declared Level II or Level III Hazardous Materials (HAZMAT) incidents in Louisville Metro which require a police presence. The commanding officer will serve as the Louisville Metro Police Department (LMPD) liaison to the IC until relieved by competent authority and coordinate the response of additional LMPD resources.

### 8.27.2 ASSISTING FIRE/EMS DURING CRIMES IN PROGRESS

Fire/LMEMS personnel are prohibited from entering the scene of a crime in-progress until officers have arrived and declared the scene safe. Therefore, officers are authorized to respond Code 3 to crimes in-progress, which demand immediate attention by Fire/LMEMS personnel, to protect human life (e.g. domestic disturbance with a house fire). Officers are encouraged to request that MetroSafe provide specific details regarding the run and shall be required to articulate their reasoning for the use of a Code 3 response. A Code 3 response does not



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## 8.27.3 REQUESTING FIRE/LMEMS ASSISTANCE

relieve an officer from the duty to drive with due regard for the safety of others and officers shall be held accountable for their actions (refer to SOP 8.7.4).

Any officer investigating a fire or explosion shall determine whether or not it is necessary for Fire/LMEMS to respond to the scene (CALEA 61.2.3c). Officers are prohibited from calling an Arson Unit investigator to an active fire scene. The IC, at an active fire scene, shall be responsible for requesting the assistance of an Arson Unit investigator. Officers responding to a suspected arson fire scene, that is no longer active, should ask the dispatcher to contact an Arson Unit investigator. The officer should provide information on the nature and circumstances of the fire to the dispatcher. If an on-duty Arson Unit investigator is not available, an on-call investigator shall be notified. The need to respond to the scene shall be determined by Arson Unit personnel.

## 8.27.4 INCIDENTS OF FIRE ON THE RIVER

Due to the hazardous nature of fire suppression, members of the River Patrol Unit shall not employ firefighting techniques. Under exigent circumstances, the River Patrol crewmembers may employ the appropriate lifesaving techniques for victims of fire on the river in the absence of professional firefighters. When professional or trained volunteer firefighters are available and it will not delay any possible rescue, the River Patrol Unit shall pick up a detachment of these firefighters while en route to the fire scene and allow them to establish control of the fire.

## 8.27.5 MEDICAL TRANSPORT

In the absence of clearly articulable exigent circumstances, the medical transport of sick or injured persons shall be carried out by LMEMS personnel. In rare cases where LMPD personnel do transport a sick or injured person, a commanding officer shall be immediately notified. An Administrative Incident Report (AIR) (LMPD #03-03-0001) shall be completed to document the reason why LMPD personnel transported the person in lieu of LMEMS personnel.

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Chapter: Field Operations	
Subject: Polygraph Procedures	

## 8.28 POLYGRAPH PROCEDURES

### 8.28.1 POLICY

Any officer may request that a polygraph examination be conducted as an investigative tool in the resolution of criminal cases and other matters falling within the jurisdiction of the department. The administration of polygraph examinations and the evaluation of their results shall be conducted by qualified licensed examiners. All departmental polygraph examiners must successfully complete training accredited by the American Polygraph Association (APA) and shall be required to maintain their Kentucky Justice and Public Safety Cabinet Detection of Deception License (CALEA 32.2.5, 42.2.6). Departmental polygraph examiners maintain their licenses through ongoing state and federal education. The Kentucky State Police (KSP) licensing delegate monitors and retains all ongoing education for all state-licensed polygraph examiners.

### 8.28.2 APPROVAL AUTHORITY

The use of a polygraph as an investigative tool shall be authorized as follows:

- Applicant Testing – Assistant Chief of Police/Administrative Bureau
- Criminal Investigations – Major Crimes Division Commander
- Outside Agencies – Chief of Police or by Mutual Aid Agreement

### 8.28.3 APPLICANT/EMPLOYMENT POLYGRAPH EXAMINATIONS

All eligible applicants for sworn and civilian departmental positions shall be administered a polygraph examination (KACP 13.1). The Louisville Metro Police Department (LMPD) utilizes the Law Enforcement Pre-Employment Test (LEPET). This standardized test is recommended by the APA. The LEPET is modeled and instructed by the National Center for Credibility Assessment.

Eligible applicants for employment shall be given a pre-polygraph examination booklet provided by Recruitment and Selection, for sworn positions, or Police Human Resources (HR), for civilian positions. This booklet contains questions about life and employment history from which the examiner shall base his/her questions during the examination. During this time, the applicant shall have the opportunity to provide his/her answers on which the examination shall be based. These questions and answers shall be covered by the examiner and examinee during the pre-test portion of the polygraph examination (CALEA 32.2.4).

The LMPD shall not use the polygraph examination as the single determinant for employment. Recruitment and Selection and Police HR shall use the examination as an investigative aid only and make decisions regarding employment by determining the best qualified applicant (CALEA 32.2.6).

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## 8.28.4 PRE-TEST CONSIDERATIONS

Polygraph examinations for criminal cases, or other allowable matters, may cover only one (1) crime or issue at a time.

Examinations shall not be scheduled or utilized in lieu of other traditional investigative efforts. Therefore, the polygraph may not be utilized until an investigation has developed adequate, specific information to serve as a basis for the exam. Dragnet-type "screening" of large numbers of suspects is prohibited.

Officers shall follow all regulations and recommendations of the Employee Polygraph Protection Act (EPPA) of 1988, a copy of which shall be kept in the Major Crimes Division. All investigators of cases involving member theft shall be required to know and understand the EPPA and its ramifications and requirements regarding member-related polygraph.

Polygraph examiners shall abide by the APA guidelines in determining the suitability of an individual for testing. Persons taking a polygraph exam may routinely experience a certain degree of stress associated with possible guilt or fear of the test itself. This level of stress alone shall not prevent a test from being administered. Upon request, the polygraph examiner shall submit a written explanation as to why a polygraph exam cannot be administered. Commanding officers are prohibited from ordering an examiner to conduct a polygraph on an individual who has been determined unfit for the exam.

Pregnant women or those individuals with a serious heart condition shall not be administered a polygraph examination.

Persons under the age of 18 shall not be tested or scheduled for an examination until written and informed consent has been obtained from the juvenile's parent or legal guardian on the Juvenile Polygraph Release form (LMPD #11-0001). The suitability of individuals under 18 years of age shall be assessed on a case-by-case basis by the examiner.

Pursuant to KRS 69.008 and 95.021, as a condition of proceeding with an investigation or prosecution of a case, police officers, the Office of the Commonwealth's Attorney and county attorneys are prohibited from:

- Requesting or requiring the victim of an alleged sexual offense to submit to a polygraph examination (or other device designed for the purpose of determining whether or not a person is telling the truth); or
- Charging, or threatening to charge, the victim of an alleged sexual offense with prosecution for refusing to submit to a polygraph examination (or other device designed for the purpose of determining whether or not a person is telling the truth).

## 8.28.5 PROCEDURES FOR SCHEDULING

Investigating officers wishing to schedule a polygraph examination must contact the examiner so that an appropriate date and time may be selected.

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## **8.28.5 PROCEDURES FOR SCHEDULING (CONTINUED)**

The investigating officer must accompany the subject being tested in order to provide the examiner with pertinent information, to identify discrepancies in the suspect's statements and to witness and record any statements obtained from the subject.

The investigating officer is required to notify a polygraph examiner when a scheduled polygraph examination is to be cancelled. This notification shall be given as soon as possible so that the examiner may schedule another polygraph exam in its place. If the investigating officer does not appear for the scheduled examination and/or makes no effort to notify the examiner of a cancellation, the commander of the Major Crimes Division shall notify, in writing, the officer's division/section/unit commander.

## **8.28.6 RESULTS OF A POLYGRAPH EXAMINATION**

Officers shall not share the results or information obtained from a polygraph examination with any individual or agency outside of the department unless authorized by the examinee on the Polygraph Rights form (LMPD #11-0003).

## **8.28.7 RETENTION OF POLYGRAPH EXAMINATION FILES (RESULTS)**

The LMPD shall maintain polygraph examination files for a period of five (5) years. Polygraph examination files older than five (5) years shall be disposed of pursuant to the Commonwealth of Kentucky Records Retention Schedule.

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Chapter: Field Operations	
Subject: Victim Assistance and Notification	

## 8.29 VICTIM ASSISTANCE AND NOTIFICATION

### 8.29.1 PURPOSE

The purpose of this policy is to outline a Louisville Metro Police Department (LMPD) member's responsibilities to provide support, information and guidance to victims of criminal offenses and non-criminal incidents.

### 8.29.2 VICTIM'S BILL OF RIGHTS (CALEA 55.1.1)

In accordance with the Kentucky Revised Statutes (KRS) 421.500 through 421.576, law enforcement personnel shall ensure that victims receive information on available protective, emergency, social and medical services upon initial contact and are given information on the following as soon as possible:

- The availability of crime victim compensation, when applicable
- Community-based treatment programs
- The criminal justice process as it involves the participation of the victim
- The date and time that the accused individual was arrested
- How to register for notification when an individual has been released from the detention facility
- How they may be protected from intimidation, harassment and retaliation as defined in KRS 524.040 and KRS 524.055 (CALEA 55.2.3b, KACP 30.4)
- Updates on important occurrences and developments with their case

Members shall promptly return a victim's property, held for evidentiary purposes, unless there is a compelling reason for retaining it (CALEA 55.2.4d). Photographs of such property shall be received by the court as competent evidence in accordance with the provisions of KRS 422.350.

If requested, officers shall assist the victim by informing the victim's employer of the need for the victim's cooperation in the prosecution of a case, which may necessitate an absence from work.

### 8.29.3 VICTIM ASSISTANCE PROGRAMS (CALEA 55.2.2, 55.2.3a)

Victims shall be made aware of the following types of assistance programs, when applicable:

- **Abuse/Neglect Programs:** Victims of adult, child or elder abuse are entitled to, but are not limited to, the following services:
  - Counseling center contacts (e.g. Center for Women and Families)
  - Alternative placement programs (e.g. ElderShelter Network, Child Protective Services)
  - Kentucky Medicaid or Medicare services (1-800-635-2570)
  - Government and private assistance programs

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### 8.29.3 VICTIM ASSISTANCE PROGRAMS (CONTINUED)

- **Domestic Violence Assistance Programs:** Victims of domestic violence are entitled, but are not limited to, the following services (KACP 30.1):
  - Emergency protective order (EPO)
  - Center for Women and Families (CWF)
  - Louisville Metro Office for Women
  - Additional resources can be found on the LMPD public website
- **Substance Abuse Programs:** Persons suffering from substance abuse or dependency problems are entitled, but are not limited, to the following:
  - Jefferson County Drug and Alcohol Counseling (JCDAC)
  - Seven Counties Services
- **Disaster Recovery Programs:** Persons recovering from a natural disaster or fire are entitled to, but are not limited to, federal and state resources (e.g. Red Cross, FEMA).
- **Other Assistances Programs:**
  - Victim Information and Notification Everyday (VINE) (1-800-511-1670): A statewide system that provides victims with information and notification of an inmate's release status (CALEA 55.2.5)
  - Grief, rape and mental wellness counseling and assistance (e.g. Center for Women and Families, Seven Counties Services)
  - Police Chaplains
  - Other private, local, state and federal assistance programs (e.g. Louisville Metro Public Health and Wellness)

### 8.29.4 FOLLOW-UP DUTIES (KACP 17.5)

Within ten (10) days of receiving a copy of an incident report with viable investigative information, the investigating officer/detective shall attempt to contact the victim, either verbally or in writing, and shall (CALEA 55.2.4a):

- Provide him/her with the investigating officer's name, assignment and phone number (CALEA 55.2.3d)
- Convey the importance for the department to solve his/her case
- Reference the report number.
- Provide an update on the status of the case (e.g. status of stolen, recovered or removed property, arrests made, suspect leads, continued effort to resolve the case)
- Obtain additional information regarding the offense (e.g. serial numbers, descriptions, leads) (CALEA 42.2.2c)
- Explain the procedures required for a successful prosecution of the case (CALEA 55.2.4b)
- Schedule interviews or required appearances (CALEA 55.2.4c)
- Assist with assigning a victim advocate, if available, during the follow-up investigation (CALEA 55.2.4e)

Each division/section/unit shall establish a system of recordkeeping to ensure that follow-up duties have been performed. The following information shall be recorded in the I/Leads Records Management System (RMS):

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## 8.29.4 FOLLOW-UP DUTIES (CONTINUED)

- The date of the original report
- The date that the report was received by the division/section/unit
- The name of the investigating officer assigned to the case

The following information shall be recorded on the Investigative Record log (LMPD #0450-02) or in the Case Management module of the I/Leads RMS:

- The dates, times and methods of attempted contact
- The contact results (e.g. no contact made, victim updated, additional information provided)

## 8.29.5 NOTIFICATION OF NEXT-OF-KIN (CALEA 55.2.6)

When it becomes necessary to notify the next-of-kin of persons deceased, seriously injured or seriously ill, officers shall do the following:

- Whenever possible, allow hospital medical personnel to make the notification. If the hospital is unable to do so, the highest ranking officer, or his/her designee, shall make the notification.
- When practical, a Police Chaplain or other minister shall be called to assist with the notification.

The same procedures shall be used when an outside agency requests that a notification be made.

LMPD personnel notifying the next-of-kin shall do so in-person and not by the telephone.

## 8.29.6 FOREIGN NATIONAL VICTIMS AND WITNESSES UNDER U-VISA

In the event that foreign nationals are victims of crimes or witnesses to crimes, LMPD personnel may consult with federal immigration officials regarding the individual's immigration status. In certain situations, to promote effective investigation and prosecution, senior LMPD command staff personnel may request that affirmative action be taken to ensure that the victim or witness is allowed to remain in the United States, to assist in the investigation or court proceedings (U-Visa). Approval to make such a request may only be authorized by a bureau commander, with the approval of the Chief of Police. LMPD members may not sign any documents, to include applications for temporary U-Visas, requesting or concurring with a requested change to a person's immigration status. Any such documents, including supporting documentation, shall be forwarded, through the chain of command, to the appropriate bureau commander.

Members should refer to SOP 10.4.5, Foreign Nationals, for further information regarding the handling of foreign nationals.

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Subject: Temporary Holding Cells	

## 8.30 TEMPORARY HOLDING CELLS

### 8.30.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to provide adequate temporary holding cells within each division/section/unit. These rooms may be used to separate, interview or test detainees (CALEA 71.1.1).

### 8.30.2 FACILITIES

Detainees shall have access to a restroom, water, telephone (if allowed) or other such amenities as may be needed. The detainee can knock on the door to the holding cell when an amenity is needed (CALEA 71.4.1). Detainees escorted to a restroom shall be accompanied by two (2) officers. The officer entering the restroom must be of the same gender as the detainee. This officer shall monitor the detainee in order to prevent the disposal or destruction of possible evidence.

If the detainee requests the use of a telephone to advise another party of their whereabouts, the arresting officer shall afford a chance at the first practical opportunity. If a detainee's attorney is present, they shall be offered a private room near the temporary holding cell for consultation.

Each temporary holding cell shall be posted with a notice stating, "If you need medical attention, please advise a police officer."

### 8.30.3 PROCEDURES

If detainees are taken to a division/section/unit for temporary holding due to interview or testing, the information shall be captured on the Temporary Holding Cell Use form (LMPD #09-0012). This form shall contain the following information: date, time in, time out, reason for detention, search of detainee, personal property of detainee, weapons/contraband found on detainee, any meals (if provided) and the disposition (CALEA 71.3.1a).

The detainee shall not be held in a temporary holding cell for longer than two (2) hours. If extenuating circumstances arise and the detainee is kept longer than the two (2) hours, this shall be documented on the Temporary Holding Cell Use form (LMPD #09-0012).

The temporary holding cells shall be searched before and after holding the detainee.

Any detainee, who is under the influence of alcohol or other drugs and who is violent or self-destructive, shall not be placed in a temporary holding cell. The detainee shall be transported directly to the Louisville Metro Department of Corrections (LMDC) or a medical facility, if necessary, until a time when the detainee can be interviewed without the influence of alcohol or other drugs or when the detainee becomes non-violent or non-self destructive.

The Temporary Holding Cell Use forms shall be filed in the division/section/unit. Juvenile detainee forms shall be filed separately.



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## 8.30.4 DETAINEE HANDLING

Sworn personnel are authorized to utilize temporary detention rooms. The arresting officer is responsible for completing all required documentation and is ultimately responsible for the supervision and accountability of his/her prisoners (CALEA 71.3.1b).

Detainees shall be searched and all items found shall be documented on the Temporary Holding Cell Use form. All of the detainee's property, excluding weapons and/or contraband, shall be stored in the designated property cabinet in the detention area. Weapons and/or contraband shall be booked into the Property Room and their seizure noted on the Temporary Holding Cell Use Form. Personal property of the detainee shall be taken from the designated property cabinet and compared to the inventory on the Temporary Holding Cell Use form. The transporting officer shall take this property, minus items that are weapons, contraband or too large in size for storage at LMDC, and turn it over to LMDC when booking a detainee into this facility. The weapons, contraband and items too large for storage at LMDC shall be taken to the Property Room and entered into the Property Room (refer to SOP 11.2).

No more than two (2) detainees shall be put in the same temporary holding cell under normal circumstances. Males, females and juveniles shall be kept in separate cells. Juveniles shall not be placed in the same temporary holding cell as an adult. A female shall not be placed in the same temporary holding cell as a male. If possible, a female member shall be near the temporary holding cell in case they are needed to help a female detainee (CALEA 71.3.1e).

Detainees shall be secured in a locked temporary holding cell. An "occupied" sign shall be visible on the face of the door. Face-to-face contact shall be made with the detainee at least once every 30 minutes (CALEA 71.3.1c, 71.3.3e). These face-to-face checks shall be documented on the Temporary Holding Cell Use form. Panic or duress alarms shall be used in temporary holding cells, if available (CALEA 71.3.3b). If no panic or duress alarms are available in the temporary holding cells, officers shall use portable radios with a designated signal and procedures to follow in the event of distress in the temporary holding cells (CALEA 71.5.1c).

Video monitoring and/or recording of detainees is permitted, but is not a substitute for face-to-face monitoring. While monitoring detainees, no audio recording of the temporary holding cell is approved by this SOP. Personnel may observe activity in a temporary holding cell through the use of computer monitors set up for this purpose (CALEA 71.3.1c, 71.3.3f). Personnel that need to preserve a video recording of the detainee should notify the appropriate division/section/unit commander in order to get a copy of the recording.

If it becomes necessary to restrain a detainee by securing him/her to a fixed object, a fixed object that is designed and intended for such use (e.g. a bar or ring to which handcuffs can be secured) shall be utilized (CALEA 71.3.1d, 71.3.2).

Sworn members shall secure their firearms or any other such item(s) (e.g. batons, chemical sprays, etc.) in designated areas before entering an occupied temporary holding cell (CALEA 71.3.3a, 71.5.1b).

In order to prevent the escape of a detainee, two (2) sworn members should be present when entering an occupied temporary holding cell. At least one (1) sworn member shall have a portable radio in order to summon assistance, if needed (CALEA 71.3.3d, 71.5.1d).

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### 8.30.4 DETAINEE HANDLING (CONTINUED)

Non-police personnel or civilians shall not enter the temporary holding cell area while the cell is in use. It shall be the responsibility of the detaining sworn member to keep non-essential personnel out of this area (CALEA 71.3.3c). The detainee is not permitted to receive visitors or notes while being temporarily detained.

### 8.30.5 OTHER AGENCIES

In the event that an outside agency should bring a detainee in for interviewing, the officers receiving the detainee shall identify those agents and their detainee by the most reasonable means available (e.g. photo identification, badge, credentials, fingerprints, personal acquaintance, verification by eyewitness, detainee acknowledgement). Use of the temporary holding cells by personnel of other agencies shall be approved by a commanding officer. A sworn member of the division/section/unit shall be present in the temporary holding cell area, at all times. All requirements of this SOP shall be met by LMPD personnel, as well as those personnel of the other agencies utilizing the cells. The outside agency personnel shall be instructed to complete the Temporary Holding Cell Use form and include visual checks.

### 8.30.6 EMERGENCY SITUATIONS

If a fire or other emergency should arise, the evacuation plan for the division/section/unit shall be used. If a fire extinguisher can be used to extinguish the fire, the members shall use it to do so. If an evacuation is necessary, the sworn member who brought the detainee to the division/section/unit, or assumed custody of the detainee, shall be responsible for evacuating the detainee utilizing his/her division's/section's/unit's evacuation plan (CALEA 71.4.2). Steps shall be taken to ensure that the detainee does not escape.

If an escape should occur from the temporary holding cell area, the following steps should be taken:

- Immediate pursuit by two (2) officers
- MetroSafe shall be notified of the escape and escapee information
- MetroSafe shall notify patrol units of the following:
  - 
  - Name of the escapee
  - Description of the escapee
  - Last known direction of the escapee
  - Local address of the escapee
  - Charges on the escapee
- Patrol cars set up a search pattern

If there is an escape from the temporary holding cell area or there is an injury to the detainee, an Administrative Incident Report (AIR) (LMPD #03-03-0001) shall be completed and forwarded, through the appropriate chain of command.

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Chapter: Field Operations	
Subject: Temporary Holding Cells	

## 8.30.6 EMERGENCY SITUATIONS (CONTINUED)

If a detainee becomes ill, is injured or requests medical attention, first aid shall be performed and, if required, MetroSafe shall be contacted to dispatch Louisville Metro Emergency Medical Services (LMEMS). The on-duty commanding officer shall be notified of the reason that medical attention is required.

## 8.30.7 INSPECTION OF TEMPORARY HOLDING CELLS (CALEA 71.4.3)

Temporary holding cells shall be inspected before and after each use by the arresting officer. All unnecessary items, including fire producing materials and furnishings (CALEA 71.4.2), shall be removed before utilizing the temporary holding cell.

Temporary holding cells shall be inspected by the division's/section's/unit's commanding officer, or his/her designee, at least once a month. This inspection shall be documented on the Temporary Holding Cell Inspection form (LMPD #09-0011) located on the outside of the temporary holding cell. The inspector shall check the fire extinguisher to make sure that it is in its proper place, charged and tagged with its current inspection date. This inspection shall also include a check of the holding room itself, looking for any damage to the room. The temporary holding cell's lock shall also be inspected to ensure that it is in working order. If the cell needs repairs, a work order shall be completed and turned in to Facilities Management. The first aid kit shall also be inspected to ensure that it is adequately supplied. The Temporary Holding Cell Use forms shall also be inspected to ensure that they are properly completed. An administrative review of the use of temporary holding cells shall be performed, at least once every three (3) years.

## 8.30.8 TRAINING (CALEA 71.2.1)

Members using temporary holding cells shall be trained in the use of these cells. This training shall include procedures to ensure member safety, escape prevention and detention handling. Members shall be retrained at least once every three (3) years.

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Chapter: Field Operations	
Subject: LMPD Service Center	

## 8.31 LMPD SERVICE CENTER (CALEA 82.2.5)

### 8.31.1 PURPOSE

The Louisville Metro Police Department (LMPD) Service Center is an alternative method of handling certain calls for police service. The two (2) main services provided through the LMPD Service Center are telephone reporting and the 574-LMPD (5673) Anonymous Crime Tip Line.

### 8.31.2 PROCEDURES

The LMPD Service Center can be contacted 24 hours a day, seven (7) days a week by calling (502) 574-5673. Calls received through MetroSafe will be evaluated to determine if a transfer to the LMPD Service Center is appropriate.

Departmental personnel who need to contact the LMPD Service Center staff directly may do so by calling (502) 540-3262.

The LMPD Service Center shall also evaluate calls received or transferred to them and determine whether the criteria is met to retain the referral or send it back to MetroSafe for an officer to be dispatched.

### 8.31.3 TELEPHONE REPORTING

The LMPD Service Center shall take crime reports from citizens over the phone, following the criteria set below.

The LMPD Service Center will not take a report by phone when:

- A crime is in progress and the suspect is at the scene
- The caller sounds intoxicated
- Physical evidence needs to be collected
- The caller knows the location of felony suspects, thereby allowing for a timely identification and/or arrest
- The caller knows the location of unknown misdemeanor suspects, thereby allowing for identification and/or criminal complaints
- It is a missing person report
- The incident involves a shoplifting theft
- The incident involves a violent felony
- The incident involves Domestic Violence (DV)
- The incident involves a theft over \$10,000
- The incident involves thefts involving controlled substances
- The incident involves criminal mischief over \$10,000

Exceptions may be approved by the Assistant Chief of Police/Administrative Bureau, or his/her designee.

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## 8.31.3 TELEPHONE REPORTING (CONTINUED)

The LMPD Service Center will take the following incident reports by phone:

- Theft reports with a total value under \$10,000 (except for thefts involving controlled substances)
- Harassment and harassing communications (other than DV) (KACP 30.4)
- Misdemeanor assault and intimidation (other than DV)
- Auto theft/unauthorized use of a motor vehicle
- Theft of motor vehicle registration plates and decals
- Thefts other than shoplifting
- Crimes involving fraud, forgery, identity theft or criminal possession of a forged instrument
- Criminal mischief under \$10,000
- Lost or missing property
- Any type of miscellaneous report (other than DV)
- Supplemental reports for any previously reported incidents (unless it is a stolen controlled substance)

The LMPD Service Center or MetroSafe may require that an officer be dispatched to the location of the previously listed crimes at any time, under, but not limited to, the following:

- Circumstances regarding the original nature of the report change.
- The suspect returns to the scene.
- The citizen verbally requests the presence of an officer at the scene.

If an officer is dispatched to the location, the officer shall take the report and shall not refer the person to the LMPD Service Center.

## 8.31.4 574-LMPD ANONYMOUS CRIME TIP LINE

The LMPD Service Center shall take crime tips from a:

- Tipster calling (502) 574-LMPD (5673)
- Tipster texting CRIMES (274637) – the tipster must enter LMPD at the beginning of his/her text
- Tipster entering a tip on the LMPD website
- Tipster who mailed a letter
- Tipster who posted information on the LMPD Facebook page or via other electronic means, as forwarded to the LMPD Service Center by the Media and Public Relations Office or other divisions/sections/units receiving them

These tips shall be logged into the I/Leads Records Management System (RMS) and disseminated to the appropriate division/section/unit.

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Subject: Missing Persons	

## 8.32 MISSING PERSONS

### 8.32.1 POLICY

The Missing Persons Squad is a part of the Homicide Unit of the Louisville Metro Police Department (LMPD) and is responsible for the investigation of missing persons and/or unidentified persons reports. This includes searches, follow-ups and contacting the reporting person (CALEA 41.2.5d-e, 41.2.6a, e-f). Federal law (Section 3701(a) of the Crime Control Act of 1990) and National Crime Information Center (NCIC) regulations require that a missing person report shall be taken for a missing person who is under 21 years of age and that the information should be immediately entered in NCIC. The LMPD policy shall be to comply with these requirements for all missing persons, regardless of age.

### 8.32.2 REPORT REQUIREMENTS

Officers shall immediately take a missing person report regardless of how long he/she has been considered missing (CALEA 41.2.6e). However, there must be sufficient minimum information to complete the mandatory fields on the eMissing Person Report or the Kentucky Missing Persons Report (KSP 261). Mandatory fields include the following missing person information (CALEA 41.2.5a):

- First and last name
- Race and gender
- Height and weight
- Hair and eye color
- Date of birth (DOB)
- Date of last contact

If the mandatory minimum information is not available and there are no exigent circumstances, the officer taking the report may request that MetroSafe issue a "Be-on-the-Lookout" (BOLO) broadcast and shall advise the complainant to call back as soon as the missing individual has been located or when mandatory information becomes available (CALEA 41.2.6a).

Officers must contact NCIC, by phone, at (502) 572-3480, immediately after the notification of a missing person to obtain the name and code number of the NCIC operator he/she spoke to and shall enter this information in the narrative section of the eMissing Person Report.

If special circumstances exist, wherein a juvenile is to be delivered to a guardian or location other than the one listed by the complainant on the report (e.g. habitual runaway, court orders), the officer shall note such information on the eMissing Person Report, or the Kentucky Missing Persons Report, in the section labeled "Other Comments."

After completing the eMissing Person Report with as much available information as possible, the officer shall print the eMissing Person Report to the NCIC printer and confirm, by phone, at (502) 572-3480 that NCIC has received this report. The officer shall transmit the report electronically from his/her Mobile Data Terminal (MDT)

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## 8.32.2 REPORT REQUIREMENTS (CONTINUED)

into the Kentucky Open Portal Solution (KYOPS) immediately upon completion, so that it can be uploaded into the I/Leads Record Management System (RMS).

If the officer is unable to complete the missing person report electronically, the officer shall fill out a Kentucky Missing Persons Report. After completing the report with as much available information as possible, the officer shall have the person making the report sign the report and enter the date and time that the report was completed. Once the signature, date and time are entered, the officer shall immediately call NCIC, by phone, at (502) 572-3480 to obtain the name and code number of the NCIC operator he/she spoke to and shall enter this information in the narrative section of the report and fax the report to NCIC at (502) 572-3596. The officer shall then contact NCIC to confirm that the report was received. He/she shall forward the original report along with any associated documents (e.g. photos, dental and/or medical records, etc.), via interdepartmental mail, to the Records Supervisor at the Data Information Center. The officer may make a photocopy of the report for his/her records.

The officer shall also fax copies of any available associated documents, including, but not limited to, photos and dental and/or medical records to NCIC.

NCIC shall be responsible for missing person data entry in accordance with applicable state and federal standards (KACP 26.4). The officer may also contact MetroSafe and provide information for a BOLO on the missing person. NCIC shall be responsible for ensuring that missing person reports are sent to the Data Information Center. The Data Information Center is responsible for entering missing person reports in the I/Leads RMS, in accordance with applicable state and federal standards (CALEA 41.2.5b-c, 41.2.6c). The Data Information Center shall also be responsible for maintaining the hardcopies of missing person reports according to the Commonwealth of Kentucky Records Retention Schedule.

## 8.32.3 MISSING PERSONS INVOLVING EXIGENT CIRCUMSTANCES (CALEA 41.2.5f)

In addition to the above reporting requirements, officers shall notify their commanding officer and a Missing Persons Squad detective in the following situations that involve missing persons with exigent circumstances. The commanding officer shall respond to the scene and coordinate an immediate search with available resources (CALEA 41.2.6b-f).

- The missing person, of any age, has a verified mental or cognitive impairment (e.g. Alzheimer's) and/or a developmental disability (e.g. autism, traumatic brain injury or physical disability) and whose disappearance poses a credible threat to the health, or safety, of the person. Verbal confirmation of the mental or cognitive impairment and/or a developmental disability by the complainant shall be considered verification of the condition. The Missing Persons Squad detective shall respond to the scene and, after conferring with the division commanding officer, he/she shall contact a Missing Persons Squad commander and relay all pertinent information regarding the missing person. If, based on this information, the Missing Persons Squad commander agrees that the missing person has a mental or cognitive impairment and/or a developmental disability, he/she shall immediately report the information as a "Golden Alert" to the Louisville Metro Emergency Management Agency (EMA) Director and the

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## 8.32.3 MISSING PERSONS INVOLVING EXIGENT CIRCUMSTANCES (CONTINUED)

Kentucky Division of Emergency Management, via MetroSafe, and to local media outlets, via the Media and Public Relations Office (refer to KRS 39F.180) (KACP 30.5).

- A missing child, ten (10) years of age or younger.
- A missing child, regardless of age, who has special needs or may require medical attention.
- A missing child, where there is evidence that the child may have been abducted or may be the victim of a crime and the AMBER Alert plan needs to be implemented. Requirements for an AMBER Alert are that the child is in danger of serious bodily harm or death. The AMBER Alert plan is only for serious child abduction cases and is only activated by officers through the Missing Persons Squad (refer to SOP 12.5) (KACP 30.7).
- Any other missing or lost person, regardless of age, that the officer has reason to believe is in distress. Examples of distress include:
  - The person has special needs, limiting his/her ability to care for himself/herself.
  - The person is in need of, or may require, medical attention.
  - The person is considered endangered.

If any search conducted by LMPD personnel, in the above situations, has lasted more than two (2) hours without locating the missing person, the commanding officer in charge shall advise MetroSafe to notify the Louisville Metro Urban Search and Rescue (LMUSAR) Coordinator and the EMA Director. If the search is for a juvenile, Kentucky State Police (KSP) will also be notified in compliance with KRS 39F.180. Nothing in KRS 39F.180 shall prevent the notifications from being made sooner.

If a search occurs in a wilderness area, MetroSafe shall notify the EMA Director, who shall determine the need for the EMA's Volunteer Search and Rescue Team to assist in the search. The Volunteer Search and Rescue Team will not be responsible for structural searches, or searches for fugitives or parolees.

## 8.32.4 OPERATION RETURN HOME (CALEA 41.2.5b, 41.2.6d)

If an officer believes a child or adult is missing, or may be endangered due to any of the previously listed circumstances, but the criteria for an AMBER Alert (child only) or Golden Alert have not been met, the officer should consider implementing Operation Return Home. Activation of Operation Return Home may only be implemented by a Missing Persons Squad commander. When activated, Operation Return Home may utilize one (1), or more, of the following alert phases:

- Mass email notification, using the Endangered Missing Person flyer (LMPD #07-0039), to local agencies and organizations including, but not limited to:
  - Local news media
  - Other area law enforcement agencies
  - Jefferson County Public Schools (JCPS)
  - Local homeless shelters
  - YMCA (including SafePlace)



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## 8.32.4 OPERATION RETURN HOME (CONTINUED)

- Exploited Children's Help Organization (ECHO)
- Alzheimer's Association
- A Community Advisory Notification System capable of calling residents in a selected geographical area determined by the Missing Persons Squad commander.
- Notification of national agencies and organizations including, but not limited to:
  - National Center for Missing and Exploited Children
  - Polly Klaas Foundation

To request Operation Return Home activation, an officer shall contact his/her commanding officer. If appropriate, the commanding officer shall contact an on-duty, or on-call, Missing Persons Squad commander. The Missing Persons Squad commander shall request approval from the Assistant Chief of Police/Support Bureau. If the decision is made to activate any, or all, of the phases of Operation Return Home, the Missing Persons Squad commander shall make the necessary notifications and implement the appropriate alert phase(s).

## 8.32.5 VICTIM WITH LIFE THREATENING INJURIES OR BEING HELD FOR RANSOM

Officers shall notify their commanding officer, and a Homicide Unit detective, in the following situations (CALEA 41.2.6e):

- A person has been kidnapped for ransom.
- There is sufficient evidence at the scene to indicate that a victim may have sustained potentially life-threatening injuries and the victim cannot be found.

## 8.32.6 PERSON LOCATED/CANCELLING REPORTS (CALEA 41.2.5c, 41.2.6f, KACP 26.4)

### Cancellation of Adult Missing Persons Reports

If an officer locates an adult who has been reported missing or the adult has returned home, the officer shall immediately call NCIC, by phone, at (502) 572-3480 to cancel the missing person report, once the missing person has been located, so that NCIC can cancel the report in their system. The officer shall obtain and enter the name and code number of the NCIC operator he/she spoke to in the narrative section of the report, along with the date and time of the conversation.

The officer shall clear the missing person report by performing a supplement report in the I/Leads RMS. The officer shall look up the case number in the I/Leads RMS to use for the supplement. The date and time of the clearance, along with the clearing officer's code number, shall be entered and the supplement saved. Once saved, right clicking in the narrative box allows the officer to select "Missing Person Recovery." The I/Leads RMS will prompt the officer through a series of questions. The supplement status must be changed to "closed" on page one (1) in order to receive the prompts to all the questions. The supplement is then approved through

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## 8.32.6 PERSON LOCATED/CANCELLING REPORTS (CONTINUED)

the appropriate I/Leads RMS channels. The officer shall then print the cancellation supplement to the NCIC printer.

If the original missing person report was taken by another agency, the LMPD shall contact NCIC, who will gather the information and send it to the originating agency.

### Cancellation of Juvenile Missing Persons Reports

Officers shall only cancel a missing person report on a juvenile after visually confirming that the missing child has been located. The officer shall immediately call NCIC, by phone, at (502) 572-3480 to cancel the missing person report, once the missing person has been located, so that NCIC can cancel the report in their system. The officer shall obtain and enter the name and code number of the NCIC operator he/she spoke to in the narrative section of the report, along with the date and time of the conversation.

The officer shall clear the missing person report by submitting a supplement report in the I/Leads RMS. The officer shall look up the case number in the I/Leads RMS to use for the supplement. The date and time of the clearance, along with the clearing officer's code number, shall be entered and the supplement saved. Once saved, right clicking in the narrative box allows the officer to select "Missing Person Recovery." The I/Leads RMS will prompt the officer through a series of questions. The supplement status must be changed to "closed" on page one (1) in order to receive the prompts to all the questions. On the supplement page in the contact name area, place the name of the person to whom the juvenile is being released. The supplement is then approved through the appropriate I/Leads RMS channels. The officer shall then print the cancellation supplement to the NCIC printer.

When an officer locates a missing juvenile, he/she shall make contact with the parent or guardian and attempt to return the child. If the juvenile's parent/guardian cannot be contacted, or if the juvenile is missing from another jurisdiction, then the officer shall request that MetroSafe provide him/her with an approved location to deliver the child. If the custodial parent/guardian refuses to accept the child, then the officers shall follow outlined procedures regarding emergency custody orders (refer to SOP 8.22).

When group homes (e.g. YMCA Shelter House, Louisville Metro Youth Detention Center (LMYDC)) are the complainant, the group home may contact NCIC directly and an officer need not respond. The Missing Persons Squad commander, or his/her designee, may cancel reports, without visual verification, after official confirmation.

Officers shall request that MetroSafe checks the warrant/missing status of any juvenile taken into custody.

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## 8.33 ANIMALS

### 8.33.1 USE OF FORCE

#### Humane Destruction of Domesticated Animals

When an officer believes a seriously injured, domesticated animal (e.g. dog, cat, etc.) should be destroyed to relieve its pain and suffering, he/she shall first attempt to contact the owner. If the owner can be contacted, he/she shall be instructed to take his/her pet to a licensed veterinarian for treatment and/or humane euthanasia. If the officer believes that the injured domesticated animal may be a danger to its owner or others due to its injuries, the officer shall contact MetroSafe and have them contact Louisville Metro Animal Services (LMAS).

If the owner cannot be contacted, the officer shall contact MetroSafe and have them contact LMAS and allow its animal control officers (ACOs) a reasonable amount of time to remove the animal. If the officer is advised that LMAS cannot respond, or the ACO is taking an unreasonable amount of time to respond, the officer shall request that MetroSafe contact a LMAS supervisor.

Officers are prohibited from loaning their weapons to any person for the purpose of destroying an animal.

#### Humane Destruction of Wild Animals

When an officer believes a seriously injured, non-domesticated (wild) animal (e.g. deer) should be destroyed to relieve its pain and suffering, he/she shall notify his/her supervisor that the animal was destroyed. The officer shall request that MetroSafe contact the appropriate agency (e.g. Metro Public Works and Assets, Kentucky Transportation Cabinet) for removal on a right-of-way, roadway or highway.

#### Defense of Self, Others and Property

Force used against animals, including deadly force, is authorized in defense/protection of oneself, another individual or property. When the officer reasonably believes, based on the facts and circumstances, that the animal on which the force is used poses an immediate threat of injury or damage to the officer, another individual or property (CALEA 1.3.2, KACP 1.3b), he/she shall use the minimum amount of force necessary to bring the animal under control (KACP 1.3a). Electronic Control Weapons (ECWs) have been found to be effective against aggressive animals. Officers shall only use the minimum number of ECW cycles necessary to bring the animal under control (KACP 1.3a).

If an officer has to shoot and kill an aggressive domesticated animal (e.g. dog, cat, etc.) during the execution of a search warrant, he/she shall request that MetroSafe contact LMAS for removal, unless the owner elects to take care of the animal (refer to SOP 8.1.15).

#### Documentation

If a domesticated animal is injured as a result of an officer using force in response to a humane act or a defensive situation, the officer shall complete an Administrative Incident Report (AIR) (LMPD #03-03-0001),

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## 8.33.1 USE OF FORCE (CONTINUED)

including when an ECW is used (CALEA 1.3.6a, c). If an officer uses his/her firearm for the destruction of a wild animal, no report is required (refer to SOP 3.1).

## 8.33.2 REMOVAL OF ANIMAL CARCASSES

An officer shall attempt to remove an animal carcass from the roadway or highway if it constitutes a traffic hazard. If the carcass cannot be moved, the officer shall remain on-scene and request that MetroSafe contact the appropriate agency (e.g. Metro Public Works and Assets, Kentucky Transportation Cabinet) for removal. If no hazard exists, the officer does not have to remain on-scene and shall request that MetroSafe contact the appropriate agency for removal.

## 8.33.3 ANIMAL BITES

LMAS shall respond to animal bite incidents. They shall take a report and investigate these incidents. LMAS can be contacted at (502) 363-6609 or via MetroSafe.

Officers, desk clerks and Police Report Technicians (PRTs) may be requested to complete a Uniform Incident Report for individuals who have been bitten by an animal outside of the normal operating hours of LMAS (e.g. 1800-0800 hours). These administrative reports shall be classified as injured person reports. Members shall fax a copy of the Uniform Incident Report to LMAS at (502) 363-9742 prior to the end of their tour of duty. Officers shall respond to the scene if the animal is still posing a threat or if the victim was severely injured. LMAS may also be contacted outside of their normal operating hours for animal bites, especially when the animal still poses a threat.

## 8.33.4 STRAYS

When an officer observes, or is dispatched on a run involving, a stray animal, he/she should attempt to ascertain the owner's name and notify him/her. If the animal can be secured, LMAS may be notified for removal. An officer may also deliver the secured stray animal to LMAS, located at 3705 Manslick Road. Officers are not allowed to take the stray to any other location or shelter. The LMAS Field Services hours of operation are from 0800-1800 hours, seven (7) days a week, with emergency service hours of 1800-2200.

If the stray animal is secured outside of the normal operating hours of LMAS (e.g. 1800-0800 hours), the officer shall contact MetroSafe and have them contact the on-call LMAS representative to receive instructions on picking up/delivering the stray animal.

## 8.33.5 DOMESTICATED ANIMAL COMPLAINTS

LMAS is the primary agency responsible for responding to complaints of domesticated animals (e.g. loud barking, nuisance property offenses, animal fights, habitual roaming, leash/tether offenses, cruelty/neglect, etc.).

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## 8.33.5 DOMESTICATED ANIMAL COMPLAINTS (CONTINUED)

Louisville Metro Police Department (LMPD) officers shall only be dispatched on complaints that present a threat, or danger, to persons or property.

## 8.33.6 WILDLIFE

LMAS, the Kentucky Department of Fish and Wildlife, licensed nuisance wildlife control operators and licensed wildlife rehabilitators are responsible for responding to complaints of non-domesticated (wild) animals.

LMAS will respond to the following:

- An ACO will respond to all wildlife bites and exposures (e.g. bat in the living quarters of a home). The wild animal will not be quarantined at LMAS. It will be euthanized and sent to the lab for analysis.
- An ACO will respond to wildlife in traps that a LMAS supervisor has authorized the citizen to trap for public health and safety reasons.
- An ACO will respond to any call involving a domesticated animal that has come in contact with a wild animal (e.g. a dog that attacks and kills a raccoon).

The Kentucky Department of Fish and Wildlife will respond to calls involving large-sized nuisance or injured wildlife (e.g. deer, coyote, etc.) on the exterior/yard of the home. The Kentucky Department of Fish and Wildlife can be contacted at (800) 858-1549. Calls involving large-sized sick or injured birds of prey (e.g. falcons, hawks, vultures, owls, eagles) are referred to Raptor Rehabilitation of Kentucky. Raptor Rehabilitation of Kentucky can be contacted at (502) 491-1939.

Licensed nuisance wildlife control operators will respond to calls involving general nuisance wildlife (e.g. raccoons, squirrels, opossums, snakes, etc.) on the exterior/yard of the home, inside of a home, etc. Licensed nuisance wildlife control is provided by permitted operators who charge a fee for their services. A list of licensed nuisance wildlife control operators can be found at <http://fw.ky.gov/app1/NuisanceLookup.aspx>.

Licensed wildlife rehabilitators will respond to calls involving general sick and/or injured wildlife. A list of licensed wildlife rehabilitators, including the types of animals that they rehabilitate, can be found at <http://fw.ky.gov/app1/rehablist.aspx>.

Except as noted above, a homeowner or landowner is responsible for the removal of a dead animal found on the exterior/yard of the home or on private property.

If the call involves a deer being struck by a vehicle, a LMPD officer shall respond.

If an officer has an issue/question regarding any wildlife call, he/she shall contact LMAS at (502) 363-6609 or via MetroSafe.

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	Effective Date: 09/05/04 Prv. Rev. Date: 03/10/13 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 1.3.2, 1.3.6 KACP: 1.3
Chapter: Field Operations	
Subject: Animals	

## 8.33.7 ANIMAL CRUELTY/ABUSE

Officers who observe, or are dispatched on a run involving, animal cruelty/abuse, during the normal operating hours of LMAS (e.g. 0800-1800 hours), shall contact MetroSafe to have LMAS send an ACO to the scene to assist. If the case occurs after the normal operating hours of LMAS (e.g. 1800-0800 hours), the officer shall contact MetroSafe and have them contact the on-call LMAS representative to respond. ACOs may assist the officer in determining whether the case meets the criteria to be a felony or a misdemeanor and if the animal needs to be impounded, pursuant to Louisville Metro Code of Ordinances Chapter 91.

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Subject: Gang Data Collection	

## 8.34 GANG DATA COLLECTION

### 8.34.1 POLICY

The Narcotics Division Commander shall designate the Intelligence Gang Coordinator, whose responsibilities shall include the recording of all information on gangs, gang members and activities. The Intelligence Gang Coordinator shall also be responsible for entering and maintaining all records in compliance with National Crime Information Center (NCIC) standards.

Each patrol division shall designate at least one (1) officer as the division gang coordinator. The division gang coordinators shall be responsible for collecting all gang data generated in their division and forwarding it to the Intelligence Gang Coordinator.

Regular meetings of the division gang coordinators shall be set by the Narcotics Division Commander, or his/her designee.

### 8.34.2 GANG DEFINITION

According to NCIC standards, a **gang** must meet the following criteria:

- The group must be an ongoing organization, association or group of three (3) or more persons; and
- The group must have a common interest and/or activity characterized by the commission of, or involvement in, a pattern of criminal activity or delinquent conduct.

KRS 506.140 defines a **criminal gang** as "any alliance, network or conspiracy, in law or in fact, of five (5) or more persons with an established hierarchy that, through its membership or through the action of any member, engages in a continuing pattern of criminal activity. "Criminal gang" shall not include fraternal organizations, unions, corporations, associations or similar entities, unless organized for the primary purpose of engaging in criminal activity."

**Delinquent conduct** is conduct of a juvenile which would be a crime if committed by an adult.

**Criminal or delinquent conduct** includes, but is not limited to, narcotic distribution, firearms or explosives violations, murder, extortion, obstruction of justice (including witness intimidation and/or tampering) and any other violent offenses.

In order to enter a person as a "suspected gang member" in the I/Leads Records Management System (RMS), the person must meet the following criteria:

- Self admitted group membership at the time of arrest or incarceration; or two (2) of the following:

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## 8.34.2 GANG DEFINITION (CONTINUED)

- o Has been identified by an individual of proven reliability as a group member
- o Has been identified by an individual of unknown reliability as a group member and that information has been corroborated in significant respects
- o Has been observed by members of the entering agency to frequent a known group's area, associate with known group members and/or affect that group's style of dress, tattoos, hand signals or symbols
- o Has been arrested on more than one (1) occasion with known group members for offenses consistent with group activity
- o Has admitted membership in the identified group at any time other than the time of arrest or incarceration

All field contacts shall only be entered as "suspected gang member" in the I/Leads RMS. Confirmation of suspected gang members shall be done by the Intelligence Gang Coordinator.

## 8.34.3 REPORTING GANG INFORMATION

Officers conducting field interviews/contacts shall note all information relating to gang, or suspected gang, members on the Supplemental Suspect Form (Form LMPD-5) and the Supplemental Narrative Form (Form LMPD-6) (for paper reports) or in the I/Leads RMS electronically. For paper reports, any additional narrative information shall be put on Form A-2. Officers should also note all information about anyone stopped with a gang, or suspected gang, member. Officers shall forward any other documentation to the division gang coordinator. When associating photographs with a field contact, put the case number in the appropriate box. This is the same number that is used in the Digital Image Management System (DIMS) to store the photographs.

After an officer completes a field contact on a suspected gang member, the officer shall send a link, via the I/Leads Organizer, to the appropriate division gang coordinator.

When an officer completes an incident report and there is reason to believe that gang involvement exists, or a person listed on the report may be a gang member, he/she shall note such suspicions in his/her report. In the I/Leads RMS, suspected gang activity may be reported on page three (3) of the incident report using the MO (modus operandi) drop down menu. If the report is in paper form, he/she shall then forward a copy of the report to the division gang coordinator.

If sending a paper copy, each division gang coordinator shall maintain a copy of all information sent to the Narcotics Division as a resource for other officers. The information shall be kept in a binder or folder which shall also contain gang data and other information disseminated by the Narcotics Division.

The I/Leads RMS shall be the central repository for gang information. For information entered electronically in the I/Leads RMS, gang information shall be noted in the Name Module of the suspected gang member and in the Offense Module, when applicable. An alert shall be placed here to notify others of this suspected affiliation.



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## 8.34.3 REPORTING GANG INFORMATION (CONTINUED)

Nothing in this policy is meant to restrict or limit information that officers send to the Intelligence Gang Coordinator. All pertinent information shall be sent to the Narcotics Division through the division gang coordinators.

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Chapter: Field Operations	
Subject: Patrol Division Case Files	

## **8.35 PATROL DIVISION CASE FILES (KACP 26.1)**

### **8.35.1 POLICY**

It is the policy of the Louisville Metro Police Department (LMPD) to prepare and maintain patrol division case files. These case files should contain all information relevant to the investigation, in order to assist in the prosecution and disposition of the case. Case management shall be done in the I/Leads Records Management System (RMS). Paper case files are meant to supplement the electronic case files. All investigative notes shall be entered on the Investigative Report form (LMPD #05-0002). Any, and all, paper documents, except National Crime Information Center (NCIC) files, may be scanned and attached to the electronic case file. Case file numbers shall be the incident control number (ICN) generated by the I/Leads RMS, not individual case numbers used in a division/section/unit.

### **8.35.2 INITIATION**

A thorough investigation and properly completed case file are essential components of a court presentation. A case file shall be opened on any arrest made by patrol division detectives as the result of an investigation initiated from an incident report. Members shall open a case file on all felony or significant misdemeanor incidents, regardless of an arrest.

### **8.35.3 CUSTODY AND CONTROL (CALEA 42.1.3d, 82.1.1a)**

All case files must be maintained in a secure location to prevent access by unauthorized persons and to maintain the integrity of documentary evidence. Patrol officer, division detective, domestic violence detective and Flex Platoon detective paper case files shall be maintained in a secured area. Electronic case files shall be maintained in the I/Leads RMS, under the original ICN. It shall be the responsibility of the division commander to ensure that secure areas are available for paper case file storage. No patrol division case files shall be kept anywhere other than in a LMPD facility, with the exception of taking the file to court, review with the prosecution or other official business. Once the file has been used in court or for other official business, it shall be returned, as soon as possible, to the respective LMPD facility.

### **8.35.4 PROCEDURE (CALEA 42.1.3a-c)**

When a paper case file is required, it is the responsibility of the primary investigating, or arresting, officer to obtain a file folder and initial documents. In the I/Leads RMS, case files are created after approval of competent authority at "Level 1" of the original incident report completed by the originating member. This case file shall be sent to the appropriate command staff so that it can be assigned for follow up. All supporting documentation shall be maintained in the I/Leads RMS.

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## 8.35.4 PROCEDURE (CONTINUED)

Paper case files shall be the manila folder type that are pre-stamped with case record information, which includes the ICN, victim's and suspect's names and court appearance log. In cases where the case is too large to store within a standard manila case file folder, a black pressboard expandable file folder may be used. In these instances, the case file cover page shall be the first page in the folder.

The case file shall include a Case File Checklist (LMPD #0449-02). The checklist should be used as a reference guide at the outset of an investigation, although not all items listed on the checklist will be appropriate for every case. The Case File Checklist is not evidence and may be removed, prior to the case proceeding to court.

The paper case file shall contain the following items or documents, if applicable, secured in place by metal file fasteners:

- A copy of the original incident report and any additional, or supplemental, reports generated during the investigation.
- A copy of all arrest citations.
- Investigative Record log (LMPD #0450-02). The top portion of this form should be completed, and should contain a written description of the incident and list any actions taken throughout the investigation. This should include actions performed by the primary and assisting officer(s).
- Completed Miranda Rights Waiver forms (LMPD #0006-96). These forms should be included regardless of whether rights are waived. If the defendant refuses to waive their rights, it should be noted on the form and in case notes.
- Evidence receipt(s) related to all items collected, or seized, as a result of the investigation.
- Lab reports including, but not limited to, Crime Scene Unit (CSU) processing forms or drug lab documents.
- Copies of served, or outstanding, arrest warrants.
- Copy of any search warrants executed during the investigation.
- The original hardcopy of any Consent to Search forms (LMPD #06-0036) obtained during the investigation.
- Crime scene and other investigative photographic evidence.
- Mug shots of any arrested subjects or suspects.
- Arrest Record information. N.C.I.C. Criminal Histories or "Hits" shall not be kept in investigative case files (refer to SOP 8.9.3). NCIC files shall not be copied and pasted electronically into the I/Leads RMS. Information obtained from these documents shall be written in investigative case notes, where it shall be noted that the information was obtained during the course of the investigation.
- Documentary evidence, such as written statements, records obtained by court order and photo spreads and identification forms, including a Photo-pack Identification form (LMPD #04-08-0819) may be retained in the case file, only if case files are maintained in a secure area of the division, or scanned and attached to the electronic case file. Items of this nature should be placed in the Property Room, if a secure area is not available. Physical evidence, such as shell casings, stolen property, drugs, money or any other item(s) shall be photographed, or copied, and then shall be placed in the Property Room (CALEA 84.1.2). These items may be subject to forensic, or other, testing and shall not be retained in the case file.

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## 8.35.5 ORGANIZATION

Paper case files shall be prepared in the following manner to assist in court presentation and supervisory review:

### Left side of folder in top to bottom order:

- Investigative Record log
- Manila envelope to be used for the storage of items, such as evidence slips and photographs
- Other items, such as arrest warrant copies, search warrant(s) or waivers and lab reports

### Right side of folder in top to bottom order:

- Case File Checklist (LMPD #0449-02)
- Original ICN
- Any additional, or supplemental, reports taken, arranged in chronological order with the most recent on top
- Copies of arrest citations for all arrested subjects
- Miranda Rights Waiver forms (LMPD #0006-96)
- Photo spreads and identification sheets (if applicable)
- Any additional documents not previously mentioned including, but not limited to, Wanted flyers, mug shots and LMPD I/Leads RMS arrest records

## 8.35.6 TRACKING (CALEA 42.1.3d, 82.1.1a)

Case files must be easily accessible for court presentation and supervisory review. To accomplish this, paper case files should be stored in file cabinets, in numerical order by ICN and electronic case files shall be stored in the I/Leads RMS.

Division commanders shall utilize a Case File Sign Out form (LMPD #07-0040) to safeguard division paper case files and allow officers to access them for court appearances.

After the case is adjudicated in the court system, the investigating officer/detective shall record the disposition in the appropriate place on the paper case file jacket and in the I/Leads RMS.

## 8.35.7 REVIEW

After all available documentation is completed and placed in the appropriate electronic and/or supplemental paper case file, the primary investigating officer shall notify his/her commanding officer that the case file is completed and needs to be reviewed. The commanding officer shall check to determine if all available documents are included. The commanding officer shall review a case file with the investigating officer, if there are any questions pertaining to the case file content.

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**8.35.7 REVIEW (CONTINUED)**

Division commanding officers shall periodically review each case file until the case is adjudicated in the court system. Reviews shall begin upon arrest, continue throughout court proceedings and end at the conclusion of court (e.g. pre-trial, plea, trial or dismissal).

**8.35.8 DISPOSAL (CALEA 42.1.3e)**

Active patrol division paper case files shall be retained within the individual division offices. Division command shall do a periodic review of paper case files to determine if they are still active. Cases that are found to be inactive must be transferred to Louisville Metro Archives for retention, in accordance with the Louisville Metro Code of Ordinances archiving procedures and Kentucky Revised Statutes (KRS) (CALEA 82.3.5). Examples of inactive cases may be as follows:

- Cleared by exception
- Cleared as unfounded
- Cases that are open but inactive because little or no evidence exists that could reasonably lead to clearance by any other means
- Cases cleared by arrest and court disposition that are not subject to appeal to a higher court

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## 8.36 CRIME SCENES

### 8.36.1 COMMAND (KACP 17.4)

The Incident Command System (ICS) shall be established at all major crime scenes. The first responding officer or the most senior officer at the scene shall be the Incident Commander (IC), until relieved on-scene by a commanding officer or lead detective. The IC shall be responsible for ensuring adherence to the procedures outlined in this policy and determining the level of personal protective equipment (PPE) to be worn at the scene (refer to SOP 12.2).

### 8.36.2 RESPONSIBILITIES OF THE FIRST OFFICER ON SCENE (CALEA 42.2.1c, KACP 17.4)

The first officer to arrive at a major crime scene shall assume initial command, until relieved on-scene by a supervisor or the lead investigator. He/she shall request any assistance needed to ensure that the following functions are performed:

- Ensure that the scene is safe. If an immediate threat is present, officers should approach the scene in a manner that minimizes the risk to themselves and maximizes the safety of the public.
- Aid the injured.
- Apprehend the suspect.
- Protect the crime scene.
- Detain and separate witnesses, victims and suspects.

### 8.36.3 AIDING THE INJURED

Officers shall assess the physical injuries of the involved parties and notify MetroSafe if emergency medical personnel are needed. Officers shall point out potential physical evidence to medical personnel, instructing them to minimize contact with such evidence (e.g. cutting through bullet holes, knife tears in clothing).

If the victim or suspect is transported to a medical facility, another officer should accompany him/her in the ambulance to document any comments made and to preserve evidence (e.g. clothing, personal items). If no officers are available to accompany the victim/suspect, the officer shall stay at the scene and request medical personnel to preserve physical evidence and document any comments made by the victim/suspect.

### 8.36.4 PROTECTING THE CRIME SCENE (CALEA 42.2.1c)

#### Establishing Perimeters (KACP 20.3b)

The initial responding officer shall have the responsibility of establishing and defining the boundaries of the crime scene. The officer shall ensure that physical barriers (e.g. barricades, cones, tape) are erected.

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## 8.36.4 PROTECTING THE CRIME SCENE (CONTINUED)

Boundaries should include the area in which the actual crime occurred, potential points and paths of entry and exit and locations where evidence or involved individuals may have been moved.

Additionally, officers should establish a control perimeter. The control perimeter is a buffer zone established to protect the primary crime scene from contamination. The control perimeter should be large enough to incorporate the possibility of additional crime scenes while maintaining the integrity of the primary scene.

The crime scene must be protected from entry by unnecessary or unauthorized persons so that physical evidence will not be altered, moved, destroyed, lost or contaminated. An officer shall be designated as the Crime Scene Entry Log Recorder and shall be stationed at a selected entrance/exit point to the control perimeter. The Crime Scene Entry Log Recorder shall maintain the integrity of the scene by denying access to nonessential personnel (e.g. media, political figures, officers not working the case) and documenting the arrival and departure times of legitimate persons involved (e.g. EMS, Fire Department personnel, investigating officers) using the Crime Scene Entry Log (LMPD #05-08-0138).

### Limiting Contamination of the Crime Scene

The initial responding officer should preserve the scene with minimal contamination and disturbance of physical evidence. Whenever possible, he/she should establish a path from the entry point to the primary crime scene in order to limit the possibility of contamination from outside sources (e.g. medical personnel or additional officers).

Officers should make efforts to further minimize contamination by guiding medical or fire personnel to the victim while pointing out potential physical evidence in order to avoid its destruction/contamination. The officer shall document the original location of the victim and/or objects that are moved during the course of lifesaving procedures.

All persons shall be prohibited from performing the following acts while at the crime scene:

- Eating and/or drinking.
- Smoking and/or chewing tobacco.
- Littering.
- Spitting.
- Using the telephone or bathroom.
- Moving any items, including weapons, unless necessary for the safety and well-being of persons at the scene.
- Adjusting the thermostat or opening windows or doors.
- Touching anything unnecessarily. Officers should be cautious of handling evidence due to DNA crossover or contamination.
- Repositioning moved items.

The initial responding officers should document the following to preserve the integrity of a crime scene (CALEA 42.2.1a):

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## 8.36.4 PROTECTING THE CRIME SCENE (CONTINUED)

- List observations made at the crime scene, including the location of persons and items of interest
- Note the conditions upon arrival (e.g. lights on/off, shades up/down, etc.)
- Record his/her actions and the actions of other persons present
- Document all instances of scene alteration, regardless of how insignificant the event or item appears

The officer may need to effect measures to preserve/protect evidence that may be lost or compromised due to environmental concerns (e.g. rain, snow, wind, sprinklers, etc.) and/or the presence or arrival of other responders (e.g. footsteps, tire tracks, etc.). Any measures taken to protect such evidence from destruction/contamination shall also be documented.

**Secondary Crime Scene:** The secondary crime scene may consist of additional evidence outside of the scope of the primary crime scene. If a secondary crime scene is discovered, the initial responding officer shall establish the same procedures used for the primary crime scene. Special attention should be granted if the scenes are in close proximity (e.g. blood trails, paths from one location to the next, etc.).

## 8.36.5 CONTROLLING PERSONS AT CRIME SCENES (CALEA 42.2.1b)

The initial responding officer should prevent individuals from altering or destroying physical evidence, by restricting their movement, location and activity. Officers shall:

- Identify all individuals present.
- Secure and separate the suspects.
- Separate the witnesses.
- Remove bystanders from the scene after determining that the bystanders are not suspects or witnesses. Families and friends of persons involved may need to be controlled at the crime scene. Officers should show compassion while dealing with these individuals. If necessary, officers should request the assistance of the police chaplains to help with the family's emotional needs.

If witnesses attempt to leave or indicate that they must leave the scene prior to being interviewed by the lead investigator, officers shall explain the importance of obtaining accurate and timely information. If the witness or bystander is still persistent about leaving, the officer shall notify the lead investigator of the situation. The officer should obtain the following information for the lead investigator, prior to releasing the witness:

- Full name
- Address
- Identification (ID) number (e.g. Social Security Number (SSN) or driver's license number, etc.)
- Date of birth
- Phone numbers
- General description of the witness (e.g. clothing, hair color, height, weight, etc.)
- Any information relevant to the investigation



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## 8.36.6 LEAD INVESTIGATOR (KACP 17.4)

The lead investigator may assume control of the scene from the initial responding officer after the initial responding officer has provided a detailed briefing regarding the incident and the crime scene. The initial responding officer shall continue to assist the lead investigator, as needed or until relieved.

If the crime is determined to be a division-level case (e.g. burglary, theft, wanton endangerment, etc.), the lead investigator shall be the initial responding officer, a division detective or another officer designated to investigate the offense.

## 8.36.7 CRIME SCENE PROCESSING

Qualified personnel are available 24 hours/day, 365 days/year to process crime scenes (CALEA 83.1.1).

### Crime Scene Unit (CALEA 83.2.4b, d, KACP 27.1)

The Crime Scene Unit (CSU) shall assist the lead investigator of a crime scene by photographing, preserving, collecting, processing, packaging and transporting evidence which requires special handling, or testing, by the Kentucky State Police (KSP) Forensic Laboratory or another appropriate outside testing facility. This shall be accomplished by using the established procedures found in the CSU Operations Manual, which is kept on file in the CSU (CALEA 83.2.1). The crime scene shall be photographed and/or videotaped per the criteria set forth in the CSU Operations Manual (CALEA 83.2.2).

Materials and substances shall be collected from a known source, whenever available, for submission to the appropriate laboratory for comparison with the physical evidence collected (CALEA 83.3.1). The CSU shall not be required to respond to a scene merely to transport and place evidence in the Property Room. The lead investigator, an officer or a Police Report Technician (PRT) shall remain on-scene while the CSU processes the scene.

If a vehicle is part of the crime scene and requires processing, the lead investigator shall complete the Evidence Processing Request for Vehicles form (LMPD #04-00-0050). The vehicle shall be taken to the Auto Theft Garage for processing under the direction of CSU personnel.

The CSU shall also be responsible for sketching crime scenes. This shall include all homicides and major crime scenes. Upon completion of the sketch, it shall be forwarded to the lead investigator (CALEA 83.2.4c).

CSU members shall complete the Crime Scene Unit Report (LMPD #07-0001) and other applicable reports for all crime scenes processed (CALEA 83.2.6).

### Video Forensics and Analysis Squad

At the request of a supervisor, the Video Forensics and Analysis Squad (VFAS) shall respond to selected crime scenes and perform the following function:

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## 8.36.7 CRIME SCENE PROCESSING (CONTINUED)

- Retrieve pre-recorded video or digital media for processing, only in instances where the CSU cannot retrieve the evidence due to advanced technology.

The VFAS shall initially take the evidence for investigative examination purposes (e.g. video media, recorders or surveillance equipment) from the scene. Once the evidence has been examined, it shall be transported to the Property Room by the VFAS examiner along with an Evidence Chain of Custody form (LMPD #04-04-0127).

### Submission of Evidence to VFAS for Examination

Videotapes, DVDs and cassette tapes shall be transported to the CSU. An evidence envelope, Evidence Chain of Custody form and VFAS Service Request form (LMPD #05-0020) shall be completed by the officer or detective and attached to the evidence envelope. The evidence shall be dropped in the evidence vault. Officers or detectives shall be required to sign a log listing the date and time that he/she deposits the evidence. When the VFAS examiner removes evidence from the vault, he/she shall initial the log with the date and time that it was removed. This log shall be kept by the VFAS. Upon completion of the examination of the evidence, the evidence shall be placed in the Property Room. The VFAS examiner shall then send the receipt form to the lead investigator. A copy of the evidence form shall remain in the VFAS Office.

### Duplicating Tapes & DVDs

For any tapes or DVDs that need to be duplicated, officers and detectives shall come to the forensics area, fill out a VFAS Service Request form and an Evidence Chain of Custody form, if it is a criminal case. Officers and detectives shall place all documentation into a regular envelope and drop it into the vault. He/she must state how many copies are needed as well as when the copies are needed. Upon completion, the lead investigator shall be notified that the copies are ready to be picked up.

### Submission of Evidence for Foreign Language Translation

All requests for foreign language translation shall be submitted to the CSU with a completed Foreign Language Transcriber Translation Request form (LMPD #13-0006). All Foreign Language Transcriber Translation Request forms require prior approval from a division/section/unit commander and the Forensic Investigations Sergeant before any analysis will be done. All cases submitted for analysis shall be assigned a priority by the Forensic Investigations Sergeant based upon the nature of the crime. Cases shall only be assigned a "rush" for legitimate reasons, not because the requesting officer held the media for an extended period of time. Only copies of the original media shall be accepted for translation. If the media to be translated is on another device, such as a USB drive, SD card, digital audio recorder etc., it shall be transferred to a DVD or CD unless otherwise specified. If any case is denied, the Forensic Investigations Sergeant shall complete the "Denial" section of the form and return the media and a copy of the form to the requesting officer. All approved cases shall be submitted for translation by the Forensic Investigations Sergeant and the requesting officer shall be contacted, via email, when the translation has been completed and is ready to be picked up.

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## 8.36.7 CRIME SCENE PROCESSING (CONTINUED)

In the event that the Forensic Investigations Sergeant is unavailable, evidence may be submitted via the evidence vault in the CSU office. The requesting officer shall fill out an evidence envelope and place the copy of the media to be translated in the envelope, along with a completed Foreign Language Transcriber Translation Request form. The requesting officer shall enter the required information on the Media Drop Box Log, which is located on the clipboard next to the vault. The requesting officer shall seal the evidence envelope and deposit it into the evidence vault. The Forensic Investigations Sergeant shall check the box periodically throughout the day. When a new entry is observed on the log, the media shall be removed from the evidence vault and documented on both the log and original evidence envelope. The approval procedures outlined above shall then apply.

### Kentucky Regional Computer Forensics Laboratory

At the request of a supervisor, the Kentucky Regional Computer Forensics Laboratory (KRCFL) may respond to the crime scene. The lead investigator shall draft a computer-related search warrant in compliance with the search warrant policy (refer to SOP 8.1). The lead investigator may request the assistance of the KRCFL, if needed, to assist in writing and executing the search warrant.

Where it is not an emergency situation, the evidence may be taken to the KRCFL only after it has been entered into the Property Room as evidence. The KRCFL is a full-service forensics laboratory and training center devoted entirely to the examination of digital evidence in support of criminal investigations. They will support investigations into the following crimes:

- Terrorism
- Child pornography
- Homicide
- Narcotics
- Robbery
- Sex crimes
- Violent crimes
- Internet crimes
- Theft or destruction of intellectual property
- Fraud

To request assistance from the KRCFL, complete a service request form at [www.krcfl.org](http://www.krcfl.org), print the form and submit it, via fax, to (502) 852-4383. The office is located at 310 North Whittington Parkway, Burhans Hall, Room 255, Louisville, KY 40222. Their phone number is (502) 852-4454. Hours of operation are 0800-1600, Monday – Friday.

All requests are prioritized according to the nature of the crime. Once the request has been made, an examiner will contact the lead investigator to schedule a delivery of the digital evidence to the lab. Once the evidence has been checked out of the Property Room and it has been received by the KRCFL, it will be entered into their evidence storage.

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	Accreditation Standards: CALEA: 42.2.1, 83.1.1, 83.2.1, 83.2.2, 83.2.4, 83.2.6, 83.3.1, 83.3.2, 84.1.1 KACP: 17.4, 20.3, 27.1
Chapter: Field Operations	
Subject: Crime Scenes	

## 8.36.7 CRIME SCENE PROCESSING (CONTINUED)

The KRCFL shall maintain a chain of custody for evidence (e.g. computer equipment, media, software and related peripherals) submitted to the laboratory for examination (CALEA 83.3.2d, KACP 27.1).

## 8.36.8 RESPONSE GUIDELINES FOR SPECIFIC CRIMES/SITUATIONS

### Suicides

The initial responding officer shall not alter the scene, unless lifesaving measures or external threats exist.

- Hangings: Officers shall only cut the victim down in order to save the victim's life. If this is necessary, officers are to cut between the securing point and the victim. Officers shall refrain from cutting or undoing the knot around the victim or the securing point.
- Pills: Officers shall refrain from moving or handling pills at a scene; however, EMS may need to obtain information from the pills or pill bottles to aid in the treatment of the victim.
- Weapons: If a weapon is used in the attempt or commission of a suicide and the weapon is not in the way of lifesaving measures, it shall be left in its original state. If the weapon prevents the safe treatment of the victim or, if left unsecured will cause safety issues, the officer shall secure the weapon, noting its original condition and location. When a weapon is involved, the CSU shall determine when to use Gun Shot Residue (GSR) analysis and whether to bag the hands for further examination.

### Death by Natural Causes

When death appears to have been caused by natural means, the scene shall be handled as a homicide scene, until determined otherwise by the coroner.

### Dying Declarations

Officers shall attempt to obtain a dying declaration, whenever possible. The declaration should be recorded if the officer has access to a mobile video unit or tape recorder. The recorded declaration shall be released to the lead investigator for evidentiary control.

### Business Robberies

When arriving at a scene of a confirmed business robbery, the initial responding officers shall:

- Obtain a detailed description of the suspect, including the weapon displayed or indicated
- Advise other responding officers of the suspect's last known direction of travel
- Request the assistance of support units (e.g. Canine, Air Unit, etc.)
- Ensure that the business is closed to additional patrons by locking the doors
- Request that all transactions with patrons currently in the establishment be suspended
- Protect possible fingerprint evidence at the scene (e.g. counters, doors, merchandise, etc.)

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## 8.36.8 RESPONSE GUIDELINES FOR SPECIFIC CRIMES/SITUATIONS (CONTINUED)

- Inquire if a working video surveillance system is on the premises

### Sex Crimes

Special considerations shall be granted to victims of sex crimes. Officers should show concern for the victim and their emotional state while trying to maintain evidence. The initial responding officers should be aware that the victim is the primary crime scene. Victims should be advised not to do the following:

- Eat, drink or smoke
- Wash or clean-up
- Change clothes
- Use the restroom

Officers are also prohibited from requiring victims of sexual offenses to submit to a polygraph examination as a requirement for pursuing the investigation or prosecution of the offense (refer to SOP 8.28.4).

### Explosive Devices

Bomb Squad personnel shall be in charge of a scene when explosives, hazardous devices or military ordinances are located or in any situation where there is a post-blast investigation. Once all evidence has been collected and the scene is considered safe, the investigation shall be turned over to the appropriate investigative unit. If the explosive device causes a death or serious physical injury, the Homicide Unit shall handle the follow-up investigation. In all other instances, a division detective shall assume investigative responsibility. Bomb Squad personnel shall coordinate with the lead investigator and assist in the identification and processing of evidence, identifying subjects responsible for criminal acts and court preparation.

## 8.36.9 LABELING AND PACKAGING

For labeling and packaging requirements for evidence that is being entered into the Property Room, members should reference the Property Room Operations Manual for requirements. The Property Room clerk can help with this (CALEA 84.1.1d).

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	Accreditation Standards: CALEA: 17.4.1, 17.4.2 KACP: 8.6
Chapter: Field Operations	
Subject: Petty Cash and Investigative Funds	

## 8.37 PETTY CASH AND INVESTIGATIVE FUNDS (KACP 8.6a-d)

### 8.37.1 POLICY

Petty cash and investigative funds are established to allow Louisville Metro Police Department (LMPD) divisions/sections/units to make immediate incidental purchases or payments in small amounts. Petty cash and investigative funds shall be held in secure locations and only be accessible by the custodian of the funds (CALEA 17.4.2e). The custodian shall maintain a record of all credits and debits for any petty cash or investigative fund (CALEA 17.4.2a). The custodian is responsible if funds are lost or stolen due to negligence. In the event that petty cash or investigative funds are stolen, a police report shall be filed and a copy provided to the Louisville Metro Office of Management and Budget (OMB) and to the Chief of Police, through the appropriate chain of command.

### 8.37.2 EXPENDITURES (CALEA 17.4.2c)

Purchases from petty cash funds shall be less than \$25.00. Petty cash should not be used to replace or bypass regular purchasing procedures. Receipts must be provided (CALEA 17.4.2b, d). Examples of common petty cash expenses include, but are not limited to:

- Keys
- Fees to record documents
- Notary application fees
- Postage due
- Payments for copies of official documents
- Local mileage of \$10.00 or less (appropriate documentation is required)

Examples of appropriate expenditures from investigative funds may include the following:

- Authorized payments to registered informants (refer to SOP 8.23).
- Undercover drug or stolen property "buys."
- Reimbursement of expenses of no more than \$10.00, relating to the feeding of a prisoner or informant who is in custody for an extended period of time. The extended period of time must be for the purpose of providing information or services that are beneficial to the LMPD.

The LMPD does NOT pay sales tax. A Purchase Exempt Certificate should be used with each purchase and may be obtained from the OMB.

### 8.37.3 ESTABLISHING OR INCREASING A FUND

A written request is required to establish, increase or transfer petty cash or investigative funds (CALEA 17.4.1a). All requests must be authorized by the appropriate division/section/unit commander and include a signed Metro Finance - Request for Petty Cash or Cashiering Fund form from the member responsible for maintaining the

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### 8.37.3 ESTABLISHING OR INCREASING A FUND

fund. All requests must be forwarded, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau, who shall approve or deny the request.

### 8.37.4 RECONCILIATION OF FUNDS

Petty cash and investigative funds shall be reconciled monthly and replenished, as needed (CALEA 17.4.1b). When requesting reimbursement for expenses paid from a petty cash or investigative fund, the reimbursement should be charged to the appropriate account code(s) for the purchases (CALEA 17.4.1c).

Reconciliation of petty cash funds shall be completed as follows:

- The custodian of the petty cash funds shall complete a Metro Finance - Request to Replenish Petty Cash or Cashiering Fund form, along with a Petty Cash Reimbursement Request form (LMPD #05-0007) and Petty Cash and Investigative Fund Reconciliation form (LMPD #07-0016), at the beginning of each month, for expenses incurred during the previous month.
- These three (3) forms, with all of the original receipts and documentation regarding purchases and expenditures attached, shall be forwarded to the OMB no later than the 15<sup>th</sup> of the following month (CALEA 17.4.2d). The custodian may submit documentation more often, if desired or if necessary, to obtain more funds. Copies of all receipts and documentation shall be kept in the division/section/unit.

Reconciliation of investigative funds shall be completed as follows:

- The custodian of the investigative funds shall complete a Metro Finance - Request to Replenish Petty Cash or Cashiering Fund form along with an Investigative Funds Reimbursement Request form (LMPD #06-0051) and Petty Cash and Investigative Fund Reconciliation form, at the beginning of each month, for expenses incurred during the previous month.
- These three (3) forms, with the original receipts and original Informant Activity/Payment forms (LMPD #05-08-0303), shall be forwarded to the Business Administrator no later than the 15th of the following month. Copies of the documentation shall be kept in the division/section/unit.

Investigative fund cash count verification shall be completed as follows:

- The Petty Cash and Investigative Funds Reconciliation form shall require a cash count verification signature. A commanding officer of a higher rank shall physically verify the cash count with the investigative fund custodian and sign the form verifying the cash count.
- The custodian of an investigative fund shall be required to provide the following documents related to funds used for informant activity, controlled buys or related investigative expenses, to the Business Administrator, when reconciling investigative funds:
  - The original Informant Activity/Payment form with all witness signatures and informant signatures.
  - The original receipts from the receipt book which shall include the name of the investigative fund custodian, confidential informant number, amount of payment, date, paying detective's name and incident report/case number (CALEA 17.4.2d).

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## 8.37.4 RECONCILIATION OF FUNDS (CONTINUED)

Reconciliation will be made only after it has been verified that all documentation is correct and completed. Investigative fund custodians shall maintain copies of all related documents for their records.

## 8.37.5 TRANSFERRING CUSTODY OR TERMINATING A PETTY CASH OR INVESTIGATIVE FUND

If the control of a petty cash or investigative fund is transferred to a new custodian, a Metro Finance - Request for Termination or Transfer of Petty Cash/Cashiering Fund form must be completed by the new custodian. The form must contain the amount of cash in the fund at the time of transfer, the names of the new and previous custodians and the signature of the division/section/unit commander. The form shall be forwarded, through the appropriate chain of command, to the Business Administrator.

The Business Administrator shall meet with both the old and new investigative fund custodians at the time of transfer to verify the balance. The Business Administrator shall ensure that the incoming custodian is aware of, and understands, the compliance measures required of them as the investigative fund custodian.

To terminate a petty cash or investigative fund, the custodian must complete a Metro Finance - Request for Termination or Transfer of Petty Cash/Cashiering Fund form. The form must contain the custodian's name, reason for termination and have a reconciliation form with receipts attached. The form shall be forwarded, through the appropriate chain of command, to the Business Administrator.

The Business Administrator shall meet with the outgoing custodian of a terminated petty cash or investigative fund to ensure that the fund balance is correct and that all required documentation is available and correct.



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	Accreditation Standards: CALEA: 22.2.5, 33.7.2, 41.2.4, 41.3.4 KACP: 7.2, 10.2, 21.3
Chapter: Field Operations	
Subject: Police Report Technicians	

## 8.38 POLICE REPORT TECHNICIANS (KACP 7.2c)

### 8.38.1 OVERVIEW

The Police Report Technician (PRT) serves as an alternative method of handling certain calls for police service. Instead of dispatching an officer, MetroSafe may dispatch a civilian PRT from a division to respond and take a report if the dispatch criteria are met. PRTs may also be used to take reports from complainants who arrive at the division where the PRT is assigned.

PRTs do not have the power of arrest or any other law enforcement powers held by sworn members (KACP 7.2a-b).

### 8.38.2 PROCEDURES

The PRT may be contacted through MetroSafe, Monday through Friday, during the hours set forth by the Chief of Police, or his/her designee. Departmental personnel who need to contact a PRT directly may do so by calling the division where he/she is assigned.

When contacted by a citizen, MetroSafe shall evaluate the citizen's need for police service and determine if a response by a PRT is appropriate.

A PRT shall NOT be dispatched to take a report when:

- A crime is in-progress and the suspect is at the scene.
- The caller sounds intoxicated.
- The caller sounds belligerent, angry or emotionally disturbed.
- The caller knows the location of felony suspects, thereby allowing for a timely identification and/or arrest.
- The caller knows the location of unknown misdemeanor suspects, thereby allowing for identification and/or criminal complaints.
- The incident involves an assault or violent crime against person(s).
- The incident involves domestic violence (DV).
- The report is for found firearms.
- The report is for a missing person.
- The incident involves a death investigation.

### 8.38.3 TYPES OF REPORTS

PRTs shall take the following incident reports:

- Theft reports, other than shoplifting and those involving the theft of controlled substances.

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## 8.38.3 TYPES OF REPORTS (CONTINUED)

- Auto theft/unauthorized use of a motor vehicle.
- Theft of motor vehicle registration plates and decals.
- Crimes involving fraud, forgery, identity theft or criminal possession of a forged instrument.
- Criminal mischief.
- Burglary, when it has been confirmed that there are no suspects on-scene.
- Lost or missing property.
- Any type of miscellaneous report (other than DV).
- Follow-up reports to previously reported incidents.

## 8.38.4 REQUESTING OFFICER ASSISTANCE

PRTs may request an officer for assistance and MetroSafe will dispatch an officer to the location of the previously listed crimes at any time, under, but not limited to, the following:

- Circumstances regarding the original nature of the report change to reasonably require the presence of an officer.
- The suspect returns to the scene.
- There is reason to believe that the PRT, or others, are in danger.
- A firearm is located at the scene and needs to be secured.
- The citizen verbally requests the presence of an officer at the scene.

If the PRT feels that the scene has become unsafe, he/she shall call for assistance and immediately leave the area.

## 8.38.5 EQUIPMENT

At the end of a PRT's tour of duty, all issued equipment shall be secured in a manner or location designated by the division commander where he/she is assigned.

## 8.38.6 VEHICLES (KACP 21.3)

PRTs shall have a departmental vehicle assigned to them. The vehicles shall be parked at the division where they are assigned and only used during the PRT's assigned shift. The vehicles shall only be used for official Louisville Metro Police Department (LMPD) business.

PRTs are prohibited from possessing any type of red or blue warning/emergency lights in their assigned vehicle.

PRTs shall be held accountable to all other vehicle restrictions and maintenance as set forth in the LMPD's Standard Operating Procedures (SOPs).

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## 8.38.7 UNIFORM (CALEA 22.2.5, 41.3.4, KACP 7.2d)

### Utility Cap

- Shall be a navy blue, baseball-type cap.
- The Metro Police patch shall be embroidered on the front and "574-LMPD" shall be embroidered on the back in white lettering.
- Shall be worn with the bill facing forward at all times.

### Shirts

- Academy blue or dark navy 5.11 Tactical Series polo shirt (short or long sleeve).
- The LMPD patch shall be embroidered on the left breast area. "Police Report Technician" shall be embroidered beneath the patch. Lettering shall be white.
- The member's first initial and last name shall be embroidered on the right breast area. Lettering shall be white.

### Pants

- Khaki or dark navy 5.11 Tactical Series pants.

### Socks

- Black in color.

### Footwear

- Black, smooth, plain-toed leather low quarter or boots with the heels and soles no greater in height than 1 ½ inches.
- Cowboy-type boots and tennis shoes are prohibited.
- Shoes must be highly polished leather.
- Boots, overshoes or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

### Belt

- Black in color and made of the approved material.

### Optional Uniform Items

- Coat – Navy in color and in compliance with current uniform contract standards.
- Gloves – Black in color, smooth leather.
- Toboggans – Must be black, "watch cap" military design and fit close to the head.
- Earmuffs – Must be black.

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## 8.38.7 UNIFORM (CONTINUED)

- Rain Jacket – Black in color and in compliance with current uniform contract standards.
- Cargo Shorts – Navy blue in color and made of 65% polyester/35% cotton blend. Cargo shorts are permitted for use during the months of May through September.

## 8.38.8 WEAPONS

PRTs are prohibited from carrying, or possessing, any type of firearms, deadly weapons, impact weapons, less-lethal weapons or chemical agents while on-duty. Possessing a valid Carry Concealed Deadly Weapon (CCDW) license does not relieve the member from adhering to this policy.

## 8.38.9 BODY ARMOR

PRTs are prohibited from possessing, or wearing, body armor/ballistic vests while on-duty.

## 8.38.10 SICK LEAVE (KACP 10.2c)

Sick leave usage shall adhere to LMPD policies and procedures, contractual agreements and Louisville Metro Personnel Policies.

## 8.38.11 CLANDESTINE LABS

PRTs encountering a clandestine lab, or any component of a clandestine lab, shall take the following precautions:

- Immediately exit the premises, retracing footsteps, if possible, to a safe location. Members are to ensure that their shoes are decontaminated prior to entering their vehicles.
- Do not touch or handle anything.
- Do not turn switches on or off.
- Do not use the police radio or a cell phone while on the premises.
- If the components are inside of a vehicle, do not remove or touch any of the components.
- Notify MetroSafe of the suspected clandestine lab (CALEA 41.2.4).
- Notify their immediate supervisor (CALEA 41.2.4).

If the PRT believes that he/she has been contaminated, he/she shall immediately proceed to an established decontamination area. PRTs are to comply with all requests from the fire department conducting the decontamination of the PRT, his/her equipment or assigned vehicle. PRTs are prohibited from entering their assigned vehicles until they have been decontaminated.

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## 8.38.12 SCENE PROCESSING AND EVIDENCE HANDLING

PRTs shall complete their preliminary investigation by photographing, preserving, collecting, processing, packaging and transporting evidence to the Crime Scene Unit (CSU) or the Property Room. The CSU shall be notified immediately in the event that any evidence requires special handling or testing by the Kentucky State Police (KSP) Crime Lab or other outside laboratory. Before requesting that the CSU respond to a crime scene, a PRT shall first contact an on-duty commanding officer, who shall be responsible for contacting the CSU, if appropriate. For the purposes of this policy, an acting sergeant is sufficient for approval.

In order to maintain scene integrity, all persons shall be prohibited from performing the following acts while at the crime scene:

- Eating and/or drinking.
- Smoking or chewing tobacco.
- Littering.
- Spitting.
- Using the telephone or bathroom.
- Moving any items, unless necessary, for the safety and well-being of persons at the scene. Photograph items prior to moving, if possible.
- Adjusting the thermostat or opening windows or doors.
- Touching anything unnecessarily. PRTs should be cautious of handling evidence due to DNA crossover or contamination. The CSU shall be notified immediately if blood is located at any scene.
- Repositioning moved items.

The PRT should document the following to preserve the integrity of a crime scene:

- List observations made at the crime scene, including the location of persons and items of interest.
- Note the conditions upon arrival (e.g. lights on/off, shades up/down, etc.).
- Record his/her actions and the actions of other persons present.
- Document all instances of scene alteration regardless of how insignificant the event or item appears.

The PRT may need to effect measures to preserve/protect evidence that may be lost or compromised due to environmental concerns (e.g. rain, snow, wind, sprinklers, etc.) and/or the presence or arrival of other responders (e.g. footsteps, tire tracks, etc.). Any measures taken to protect such evidence from destruction/contamination shall also be documented.

All evidence shall be properly collected, accurately documented and secured pursuant to the LMPD SOPs 11.2 to 11.6 (also refer to SOP 8.36). Photographs shall be taken of all evidence prior to depositing it in the Property Room or CSU. Digital Image Management System (DIMS) procedures shall be followed when photographing evidence and scenes. If a member photographs evidence inside of a division/section/unit, the member shall disinfect the area to prevent cross-contamination.

A copy of the property slip shall be delivered to the detective sergeant in the PRT's assigned division.

If a PRT attempts to lift latent prints, refer to SOP 11.5.6 for proper procedures.

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## 8.38.13 RELEASE/DESTRUCTION OF EVIDENCE AND PROPERTY

Disposal of evidentiary items is governed by statute, specific court order and Property Room operating procedures. PRTs are prohibited from ordering the release or destruction of evidence or property.

PRTs shall meet with the detective sergeant in their assigned division every 30 days and determine the name of the detectives who have been assigned the cases involving evidence that the PRT has deposited. The PRT shall then ensure that the assigned detective is listed as the disposal officer at the Property Room.

## 8.38.14 TRAINING (CALEA 33.7.2)

PRTs shall receive, at a minimum, three (3) weeks of classroom training prior to starting the position. The PRTs shall then be trained on-duty, at their assigned location, for at least a two (2) week period. Additional on-duty or in-service training may take place, if necessary. PRTs shall be trained in the following areas:

- Interview techniques
- Report writing techniques
- I/Leads Records Management System (RMS)
- Mobile Data Terminal (MDT) training
- Basic Spanish
- Basic investigations
- Crime scene investigations

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.39
	Effective Date: 07/10/09
	Accreditation Standards: KACP: 30.6
Chapter: Field Operations	
Subject: Safe Infants Act	

## 8.39 SAFE INFANTS ACT (KACP 30.6)

### 8.39.1 PURPOSE

The Kentucky Safe Infants Act allows a parent, or a person acting on behalf of the parent, of newborn babies (less than 72 hours old) to anonymously leave the infant at a safe place (e.g. Louisville Metro Emergency Medical Services (LMEMS) provider, police station, fire station or a hospital) without fear of prosecution (KRS 405.075). The infant must not have indications of mistreatment, abuse or neglect after birth. If the parent leaves the infant and expresses no intent to return for the infant, the parent has the right to:

- Remain anonymous
- Leave at any time
- Not be pursued, and
- Shall not be considered to have abandoned or endangered the infant.

### 8.39.2 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) that, if an infant who appears to be under 72 hours old is delivered to a member at an LMPD police division/section/unit by a parent or a person acting on behalf of the parent, the member shall immediately arrange for the infant to be taken to the nearest hospital emergency room (ER) by LMEMS. The member has implied consent to any and all appropriate medical treatment of the infant. The member shall ask the person delivering the baby to complete a Medical Information For Newborn Infants form. This form can be located on the Cabinet for Families and Children website at <http://chfs.ky.gov/dCBS/dpp/KYSafeInfants/>. This form is voluntary on the part of the parent, or his/her designee, and can be completed at the time that the infant is surrendered or the form may be mailed to the address at the bottom of the form. The information on the form will not be used to identify the parent.

The member shall also inform the parent that he/she may change his/her mind about giving up the baby within 30 days. If he/she does change his/her mind, the parent must contact the Cabinet for Families and Children at the phone number provided on the Medical Information For Newborn Infants form (KRS 620.350).

The member should not let personal feelings cloud his/her judgment toward the person leaving the infant. The member shall not detain, follow or pursue the person leaving the infant. The member shall not coerce, or otherwise force, the person leaving the infant to reveal his/her identity or force the person leaving the infant to keep the infant, nor shall the member coerce, or otherwise force, the person leaving the infant to give medical information.

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Standard Operating Procedures	SOP Number: 8.40
	Effective Date: 03/08/10 Prv. Rev. Date: 04/10/10 Revised Date: 08/10/12
	Accreditation Standards: CALEA: 42.2.8
Chapter: Field Operations	
Subject: Identity Theft	

## 8.40 IDENTITY THEFT

### 8.40.1 DEFINITIONS

**Identity Theft:** Term used to refer to any type of crime in which someone wrongfully obtains, and uses, another person's personal data in a way that involves fraud or deception, typically for economic gain.

**National Crime Information Center (NCIC) Identity Theft Alert:** A notification and information system that provides law enforcement with documented and verified personal information on victims of identity theft. The alert is not probable cause for search or arrest; it simply advises the officer that further identification measures may be required to confirm a subject's identity. This alert is strictly an investigative tool intended to increase officer safety, provide increased protection to identity theft victims and assist officers in the apprehension of identity theft perpetrators.

### 8.40.2 REPORTS

The responding officer, Police Report Technician (PRT) or the Louisville Metro Police Department (LMPD) Service Center shall initiate a report for identity theft once evidence of the alleged criminal violation has been established (CALEA 42.2.8a). He/she shall attach copies of all documentation of the alleged crime to the report. Once the report has been entered into the I/Leads Records Management System (RMS), it shall be assigned to either a division detective or a Financial Crimes Squad detective for follow-up investigation. If the I/Leads RMS is unavailable, then the officer shall use the paper version of departmental Incident Report form located on the Intranet. Click on the Research and Development link, click on Forms and then double click on the New Report Fill-in folder. If the crime occurred in another jurisdiction, the detective shall work with the other jurisdiction or private entity (e.g. bank or other service provider) to investigate the crime (CALEA 42.2.8d).

The identity theft victim shall be given guidance as to what particular agencies should be notified (e.g. credit reporting agencies, banks, etc.) once a crime has been reported (CALEA 42.2.8c). The Financial Crimes Squad gives presentations to the public providing information on the prevention of identity theft. The LMPD website contains information on fraud scams and provides links to resources related to fraud and identity theft (CALEA 42.2.8e).

### 8.40.3 NCIC IDENTITY THEFT ALERT

The Financial Crimes Squad shall be responsible for entering identity theft information into the NCIC. The notification alert is activated when a victim's name and date of birth (DOB) are entered into the NCIC. The alert will advise an officer that the information entered has been stolen from the victim and used for unlawful purposes. Steps shall be taken by the officer to verify the identity of the subject in question. Upon triggering an alert, the officer shall:

- Request Code 1 backup, if alone.
- Request additional forms of identification from the subject.



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	Effective Date: 03/08/10 Prv. Rev. Date: 04/10/10 Revised Date: 08/10/12
	Accreditation Standards: CALEA: 42.2.8
Chapter: Field Operations	
Subject: Identity Theft	

## 8.40.3 NCIC IDENTITY THEFT ALERT (CONTINUED)

- Compare information provided by the subject against the NCIC alert.
- Reference the report number in the alert for a photograph of the victim in the I/Leads RMS.
- Ask the subject for his/her Identity Alert Password. Every victim will have a unique password, known only to them, which is specifically used to confirm his/her identity. Should the person forget his/her password, officers can use the HINT statement to further prompt for the password. **Failure to provide the password is not grounds for an arrest.**

An arrest should never be made based solely on the trigger of a NCIC Identity Theft Alert. Probable cause, independent of the alert, must be established in order to search a subject or to make a lawful arrest for the offense of identity theft or any other violation of the law. All laws and applicable policies, regarding arrests, shall be followed.

If an officer makes an arrest of a subject that has triggered a NCIC Identity Theft Alert, the officer shall notify the Financial Crimes Squad detective, assigned to the case, via email. The assigned detective can be located by referencing the report number, listed in the alert, in the I/Leads RMS.

If an officer cannot establish probable cause to search a subject or to make an arrest, independent of the NCIC Identity Theft Alert, he/she shall complete a Field Contact Report in the I/Leads RMS and link it to the assigned Financial Crimes Squad detective. The contact report should include as much information about the person as possible, in order to assist in the apprehension of identity theft perpetrators.

A NCIC Identity Theft Alert is not applicable to all victims of identity theft. Officers shall refrain from telling victims that they qualify for an alert. The application of an alert shall be at the discretion of the commander of the Financial Crimes Squad or his/her designee.

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	Effective Date: 06/25/10 Prv. Rev. Date: 07/10/11 Revised Date: 10/08/12
	Accreditation Standards: CALEA: 22.2.5, 33.7.2, 41.3.4, 61.3.1, 61.3.2, 61.3.4, 61.4.2 KACP: 7.2, 24.1
Chapter: Field Operations	
Subject: Traffic Guards	

## 8.41 TRAFFIC GUARDS

### 8.41.1 OVERVIEW (CALEA 61.3.4a, KACP 24.1)

The Louisville Metro Police Department (LMPD) shall employ traffic guards for the purposes of providing safety for schoolchildren crossing streets at intersections and directing both vehicular and pedestrian traffic at their assigned locations and during special details. Traffic guards perform normal traffic control duties and report to the Traffic Guard Supervisor.

The Traffic Guard Supervisor shall oversee the traffic guard program, activities and operations. The Traffic Guard Supervisor shall conduct field inspections, perform normal traffic control duties and report to the Traffic Unit Commander or his/her designee.

### 8.41.2 APPLICATION (CALEA 61.3.4b)

Individuals applying for the position of traffic guard shall follow all application requirements of Louisville Metro Human Resources (HR) and Louisville Metro Civil Service policies and procedures. Traffic guard applicants shall also submit to a pre-employment oral interview, background investigation and polygraph examination.

### 8.41.3 ASSIGNMENT

Traffic guards shall be placed in marked crosswalk locations based on requests made by the Jefferson County Public School (JCPS) system or through any private school. The process for approval/denial of such requests will be based on the following (CALEA 61.3.4d):

- A school official shall review the crosswalk for three (3) days, monitoring student/pedestrian traffic, before and after school. If the school believes that a traffic guard is needed to ensure that students cross safely, they shall contact the Traffic Guard Supervisor and make an official request by submitting a letter, including the reasons for a traffic guard, the location and times.
- The Traffic Guard Supervisor shall conduct a survey for three (3) days at the location and times requested. This survey shall include the number of students crossing at the location, the number of cars, the number of buses and the traffic volume. There must be students who cross at the location for the Traffic Unit to place a guard at the requested location. Traffic guards are normally not placed at locations where there is only vehicular traffic with no student/pedestrian crossings.
- If the Traffic Guard Supervisor determines that a traffic guard should be placed at the school, the Traffic Guard Supervisor shall contact the Traffic Unit Commander for approval. If, however, the Traffic Guard Supervisor determines that a traffic guard is not needed, they shall respond, in writing, within 48 hours after determination, to the school official stating the specific reasons why a traffic guard will not be assigned to the school.

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Chapter: Field Operations	
Subject: Traffic Guards	

## 8.41.3 ASSIGNMENT (CONTINUED)

When a school or post becomes open, traffic guards shall be notified of the opening at their bi-weekly traffic guard meeting and a memorandum shall be sent to each traffic guard stating the school, location and times. Any traffic guard interested in the named school shall respond to the Traffic Guard Supervisor, in writing, within five (5) working days.

The selection and assignment shall be based on performance, seniority and job ability. The only exception shall be of a guard losing his/her post due to a school closing or post deletion. The displaced guard shall be given priority. The final decision of assignment shall be made in accordance with the current collective bargaining agreement (CALEA 61.3.4b).

## 8.41.4 RESPONSIBILITIES (CALEA 61.3.4a, KACP 7.2c)

Traffic guards are responsible for the safety of students and pedestrians at various assigned intersections throughout Louisville Metro. Traffic guards are also responsible for the coordination of traffic flow into, and out of, these intersections.

Traffic guards shall be punctual when reporting for duty and shall remain at their assigned locations for the duration of both morning and afternoon shifts.

Traffic guards shall attend mandatory bi-weekly traffic guard meetings on Wednesdays throughout the school year. Each traffic guard shall wear his/her official uniform at these meetings. If the traffic guard is unable to attend, he/she shall notify the Traffic Guard Supervisor as soon practical. In-service training may be provided during the meeting.

If a traffic guard witnesses a traffic accident or any other emergency while on-duty, he/she shall assist, in whatever manner possible, to prevent further damage or injury. This includes dispatch notification/calling 911 and traffic direction and control (CALEA 61.3.2a-b). The traffic guard shall also provide the investigating officer with witness information as soon as practical. The traffic guard shall also provide the Traffic Guard Supervisor with this information, in writing, as soon as practical.

If a traffic guard witnesses a driver speeding, reckless driving or any non-compliance with his/her verbal requests, he/she shall provide the Traffic Guard Supervisor, if possible, with the vehicle license number and description of the vehicle. Traffic guards shall not engage in any physical or verbal confrontations with motorists.

Traffic guards shall notify MetroCall at (502) 574-5000 or 311 and notify them of any repairs needed to traffic control equipment and/or the repair to, or replacement of, any sidewalks, crosswalks or related thoroughfare markers (CALEA 61.3.1a, 61.4.2).

Traffic guards do not have the power of arrest or any other law enforcement powers held by sworn officers (KACP 7.2a-b).

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## 8.41.5 UNIFORM/EQUIPMENT (CALEA 22.2.5, 61.3.4c, KACP 7.2d)

The following uniform items shall be initially issued by the department for use by newly hired traffic guards:

### Utility Cap:

- Shall be a navy blue, baseball-type cap.
- The LMPD Traffic Unit patch shall be embroidered on the front with the word "TRAFFIC" embroidered on the back strap, in silver letters.
- Shall be worn with the bill facing forward at all times.

### Necktie:

- Shall be black in color and clip-on.
- Shall be worn with the long sleeve blouse/shirt if a black crew neck t-shirt is not worn.

### Blouse/Shirts:

- Medium blue 100% polyester (short or long sleeve) with departmental shoulder patches and the LMPD Traffic Unit patch sewn on the left breast area.
- The short sleeve blouse/shirt shall be worn without the necktie and must have a white crew neck t-shirt worn with it. When the long sleeve blouse/shirt is worn, a black crew neck t-shirt shall be worn with it unless the black necktie is worn.
- The official badge and nameplate shall be worn on both the long and short sleeve blouse/shirt.

### Pants:

- Navy blue in color and made of 100% polyester or 65% polyester/35% cotton twill blend.

### Jacket:

- Yellow/lime green waterproof jacket with reflective strips, shoulder patches, the name strip and cloth Traffic Unit badge.

### Winter Coat:

Navy blue or yellow/lime green in color with shoulder patches, the LMPD Traffic Unit badge over the left breast area and the name strip on the right breast area. If used in lieu of the reflective vest, it must meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies.

### Other Supplied Uniform Items:

- Flashlight or traffic baton (with batteries) for use with hand signals in darkness or periods of reduced visibility.
- Official badge to be worn at all times.

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Chapter: Field Operations	
Subject: Traffic Guards	

## 8.41.5 UNIFORM/EQUIPMENT (CONTINUED)

- Departmental identification card.
- Reflective vest that complies with current Federal Highway Administration/Department of Transportation standards (ANSI/ISEA 207-2006) for use at all times (CALEA 61.3.2g).
- Handheld stop sign for use at all times, with the exception of very windy days.
- Whistle with lanyard.
- Gloves that are black with reflective stripes or lime green in color for use at all times.
- Nameplate to be worn at all times.

The following uniform items are required but are not supplied by the department (CALEA 41.3.4):

### Shoes:

- Black in color with a smooth toe (no stitching), rubber sole and must be able to be laced. The heel height must not exceed two (2) inches.

### Socks:

- Black in color.

### Belt:

- Black in color with a plain silver buckle.

The following uniform articles are optional and may be purchased at the traffic guard's own expense (CALEA 41.3.4):

### Scarf:

- Black in color. May be worn with a winter coat only.

### Ear Muffs:

- Black in color.

### Rain Boots:

- Black in color. May be used during periods of inclement weather including deep snow or standing water. Tucking pants into boots is prohibited.

### Rain Scarf:

- Clear plastic without any designs. May be worn in conjunction with a raincoat during periods of light drizzle.

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## 8.41.5 UNIFORM/EQUIPMENT (CONTINUED)

### Lightweight Jacket:

- Black or yellow/lime green in color and made of the approved material. The jacket shall have departmental shoulder patches, the LMPD Traffic Unit badge sewn on the left breast area and the name strip sewn on the right breast area. If used in lieu of the reflective vest, it must meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies.

The Class B uniform may be worn at certain details as approved by the detail commander and during periods of warm weather. The traffic guard Class B uniform consists of the following:

### Tactical (TAC) Twill Cargo Pants:

- Cargo pants that are dark navy blue in color and made of 65% polyester/35% cotton twill blend. A 6" strip of 3M reflective tape is required to be sewn on the top edge of the cargo pockets for guard visibility.

### Tactical (TAC) Twill Cargo Shorts:

- Cargo shorts that are dark navy blue in color and made of 65% polyester/35% cotton twill blend.
- Cargo shorts are permitted for use during the months of May through September.

### Polo Shirt:

- Cobalt blue and made of 60% cotton/40% polyester blends. Polo shirts shall have shoulder patches, the LMPD Traffic Unit badge on the left breast area and the name strip on the right breast area. The polo shirt shall only be worn with the cargo pants or cargo shorts.

### Shoes:

- Black in color with a smooth toe (no stitching), rubber sole and must be able to be laced. The heel height must not exceed two (2) inches.

### Socks:

- Black in color with cargo pants.
- White in color crew style with cargo shorts.

All traffic guards shall adhere to SOP 4.2 as to the wearing of the uniform, the member's hair, jewelry, umbrellas and body art.

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Chapter: Field Operations	
Subject: Traffic Guards	

## 8.41.6 HAND SIGNALS (CALEA 61.3.2b)

Traffic guards shall use their issued handheld stop sign and whistle, in conjunction with uniform hand signals, for traffic direction and control. In darkness or periods of reduced visibility, the issued flashlight/traffic baton shall also be used with hand signals to increase visibility.

Some of the common hand signals include first pointing at a driver to gain his/her attention, swinging the arm in a horizontal 90 degree direction to signify a turn, a vertical palm(s) toward the driver to signify stop and moving the arm in a circular motion to signify go. The reflective vest and gloves shall be worn at all times to increase traffic guard safety and visibility (CALEA 61.3.2g).

## 8.41.7 ABSENCE/HOLIDAYS/SCHOOL CLOSING DAYS

Traffic guards are utilized throughout the school year and work days when school is in session and at details, as directed. Traffic guards are not utilized during normal federal holidays and during various teacher in-service and emergency school closing days (e.g. snow days) throughout the year.

If a traffic guard is sick, he/she shall call the Traffic Unit at (502) 574-7016 or (502) 574-7018 at least one (1) hour prior to the start of his/her shift. If the traffic guard cannot reach anyone in the office, he/she shall call the Traffic Guard Supervisor at (502) 210-2274 and give his/her name, shift location, shift times and the reason for the absence. If the Traffic Guard Supervisor does not call back within 10-15 minutes, the traffic guard shall call the Traffic Guard Supervisor back. A traffic guard calling in sick for four (4) or more consecutive days shall provide proof of the illness/reason for the absence (e.g. doctor's note).

Traffic guards shall request vacation leave at least three (3) days prior to their intended vacation day(s). Requests shall be submitted, in writing, to the Traffic Guard Supervisor.

Traffic guards needing time-off for a routine doctor's appointment, dental appointment, special occasion or any other personal reason shall submit the request, in writing, to the Traffic Guard Supervisor at least three (3) days prior to the intended date.

All requests for time-off shall be in accordance with the current collective bargaining agreement.

## 8.41.8 TRAINING (CALEA 33.7.2)

All newly hired traffic guards shall receive traffic control training at the Traffic Unit during their orientation. The traffic guard shall then be trained on-duty, at his/her assigned location, for at least a two (2) week period following orientation. Additional on-duty training may take place, if necessary. Traffic guards shall be trained in the following areas:

- Allowing students/pedestrians to safely cross the street at their assigned location.
- Directing and controlling traffic into, and out of, their assigned location.

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Subject: Traffic Guards	

## 8.41.8 TRAINING (CONTINUED)

- Directing and controlling traffic during special details including, but not limited to, Kentucky Derby festivities.

## 8.41.9 WEAPONS

Traffic guards are prohibited from carrying or possessing any type of firearms, deadly weapons, impact weapons, less-lethal weapons or chemical agents while on-duty. Possessing a valid Carry Concealed Deadly Weapon (CCDW) permit does not relieve the member from adhering to this policy.

## 8.41.10 ANNUAL REVIEW (CALEA 61.3.4e)

Traffic guards shall conduct a count of student/pedestrian crossings at their location annually by May 31 of each year. The count shall be for three (3) days and the days shall be at the direction of the Traffic Unit. The count shall be reported to the Traffic Guard Supervisor. This count shall assist in the placement of traffic guards at locations during the next school year.



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Standard Operating Procedures	SOP Number: 8.42
	Effective Date: 02/10/11
	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Field Operations	
Subject: Americans with Disabilities Act, Title II	

## 8.42 AMERICANS WITH DISABILITIES ACT (ADA), TITLE II

### 8.42.1 DEFINITIONS

**Americans with Disabilities Act (ADA):** Federal civil rights law that guarantees equal opportunity for individuals with disabilities in state and local government services, public accommodations, employment, transportation and telecommunications. Title II of the ADA covers services, programs and activities provided, or made available by, public entities, including law enforcement agencies.

**Disability:** A physical or mental impairment of an individual that substantially limits one (1) or more of the major life activities.

**Invisible Disabilities:** Disabilities which are not immediately apparent.

**Major Life Activities:** The process of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

**Physical or Mental Impairments:** Diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, human immunodeficiency virus (HIV) disease (symptomatic and asymptomatic), tuberculosis, drug addiction and alcoholism.

**Qualified Interpreter:** A person who is able to interpret effectively, accurately and impartially, both respectively and expressively, using any necessary specialized vocabulary skills.

### 8.42.2 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to ensure that a consistently high level of police service is provided to all members of the community, including people who may require special consideration in order to access these services. This includes, but is not limited to, services such as first responder recognition of the nature and characteristics of various disabilities and the appropriate support to people with disabilities who seek to access police services or who come into contact with the police.

Title II of the ADA prohibits discrimination by public entities, including law enforcement agencies, against people with disabilities in the provision of services, programs and activities. The ADA affects virtually everything members do, including, but not limited to, the following:

- Receiving citizen complaints
- Interviewing or interrogating victims, witnesses or suspects
- Arresting, booking or holding suspects
- Operating 911 emergency centers
- Providing emergency medical services

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	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Field Operations	
Subject: Americans with Disabilities Act, Title II	

## 8.42.2 POLICY (CONTINUED)

- Enforcing laws
- Resolving issues
- Answering questions
- Providing general customer service

The ADA requires the following of law enforcement agencies:

- Sensitivity to, and appropriate physical support in, aiding people who are mobility challenged
- Rapid access to interpreters for people with hearing and/or speech disabilities who have a need to communicate with police personnel
- 24-hour access to professional support systems for people with mental disabilities (e.g. Crisis Intervention Team (CIT))
- Access to police information, programs and publications for people who have impaired vision or hearing
- Recognition of the difference between characteristics common to certain disabilities (such as epilepsy, diabetes and deafness) and those associated with anti-social or criminal behavior or a reaction to alcohol and drug abuse
- Other accommodations to ensure service and access to all people with visual, mental, physical, emotional and medical disabilities, including invisible disabilities such as diabetes, epilepsy, multiple sclerosis, loss of hearing and others

## 8.42.3 MEMBER RESPONSIBILITIES

It shall be the responsibility of every departmental member to ensure that the rights of disabled persons are adequately protected. Many individuals with disabilities are targets of criminal activity as a direct result of their disabilities. Care and understanding, in both actions and communication, shall be taken when interacting with disabled persons. Departmental members shall recognize the signs, symptoms and reactions of mental, physical and developmental disabilities and act accordingly:

- In some cases, a member may not be able to immediately recognize that an individual is disabled (e.g. deaf, hard of hearing, diabetic, epileptic, etc.) and may not be able to recognize that a person's actions may be the result of his/her disability (e.g. low blood sugar, seizure, unable to communicate, etc.). The invisible disability becomes apparent to others when the individual's outward behavior is affected. Many disabled persons will either physically or verbally inform the member that he/she has a disability.
- If the person is deaf or hard of hearing, he/she may make gestures from his/her mouth or ears to inform the member that he/she is deaf or hard of hearing. He/she may also point to his/her ears or mouth and shake his/her head to notify the member that he/she cannot hear or speak. Members shall be aware that an individual's failure to comply with, or respond to, verbal orders may be the result of that individual's inability to hear or respond verbally and that they are not being uncooperative, combative or confrontational.
- Members shall attempt to identify whether or not they are dealing with a person who has a communication-related disability.

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Chapter: Field Operations	
Subject: Americans with Disabilities Act, Title II	

## 8.42.3 MEMBER RESPONSIBILITIES (CONTINUED)

- If the person with the disability is unable to communicate or seems disoriented, the member shall attempt to look for a medical alert bracelet, necklace, belt buckle, tag or other similar form of identification which contains emergency medical information or receive input from family, friends, witnesses and others to aid in identifying the nature of the disability.

A member's failure to recognize characteristics associated with certain disabilities may have serious consequences for the person with the disability. For example, outward signs of a disability such as epilepsy generally do not exist unless the person experiences a seizure. People with diabetes may have reactions from increased or decreased insulin levels. Members may confuse these behaviors with the person being intoxicated, or less frequently, combative. Low blood sugar reactions are common and are usually treated by ingesting sugar. Preventing someone from getting sugar may have serious health implications for the individual.

If an individual with a disability, sickness or injury is arrested or restrained, the nature of the disability, sickness or injury shall be considered before restraint and/or transport. If the measure of restraint may cause undue harm to the individual, alternative measures shall be considered/employed (refer to SOP 10.5.16). If the nature of the disability, sickness or injury prevents the use of seat belts or a vehicle with a safety barrier for transportation, the officer shall request his/her supervisor's assistance with arranging alternative transportation (refer to SOP 10.5.12) (CALEA 70.2.1, 70.3.1, KACP 1.7f, 21.4).

Members shall ensure the protection for people with disabilities from unnecessary harm. Members shall remain patient, calm and reassuring when dealing with people with disabilities.

## 8.42.4 DEPARTMENTAL RESPONSIBILITIES

The Training Division shall provide training on recognizing the different types of disabilities and the provision of appropriate law enforcement services to people with disabilities.

## 8.42.5 DEAF/HARD OF HEARING/LIMITED ENGLISH PROFICIENT (LEP) PERSONS

Individuals who are deaf, hard of hearing or have limited English proficiency (LEP) may not be able to immediately respond to verbal orders or requests. Individuals who are deaf, hard of hearing or have LEP may have to communicate to members through handwriting, a telephone device for the deaf (TDD) or a qualified interpreter (refer to SOP 3.10).

## 8.42.6 PERSONS WITH MENTAL/DEVELOPMENTAL DISABILITIES (KACP 30.8)

Individuals with mental or developmental disabilities may have limited reasoning and the inability to effectively communicate their thoughts. If an individual exhibits incoherent or irrational thoughts or actions, a CIT officer shall be dispatched. CIT officers have the training to effectively assist individuals with a mental or developmental illness/disorder (refer to SOP 12.11).

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## 8.42.7 PERSONS WITH PHYSICAL DISABILITIES

Individuals with a physical disability may have limited mobility and often have to use a mobility device (e.g. wheelchair, cane, walker, scooter, leg braces, etc.) to assist in movement. During the performance of their duties, members may encounter an individual with a physical disability who may have to use their mobility device to comply with a member's request (e.g. step out of a car, move to a certain location, etc.). Many individuals will reach for their mobility device upon contact. Members shall be careful to not interpret this as an act of aggression. Individuals with a physical disability will often inform the member that they have a physical disability and have to use their mobility device for movement.

Individuals with a visual impairment (e.g. blindness) may also use a mobility device (e.g. cane) or a seeing eye dog to assist in movement. These individuals will often inform the member that they have to use their mobility device or dog for movement. Visually impaired individuals may ask for assistance with movement. In these cases, the visually impaired individual will often hold or clasp the arm of the member. Care, patience and understanding shall be taken when interacting with individuals with a physical disability.

## 8.42.8 RESOURCES

Disabled individuals shall be provided with appropriate victim support services contacts, if requested.

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 8.43
	Effective Date: 02/10/12 Prv. Rev. Date: 09/29/12 Revised Date: 10/10/13
	Accreditation Standards:
Chapter: Field Operations	
Subject: Forensic Medical Examinations	

## 8.43 FORENSIC MEDICAL EXAMINATIONS

### 8.43.1 DEFINITION

**Forensic medical examination:** A medical examination concerning special medical and biological situations that arise in the course of a judicial investigation. A forensic medical examination is performed at the request of either members of an investigation or the court in order to establish certain information pertaining to a case (e.g. to identify a person or to determine cause of death, nature of bodily injuries, state of health, age or degree of intoxication). A forensic medical examination should only be performed by a health professional who has the appropriate forensic training and the appropriate facilities available to conduct the examination.

### 8.43.2 POLICY

Forensic medical examinations are an important part of an investigation. They serve to help identify medical evidence to help prosecute offenders, document injuries, screen for injuries, identify a person, determine the degree of intoxication or identify medical conditions and determine if the injuries are consistent with the statements of the victim or suspect. Even when there is no visible trauma, a forensic physician or nurse on the medical team can provide expert testimony to explain the lack of injury or evidence interpretation to judges and juries.

Any officer may request that a forensic medical examination be performed for an investigation to gather evidence and document injuries. The performance of these examinations shall be conducted by departmentally-approved forensic medical examiners. The Chief's Office shall maintain a list of approved examiners and their designated point-of-contact. The list shall be posted on the departmental Intranet.

### 8.43.3 APPROVAL AUTHORITY

The use of a forensic medical examination must be approved by the on-duty commander of the division, Public Integrity Unit (PIU), Traffic Unit, Homicide Unit, Special Victims Unit (SVU), Crime Scene Unit (CSU) or Crimes Against Children Unit (CACU). If no one is on-duty, the on-call Homicide Commander shall be contacted. The approval must be documented on the Request for Forensic Medical Examination form (LMPD #12-0001) and forwarded, via email, to the commander of the Major Crimes Division (MCD). If the approval is obtained by phone, the required documentation must be completed prior to the end of the requesting officer's next tour of duty.

### 8.43.4 PROCEDURES

The use of a forensic medical examination is approved for the investigations of violent crime offenses and some traffic accident investigations (e.g. shootings, cuttings, physical assaults, injured persons, serious vehicle collisions, suspect examinations, officer-involved shootings, in-custody deaths, etc.). This approval must come from the on-duty commander of the division, PIU, Traffic Unit, Homicide Unit, SVU, CSU or CACU. Once approved, and prior to contacting the service provider, the officer shall collect all applicable documentation

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Subject: Forensic Medical Examinations	

## 8.43.4 PROCEDURES (CONTINUED)

needed for the examination. This documentation includes reports, photographs, medical records and other required items. For traffic accidents where alcohol use is suspected, the DUI Investigation Questionnaire (LMPD #12-0002) shall be completed and submitted with the request. Officers shall not request that the service provider obtain these items for them.

Officers requesting a forensic medical examination of a juvenile (any person under the age of 18), must first receive permission from the juvenile's parent or legal guardian.

It is important that evidence be collected as soon as possible, generally within 72 hours of the incident. Once the documentation is secured, the officer shall notify the designated point-of-contact for the service provider. The designee shall make arrangements with the requesting officer for a meeting location to deliver all of the necessary investigative items. The designee may also ask the officer to provide additional information, as needed, for each individual examination.

The on-call forensic medical examiner can be contacted directly at (502) 817-0938 or through the MetroSafe supervisor at (502) 574-2117.

A forensic examination room is available at 400 South 1<sup>st</sup> Street.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.44
	Effective Date: 04/10/12
	Accreditation Standards: CALEA: 45.2.1
Chapter: Field Operations	
Subject: Community Involvement	

## 8.44 COMMUNITY INVOLVEMENT

### 8.44.1 POLICY

There are many resources available to citizens to report criminal activity, criminal suspect information and assist the department with suspect identification and solving crimes. These resources include the following:

- Calling the 574-LMPD (5673) Crime Tip Line
- Texting CRIMES (274637)—the tipster must enter “LMPD” at the beginning of his/her text
- Entering a crime tip on the LMPD website
- Mailing a crime tip to the department
- Attempting to identify a suspect at [www.idthisperson.com](http://www.idthisperson.com)

### 8.44.2 CRIME TIPS

When crime tips are submitted to the Louisville Metro Police Department (LMPD), through the methods listed above, the LMPD Service Center shall disseminate the tip to the appropriate division/section/unit.

### 8.44.3 SUSPECT IDENTIFICATION

The department utilizes [www.idthisperson.com](http://www.idthisperson.com) to post images of suspects that the public can view in an attempt to receive information on suspects who are unknown to the police. This website allows citizens to look at images of people who the police want to find. These images may be obtained from sources including, but not limited to, the following:

- Surveillance images
- Automated teller machine (ATM) images
- Cell phone images
- Loose pictures obtained during a search warrant
- Pictures obtained through a consent to search

The website is free for law enforcement agencies and there is no limit to the number of images that can be uploaded. The images may be searched by state. However, the reason for the agency seeking the suspect is not listed. Only images of individuals shall be posted on the website. Images of vehicles, graffiti, etc. are prohibited. When uploading an image to the website, the incident control number (ICN) issued by MetroSafe shall be the “case number” associated with the uploaded image.

Detective sergeants may create User IDs on the website. An email notification is sent to the detective sergeant when a citizen submits a tip on an image uploaded by the detective sergeant (CALEA 45.2.1d). The detective sergeant may then forward the tip to the appropriate investigating detective for follow-up. In the event that the detective is no longer available in the division/section/unit, the tip shall be assigned to another detective for follow-up. Detective sergeants shall delete the images after a positive identification has been made.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.45
	Effective Date: 03/10/13
	Accreditation Standards: CALEA KACP
Chapter: Field Operations	
Subject: Recording Police Activity	

## 8.45 RECORDING POLICE ACTIVITY

### 8.45.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to foster a positive image to the community that it serves. As technology becomes more prevalent and readily available, many citizens may choose to audio and/or video record police activities (e.g. traffic stops, arrests, crime scenes, etc.). Recording may be done on cameras (e.g. still and video), cell phones (including smart phones), personal digital assistants (PDAs), tablets, audio recorders or any other device capable of recording. This activity is legal with certain limitations and members shall not prohibit the public from audio and/or video recording police activities as long as these legal requirements are met. This policy ensures that the First, Fourth and Fourteenth Amendment rights of individuals to document activities and the conduct of members of the LMPD through audio and/or video recordings are facilitated.

### 8.45.2 DEFINITIONS

**Legal Presence/Lawful Presence:** Any area where an individual has the legal right to be; thus, private property owned or occupied with permission of the property owner, public buildings such as stores, malls, etc. and public areas such as parks, sidewalks, streets, etc.

**Recording Device:** Any device capable of recording audio and/or video to include, but not limited to, cameras (e.g. still and video), cell phones, PDAs, tablets, audio recorders or any other device capable of such recording. This includes memory cards/chips capable of storing the recorded media.

**Enforcement Action:** Includes, but is not limited to, arrest, detention, the seizure of the recording equipment, the deletion of the audio and/or video recording, damaging the equipment, threatening, intimidating, discouraging or coercive conduct aimed at ending the recording or blocking, or otherwise obstructing, the ability to record without a proper law enforcement objective, such as a crime scene where it is necessary to block the view for the integrity of the investigation.

**Designated First Amendment/Safety Zone:** A geographic area designated for demonstrations/protests, balancing the right to protest with the right of citizens not involved in the demonstration/protest to safely travel through the area. Such areas are sometimes designated for the purpose of controlling the safety of all persons during large-scale demonstrations/protests.

### 8.45.3 LAWFUL RECORDING

Members shall not prohibit the recording of law enforcement activity or take enforcement action under circumstances where the person making the recording has the legal right to be present in the area where he/she is standing. Public locations include, but are not limited to, the following:

- Parks
- Sidewalks
- Streets



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## 8.45.3            **LAWFUL RECORDING (CONTINUED)**

- Locations of public lawful demonstration/protest areas
- An individual's home or business
- Common areas of public and private facilities/buildings
- Any other public or private facility/building at which the individual has a legal right to be present

Recording law enforcement activities from an area where the subject is lawfully present does not constitute an offense.

Members shall not:

- Demand the individual's identification and/or have him/her state a reason why he/she is taking photographs or recording.
- Take enforcement action by using intimidation or coercion to end the recording.
- Block or obstruct the individual's ability to record from an area of lawful presence.
- Discourage the individual from continuing the recording, including the use of threats, intimidation or coercion.
- Erase, delete, tamper with or otherwise corrupt a recording held by an individual.

Every individual has a First Amendment right to observe and record law enforcement members in the discharge of their public duties. Recording members engaged in public duties is a form of speech through which individuals may gather and disseminate information of public concern, including the conduct of members. The First Amendment does not give any additional protection to members of the press; therefore, members of the public have the same rights to recording as a member of the press would. All individuals also have a First Amendment right to verbally challenge and criticize an officer who is making an arrest as long as the expression does not violate the law or incite others to violate the law. Such a challenge includes the right to document the member's actions through audio and/or video recording.

## 8.45.4            **UNLAWFUL RECORDING**

Individuals may be unlawfully recording in any of the following situations:

- When the individual, through his/her actions, puts the member's safety, the suspect's safety or the public's safety at risk. Court decisions have indicated that, without physical action or a threat toward an officer, no arrest will be justified.
- The individual enters a clearly marked crime scene without authorization.
- The individual enters an area that is closed to the public and clearly marked due to an ongoing emergency (e.g. Special Weapons and Tactics (SWAT) Team scene, fire scene, etc.) which puts the individual in danger.
- The individual enters private property which is not open to the public without the authorization of the owner/occupant of the property (e.g. trespassing). In this case, the member shall determine the wishes of the owner/occupant before taking significant enforcement action, such as an arrest.

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## 8.45.4 UNLAWFUL RECORDING (CONTINUED)

When a member confronts an individual who he/she perceives as bordering on unlawfully recording, the member shall inform the individual that his/her actions are impeding or interfering with the member's duties and ask him/her to move to a less-intrusive position where he/she can continue to record but will not interfere.

## 8.45.5 ENFORCEMENT

When a member is considering taking enforcement action, such as an arrest or the seizure of a recording device, the member shall contact his/her supervisor for direction. Members and supervisors are advised that there is a heightened reasonableness requirement when members seek to seize items protected by the First Amendment, including recordings under this policy. As a result, more facts and circumstances and a greater government interest must be present before members and supervisors should consider such a seizure.

The seizure of a recording device or the recording itself constitutes a seizure under the Fourth Amendment and unless one (1) of the warrant exceptions (e.g. consent, exigency and probable cause) applies, the seizure must be supported by a warrant. Examples of exigency include, but are not limited to, the following:

- Recordings of violent criminal acts where the recording is essential to the identification and apprehension of the suspect(s) and members have no other means of making the identification;
- The member reasonably believes that a failure to immediately view or preserve the recording will lead to the destruction or loss of this evidence;
- Cooperation through consent cannot be obtained from the individual in possession of the recording.

Absent exigent circumstances (e.g. immediate investigative purpose, life-threatening emergency, etc.), members shall obtain a search warrant before viewing photographs, videos or listening to recordings on a recording device or memory card/chip that has been seized as evidence.

If the member has reason to believe that the individual intends to publicly broadcast the recording, the seizure of the recording device and the recording, even with a warrant, may violate the Privacy Protection Act.

In all cases, prior to a lawful seizure, members shall attempt to seek the consensual cooperation of the individual in possession of the recording and, when possible, record the consent. The consent may be recorded on the recording device in question, documented in writing or recorded by the member. The consent must be voluntary on the part of the individual and must not be the result of duress or coercion. Prior to a consensual seizure, the member shall notify his/her supervisor. The supervisor shall respond to the scene when a member is considering taking significant enforcement activity against an individual in possession of a police activity recording.

The supervisor's responsibilities include, but are not limited to, the following:

- A supervisor who reasonably believes that the individual's conduct is approaching a criminal offense shall seek the voluntary cooperation of him/her to move to a location where his/her actions will not interfere but he/she will still be able to record the event.
- The supervisor shall seek the consent of the individual holding the recording device to obtain a copy of the recording or to allow the department to otherwise preserve the recording.

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## 8.45.5 ENFORCEMENT (CONTINUED)

- In instances where consent cannot be obtained and a non life-threatening emergency is occurring, the supervisor shall consult the LMPD Legal Advisor or the Jefferson County Attorney's Office for advice.
- A warrant shall be obtained unless an exception to the warrant requirement is met.
- If an individual in possession of a recording indicates his/her intent to publicly broadcast the recording, the supervisor, with the assistance of the Legal Advisor and the Jefferson County Attorney's Office, shall consider the impact of the Privacy Protection Act upon the seizure of the recording.

When a seizure of the recording or recording device is authorized by law, the department shall:

- Only maintain custody of the device as long as necessary to allow the Video Forensics and Analysis Squad to seize the necessary recording from the device in order to support the admissibility of the recording into evidence.
- The device shall be returned to its lawful owner within 72 hours, unless otherwise ordered by the Legal Advisor or the Jefferson County Attorney's Office, or authorized by a court.
- Upon the return of the device to its lawful owner, the recording itself shall remain intact.

## 8.45.6 CRIMES UNRELATED TO RECORDING POLICE ACTIVITY

Nothing in this policy prevents a member from seizing a recording of evidentiary value for an investigation which was used in the crime itself (e.g. a suspect records a sexual assault, homicide, etc.).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.46
	Effective Date: 04/08/13
	Accreditation Standards: CALEA: 42.2.2
Chapter: Field Operations	
Subject: Debriefing	

## **8.46 DEBRIEFING (CALEA 42.2.2f)**

### **8.46.1 POLICY**

The collection of information on criminal activities is a primary goal of law enforcement. A variety of citizens that an officer contacts during the course of his/her daily duties may provide valuable information on the potential occurrences of criminal activity. Suspects, victims and/or witnesses may provide valuable information on crimes known to, or suspected by, them. In addition, suspects may be willing to pass along information about other persons who are committing crimes. Information obtained by debriefing these citizens may allow officers to solve existing crimes or prevent future crimes from occurring.

It shall be the policy of the Louisville Metro Police Department (LMPD) to capture criminal activity information on debriefing forms.

### **8.46.2 PROCEDURES**

The Debriefing form (LMPD #13-0003) shall be completed for all persons arrested by the LMPD.

The narrative section shall be completed if the individual answers "yes" to any of the questions asked in the body of the form. Once completed, the form shall be given to the member's immediate supervisor for review. The immediate supervisor shall review the form to ensure that it has been completed, signed and dated. The completed form shall be forwarded to the division's detective sergeant. The detective sergeant shall forward all forms collected to the Crime Information Center (CIC), located at LMPD Headquarters, for processing.

The Debriefing form may also be used to record criminal activity information provided by victims, witnesses and citizens in general. The original form shall be forwarded, after supervisory review, to the division's detective sergeant, who shall forward the form to the CIC.

The CIC shall be the repository of all completed Debriefing forms. All completed Debriefing forms shall be retained in accordance with federal, state and local retention schedules.

Use of the Debriefing form is mandatory for all persons arrested. The Debriefing form is encouraged for use in obtaining crime-related information from victims, witnesses or other citizens that may be willing to provide such information. The Debriefing form should not be used to document information already captured in a police report or field interview.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 8.47
	Effective Date: 09/09/13
	Accreditation Standards:
Chapter: Field Operations	
Subject: Interactions with Transgender, Intersex and Gender Non-Conforming Individuals	

## 8.47 INTERACTIONS WITH TRANSGENDER, INTERSEX AND GENDER NON-CONFORMING INDIVIDUALS

### 8.47.1 POLICY

The purpose of this policy is to establish guidelines for the appropriate treatment of transgender, intersex and gender non-conforming (TIGN) individuals who come into contact with the Louisville Metro Police Department (LMPD). It shall be the policy of this department to treat all individuals with courtesy and dignity which is inherently due to every person as a human being. Members shall act, speak and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property and maintain a courteous, professional attitude in all contacts with the public. Members shall not exhibit any bias, prejudice or discrimination against a TIGN individual or group of TIGN individuals.

### 8.47.2 DEFINITIONS

**Adopted Name:** Non-birth name that a transgender individual uses in self-reference (this may or may not be the individual's legal name).

**Cross-Dresser:** A term that refers to people whose dress is typically associated with the opposite sex.

**Gender Identity or Expression:** The actual or perceived identity or behavior of a person as being male or female.

**Gender:** An individual's biological or anatomical identity as male or female.

**Intersex:** A group of conditions where there is a discrepancy between the external genitalia and the internal genitalia (testes and ovaries).

**Sexual Orientation:** An individual's enduring romantic, emotional and/or sexual attraction to individuals of a particular gender.

**Transgender Individual:** A person whose gender identity differs from his/her assigned gender.

**Transsexual:** A person whose personal sense of his/her gender conflicts with his/her anatomical sex at birth.

**Female-to-Male ("FTM"):** A person who transitions from "female to male," meaning a person who was assigned female at birth, but identifies and lives as a male. A FTM individual should be addressed using masculine pronouns (e.g. he, him, his), regardless of surgical status.

**Male-to-Female ("MTF"):** A person who transitions from "male to female," meaning a person who was assigned male at birth, but identifies and lives as a female. A MTF individual should be addressed using feminine pronouns (e.g. she, her, hers), regardless of surgical status.

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## 8.47.3 FORMS OF ADDRESS

Members shall address transgender individuals by the individual's adopted name, even if the individual has not received legal recognition of the adopted name. In addressing or discussing a transgender individual, members shall use the pronouns appropriate for that persons' gender identity (e.g. she, her or hers for MTF; he, him or his for FTM). If members are uncertain about which pronouns are appropriate, then the member should respectfully ask the individual.

Members shall not use language that a reasonable person would consider demeaning or derogatory, in particular, language aimed at a person's actual or perceived gender identity, gender expression or sexual orientation.

Members shall not disclose an individual's TIGN identity to other arrestees, the public or non-departmental members, absent a proper law enforcement purpose.

## 8.47.4 CALLS FOR SERVICE

Calls for service or complaints generated by transgender individuals shall be addressed and investigated in a manner that is consistent with all departmental policies.

Members shall not consider a persons' gender identification as reasonable suspicion or prima facie evidence that the individual is, or has, engaged in a crime, including prostitution.

## 8.47.5 FIELD INTERVIEWS, PAT DOWNS AND TERRY STOPS

Members shall continue to use standard practices and procedures when conducting field interviews, pat downs and Terry Stops (refer to SOP 3.6).

Members shall not stop, detain, frisk or search any person in whole or in part for the purpose of determining that person's gender or in order to call attention to the person's gender expression. This limitation does not prevent a member from following established department procedures relative to ensuring the proper processing of suspects.

## 8.47.6 PRISONER TRANSPORTATION

Whenever possible, a transgender prisoner shall be transported alone. Officers shall ensure that additional units are called in order to assist with transporting additional transgender individuals.

## 8.47.7 SEARCHES

An officer shall search a suspect immediately after arrest. The officer may search the entire person of the suspect and the nearby area from which the suspect might have been able to handle a weapon or destructible

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## 8.47.7 SEARCHES (CONTINUED)

evidence. Whenever possible, the search shall be conducted by an officer of the gender requested by the transgender suspect.

An officer may search a vehicle, incident to a recent occupant's arrest, only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense of the arrest (*Arizona v Gant*). The officer shall not search the trunk, motor compartment or other areas of the vehicle without a warrant, probable cause, consent or exigent circumstances.

## 8.47.8 CONDITIONS DURING TEMPORARY DETENTION

Whenever possible, a transgender suspect shall be held in a temporary detention room without other prisoners (refer to SOP 8.30).

Transgender suspects requiring medical attention shall be handled as any other suspect requiring medical attention.

## 8.47.9 GENDER CLASSIFICATION OF TIGN ARRESTEES FOR DEPARTMENT PURPOSES

A suspect's gender will be classified as it appears on the individual's government-issued identification card. The exception to the government-issued identification card is those suspects who are post-operative gender re-assigned from:

- Male-to-female shall be processed as female
- Female-to-male shall be processed as male

In the event that a government-issued identification card is unavailable, the following criteria will be used to determine the gender:

- Has male genitalia, he/she shall be classified as a male
- Has no male genitalia, he/she shall be classified as female

In the event that there is uncertainty regarding the appropriate classification of a suspect's gender, a commanding officer shall be consulted for further guidance on the appropriate classification.

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	Accreditation Standards: CALEA: 1.3.1-1.3.7, 1.3.10, 26.1.1 KACP: 1.3, 1.8, 1.11
Chapter: Use of Force	
Subject: Use of Force	

## 9.1 USE OF FORCE (CALEA 26.1.1)

### 9.1.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that all members recognize the importance of human life, respect basic human rights and have an intolerant attitude towards the abusive treatment of all persons. Bearing this in mind, officers' use of force shall be value driven, utilizing only the force reasonable under the circumstances so as to minimize the chance of injury to themselves and others (CALEA 1.3.1, NOBLE).

Officers are sometimes confronted with situations where control must be exercised to affect arrests and to protect public safety. Control may be achieved through advice, persuasion, warnings or by the use of physical force. While the use of reasonable physical force may be necessary in situations that cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would reasonably be ineffective under the particular circumstances (KACP 1.3a). When utilizing force, officers shall use only departmentally-approved equipment which the officers are trained and qualified to use, except in emergency situations when an officer may use any resource at his/her disposal (CALEA 1.3.10, KACP 1.3e, 1.8). Officers are permitted to use whatever force is reasonable to protect others or themselves from bodily harm.

Immediate supervisors are required to complete an Administrative Incident Report (AIR) (LMPD #03-03-0001) on all use of force incidents resulting in any injury, or the complaint of any injury, to either officers or the subject or when physical force other than a control hold is used (CALEA 1.3.6a-d).

All use of force incidents resulting in any injury, or the complaint of any injury, to either officers or the subject, the use of physical force other than a control hold or a fresh arrest resulting in a charge of Resisting Arrest and/or Assault 3<sup>rd</sup> Degree on a Police Officer shall require the arresting officer to immediately notify his/her commanding officer. The commanding officer shall respond and investigate, pursuant to section 9.1.13 of this SOP. If the primary officer is off-duty at the time of the incident, a commanding officer from the division where the incident occurred shall be responsible for responding to, and investigating, the incident and completing the AIR.

An AIR shall be prepared to document the use of force. The commanding officer shall complete the AIR and comment on the appropriateness of the use of force in the given situation. This report shall be forwarded, through the appropriate chain of command, to the Chief of Police. Commanding officers at each level shall review the report for accuracy and shall comment on the appropriateness of the use of force. For the purposes of this policy, an acting sergeant shall be considered a commanding officer.

### 9.1.2 DEFINITIONS

**Physical force:** Force used upon, or directed toward the body of, another person.



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## 9.1.2 DEFINITIONS (CONTINUED)

**Deadly force:** Force, which the officer knows to create a substantial risk of causing death or serious physical injury. Head, neck, throat or clavicle injuries caused by an impact weapon of any sort can lead to death or serious physical injury.

**Reasonable belief:** When facts or circumstances the officer knows, or should know, are such to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

**Active aggression:** A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

**Serious physical injury:** A bodily injury that:

- Creates a substantial risk of death to the victim.
- Creates a prolonged impairment of health or prolonged disfigurement.
- Creates a prolonged loss or impairment of a bodily organ.

**Control Hold:** A technique with a low probability of injury to the officer or subject, utilized to maintain physical control of a subject (e.g. transport wrist-lock, straight arm-bar, leg sweep).

**Chemical Agent:** A departmentally-approved less-lethal weapon, which consists of a chemical compound that irritates the eyes to cause tears, discomfort and a temporary loss of visual capacity (e.g. pepper spray, Mace, Oleoresin Capsicum (OC) spray).

**Special Impact Munitions Systems (SIMS):** Departmentally-approved launchers and projectiles, with the ability to incapacitate, with reduced potential for death or serious injury.

**Electronic Control Weapon (ECW):** Departmentally-approved less-lethal weapons designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy, sufficient to cause intense muscle contractions, affecting the individual's motor nervous system and/or disruption of the individual's sensory nervous system and central nervous system. An ECW provides the user with the capability of discharging probes, drive-stunning or a combination of both during a use of force encounter.

**Neuro-Muscular Incapacitation:** The desired effect of a successful ECW probe deployment causing intense muscle contractions affecting the individual's motor nervous system and/or disruption of the individual's sensory nervous system and central nervous system.

**Activate:** Depressing the trigger of an ECW causing an ECW to arc or to fire probes.

**Standard ECW Cycle:** A five (5) second electrical discharge occurring when an ECW trigger is pressed and released.

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## 9.1.2 DEFINITIONS (CONTINUED)

- The standard five (5) second cycle may be shortened by turning the ECW off at any time during the cycle.
- If an ECW trigger is pressed and held beyond five (5) seconds, the ECW will continue to deliver an electrical discharge until the trigger is released.
- Any electrical discharge over five (5) seconds would not be considered a standard ECW cycle under LMPD policy and procedure.

**Drive-Stun:** Making direct contact with the ECW to any part of an individual's body, after an ECW cartridge has been expended or removed.

**Stapling:** A technique utilized to complete a circuit to induce a neuro-muscular incapacitation following a one (1)-probe hit or close-probe spread.

**Excited Delirium:** State of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility and exceptional strength and endurance without fatigue. Causes include, but are not limited to, drug use, hypoxia, hypoglycemia, stroke or intracranial bleeding.

**Hypoxia:** An inadequacy in the oxygen reaching the body's tissues.

**Hyperthermia:** Unusually high body temperature.

**Hypoglycemia:** Lower than normal level of blood glucose.

## 9.1.3 PROGRESSION OF FORCE

An officer shall, to the extent possible, utilize an escalating scale of options when using force (NOBLE). However, officers are not required to utilize each of the available options before escalating to the next option. The degree of force utilized must be reasonable.

The levels of control in the continuum are:

- Officer presence
- Verbal direction
- Soft empty hand control and restraining devices
- Chemical agent and ECW
- Hard empty hand
- Impact weapon
- Deadly force

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## 9.1.4 USE OF PHYSICAL FORCE

When an officer is confronted with a situation that may necessitate the use of physical force, he/she should call for additional officers, when practicable.

Should physical force be used in order to gain control of a situation, an officer shall use only that force which is reasonable to gain control of the subject (NOBLE). Once a person is restrained or under control, the use of force is restricted to that which is reasonable to maintain control. Good judgment is extremely important in deciding which tactics to use and how much force to apply. Choking techniques, even if applied appropriately, cause a risk of death or serious physical injury, because they may restrict the flow of blood or oxygen to a person's brain. Choking techniques are not an approved force option and are prohibited, except in a situation where the use of deadly force would be allowed.

Officers are not required to allow any suspect to be the first to exercise force and gain an advantage in a physical confrontation. Officers are not required to engage in prolonged hand-to-hand combat before resorting to the use of force that will more quickly, humanely and safely bring a resisting subject under physical control.

The use of physical force by an officer upon another person is justifiable when the officer, acting under official authority, is assisting in, or making, an arrest and he/she:

- Believes such force is necessary to effect the arrest (KACP 1.3a), and
- Makes known the purpose of the arrest or believes that it is otherwise known, or cannot reasonably be made known, to the person to be arrested and believes the arrest to be lawful.

An officer may also use physical force at any level when he/she believes such force is reasonable in order to defend himself/herself or to defend another person.

Physical force may be used, if under the circumstances as the officer believes them to be, the person whom the officer seeks to protect would have been justified in using such force.

Officers may also use physical force:

- To prevent the escape of an arrested person when the force could justifiably have been used to make the arrest under which the person is in custody.
- To move or remove any person who is obstructing a lawful police action in such a manner that the lawful police action cannot be accomplished.
- To prevent a person from committing suicide or inflicting serious physical injury upon himself/herself.

## 9.1.5 INTERMEDIARY OPTIONS (KACP 1.8)

Uniformed officers shall wear the ECW and are strongly encouraged to wear both a departmentally-approved impact weapon and OC spray as intermediate weapons. However, if an officer is physically unable to fit all of the equipment on the duty belt or if wearing all three (3) weapons causes physical discomfort or problems with weapon accessibility, he/she shall carry the ECW and a departmentally-approved impact weapon. If not carried,

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## 9.1.5 INTERMEDIARY OPTIONS (CONTINUED)

the chemical agent must be readily available in the officer's vehicle. On-duty plainclothes officers and sergeants shall have, on their person, a departmentally-approved impact weapon, chemical agent or ECW. Having these alternatives available to all on-duty personnel will increase an officer's options regarding the level of force used when confronted with the necessity to gain control of a suspect. ECWs are optional equipment for the ranks of lieutenants and above.

Off-duty officers, while not in uniform, are not required to carry any intermediary weapons, but shall be armed with a departmentally-approved firearm and their credentials.

## 9.1.6 USE OF ECWS (CALEA 1.3.4, KACP 1.8)

Officers are permitted to carry and use only ECWs that have been issued by the department. The use of ECWs shall be consistent with departmental training and is authorized when the officer reasonably believes that the circumstances meet the degree of force necessary to overcome actual, or anticipated, resistance by the suspect.

- More than one (1) ECW shall generally not be used against any one (1) person during a use of force encounter. Some activations, however, are not successful because of poor probe spread, low muscle mass contact, missed probes, etc. In these situations, another officer may activate his/her ECW. If such activation occurs, the second officer shall shout the word "taser" and shall deploy the ECW. The first deploying officer shall discontinue use of his/her ECW and shall aid in securing the person or shall consider another reasonable force alternative.
- The potential exists for ECWs to cause physical injury when striking the eyes, neck, head, breasts and/or groin areas. Officers shall not intentionally target those areas of the body. Additionally, officers shall not intentionally target the chest area of the body. When deploying an ECW against a person who is facing the officer, the officer shall target the area below the sternum.
- Officers should warn the suspect of his/her intentions to use the ECW, when tactically feasible. Before activating the weapon, the officer should announce his/her intentions to others present by shouting the word "taser."
- When activating the ECW on an individual, the officers shall activate the device the least number of times and for no longer than what is reasonable, to accomplish the legitimate operational objective. Following any standard ECW cycle, the arresting officer(s) shall focus on the window of opportunity when the subject may be disabled by the ECW to physically restrain and secure the subject in order to minimize the number of standard ECW cycles.
- When using the ECW, officers shall continually assess each standard ECW cycle, whether probes were discharged or the person was drive-stunned, to determine whether further applications are warranted or a different tactic should be used.
- Standard ECW cycles may not be effective for varying reasons (e.g. poor probe spread, low muscle mass contact, missed probes, etc.). If the ECW is not effective, other reasonable options should be used. Considering this, if a probe deployment occurs, and no window of opportunity presents itself because the subject is not reasonably incapacitated enough to allow physical restraint, following three (3) standard ECW cycles through the wires of the attached cartridge or by stapling, the officer shall

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## 9.1.6 USE OF ECWS (CONTINUED)

attempt another reasonable force option(s) to apprehend the subject. This option(s) may include, but is not limited to, drive-stunning or firing probes from another ECW cartridge. If probes are deployed from a second cartridge, no more than three (3) standard ECW cycles shall be activated while this cartridge is attached, unless exigent circumstances are present. Exigent circumstances may include a situation where, although the ECW has been effective, the officer is alone and unable to control the suspect's active aggression following the standard ECW cycles. In such a situation, the officer shall notify the MetroSafe dispatcher that they are in need of assistance and the officer shall activate the device the least number of times necessary, and for no longer than what is reasonable, until the active aggression ceases or the subject is physically restrained. Nothing in this policy prevents an officer from drive-stunning a person or using another reasonable force option, at any time following, or prior to, a probe activation. Standard ECW cycles given by drive-stun need not be considered when counting the three (3) standard ECW cycles discussed above; however, any drive-stun activation shall not exceed the standard ECW cycle of five (5) seconds. Drive-stuns shall be used the least number of times and for no longer than what is reasonably necessary.

The use of ECWs is authorized for, but not limited to, the following situations:

- Persons refusing to obey an officer's commands through active resistance.
- Actively aggressive persons who are combative and present a physical danger to himself/herself, the officer or any other person.
- Prisoners who attempt to escape or seriously injure themselves.
- Fleeing subjects under certain circumstances. A subject fleeing cannot be the sole justification for use of an ECW. The severity of the offense and other circumstances shall be considered by the officer in determining the reasonableness in activating an ECW on a fleeing subject. When a subject is fleeing, the officer shall make known his/her intent to arrest and the offenses charged before deploying an ECW, unless the officer reasonably believes that:
  - Giving notice would endanger the life of the officer, or
  - Giving notice would endanger the life of other innocent persons, or
  - The reason for the arrest is obvious.
- Aggressive animals that present a physical threat to the officer or any other person (refer to SOP 8.33).

The ECW shall not be used:

- On obviously pregnant women, elderly persons, young children and visibly frail persons, unless an exigent circumstance exists.
- When the officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere.
- When the subject is in an elevated position, where a fall is likely to cause serious injury or death, unless the subject poses a threat of serious physical injury to the officer or others.
- When a subject is in a location where he/she could drown.

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## 9.1.6 USE OF ECWS (CONTINUED)

- When a subject is operating an automobile, truck, motorcycle, all-terrain vehicle (ATV), bicycle, scooter, any other moving vehicle and/or hazardous machinery.
- When a prisoner is handcuffed, unless the prisoner is involved in a physical assault against the officer or others. In these situations, the ECW may only be activated by using a drive-stun. Any such drive-stun application shall be limited to the least number of times and for the shortest duration reasonable to stop the active aggression and to secure the prisoner.
- To prevent the swallowing of evidence or to dislodge or retrieve evidence from a suspect's mouth or other body cavities.

Officers are responsible for ensuring that their ECWs and batteries are in working order before the start of their tour of duty. During formal inspections, commanding officers shall inspect their officers' ECWs for damage and low batteries.

## 9.1.7 POST-USE OF ECW (CALEA 1.3.5, KACP 1.8)

Officers shall ensure that the subject's injuries are treated in a manner consistent with the ECW's manufacturer's recommendations and departmental training, as soon as practical. Louisville Metro Emergency Medical Services (LMEMS) shall be contacted to respond to all incidents involving the application of the ECW. Additionally, officers shall contact LMEMS, without delay, to request advanced life support (ALS) assistance in situations where the subject displays any of the following unusual reactions:

- Subject complains of chest pains.
- Through observation or complaint, subject experiences shortness of breath.
- Subject is, or was, unconscious as a result of the use of the ECW.
- Subject is manifestly under the influence of drugs.
- Subject displays a continued state of agitation after the application of the ECW.
- Subject falls while being "tased" and is injured as a result of the fall, unless the injury is a minor scrape or cut.
- Subject displays symptoms of excited delirium (refer to SOP 12.21), such as:

### Physical

- Profuse sweating
- Hyperthermia or high body temperature (e.g. sweating profusely)
- Skin discoloration
- Foaming at the mouth
- Drooling
- Dilated pupils
- Uncontrollable shaking
- Respiratory distress (indications of breathing difficulties before, during or after being restrained, says "I can't breathe")
- Evidence of self-inflicted injuries

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## 9.1.7 POST-USE OF ECW (CONTINUED)

### Behavioral

- Intense paranoia
- Demonstrates extreme agitation or excitement
- Violent or bizarre behavior
- Running wildly (e.g. into traffic)
- Pressured, loud, incoherent speech (irrational speech)
- Psychotic in appearance
- Rapid changes in emotions (e.g. cry, laugh)
- Disoriented about time, place or his/her identity (confusion)
- Superhuman strength
- Muscle rigidity (may not be resisting)
- Hallucinating
- Delusional screaming for no apparent reason
- Aggression toward inanimate objects, such as glass
- Naked or partially disrobed
- Resists violently during capture, control and restraint
- Diminished sense of pain (e.g. OC or baton strikes are ineffective)
- Lack of focus; easily distracted (unable to follow simple directions or orders)
- Gravitation toward "shiny" objects
- Delusions of grandeur (e.g. "I'm God")
- Frightened/panicky

Officers shall obtain the Med Unit number and the names of the LMEMS personnel treating the subject and ensure that this information is recorded on the AIR (LMPD #03-03-0001). If the arrested person displays such reactions, but refuses treatment from LMEMS, officers shall immediately transport him/her to University of Louisville Hospital for examination by emergency room (ER) personnel. All persons who have been subjected to ECW activation shall be monitored regularly while in police custody even if they receive medical care.

In cases where the ECW probes are deployed, officers shall only remove the probes in a manner consistent with their training. In situations where the probes are in the head, neck, breasts, groin, buttocks or other sensitive areas, medical personnel shall perform the removal. After removing the probes from a subject, the officers shall collect the probes by putting them in a proper sharps container in an ambulance, at a medical facility or at the Property Room for disposal.

Officers must turn in a used ECW cartridge to the Property Room before a new cartridge shall be issued to them. If a subject displayed unusual reactions as a result of being "tased," the cartridge and probes shall be turned in to the Property Room as evidence.

After an officer uses his/her ECW, his/her commanding officer, as a normal procedure in a use of force investigation involving ECWs, shall download the data from the ECW onto a division/section/unit computer using the Dataport software. The downloaded information shall be printed and attached to the AIR. The reason for each application shall be documented in the required AIR.

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## 9.1.7 POST-USE OF ECW (CONTINUED)

If an officer is suspected of misusing his/her ECW, his/her commanding officer, the Professional Standards Unit (PSU) or Public Integrity Unit (PIU) may retrieve the weapon from the officer and download the data onto a computer using the Dataport software. The downloaded information shall be stored as a departmental record and as evidence.

## 9.1.8 USE OF CHEMICAL AGENTS (CALEA 1.3.4, KACP 1.8)

Officers are permitted to carry and use only chemical agents approved by the department. The use of chemical agents should be consistent with departmental training. The use of a chemical agent is authorized in circumstances when the officer reasonably believes that a degree of force is necessary to overcome actual, or anticipated, resistance by the suspect (NOBLE).

Chemical agents may also be used:

- On actively aggressive persons who are combative and present a physical danger to themselves, the officer or any other person.
- On prisoners who attempt to escape, cause serious physical injury to themselves or attempt to damage the property of others.
- In defense of any person.

Pepper ball guns can be utilized for a dual purpose, both as a chemical agent dispersal system and as an impact weapon. Unlike SIMS (e.g. 40mm launcher/sock round), the pepper ball guns, when used as an impact weapon, should not cause death, even when striking prohibited areas.

However, the head, neck and face should be avoided, unless exigent circumstances exist.

## 9.1.9 POST USE OF CHEMICAL AGENTS (CALEA 1.3.5, KACP 1.8)

Officers shall ensure that contaminated areas are treated in a manner consistent with the manufacturer's recommendations and departmental training, as soon as practical.

Officers are required to contact appropriate medical personnel if the subject displays unusual reactions to the chemical agent.

## 9.1.10 USE OF SPECIAL IMPACT MUNITIONS SYSTEMS (CALEA 1.3.4, KACP 1.8)

SIMS should only be utilized by officers trained and qualified in their use. These include the 40mm launcher and the sock round, which is fired from designated shotguns.



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## 9.1.10 USE OF SPECIAL IMPACT MUNITIONS SYSTEMS (CONTINUED)

The potential exists for special impact munitions projectiles to inflict injury or death when they strike the face, eyes and neck. Officers should avoid intentionally striking these body areas, unless a life-threatening situation exists. Each SIMS should be used consistently with the training for that particular system.

Lethal force backup must be in place as support, prior to the deployment of SIMS. Any time a SIMS is used, the subject shall be transported to the hospital for examination (CALEA 1.3.5).

## 9.1.11 IMPACT WEAPONS (CALEA 1.3.4, KACP 1.8)

Impact weapons are authorized as a means of:

- Physical restraint or control.
- Defense of any person.

Because of the potential for death or serious injury, officers shall avoid intentional strikes to the head, neck, throat or clavicle with an impact weapon of any sort, unless deadly force is justified (NOBLE).

## 9.1.12 USE OF DEADLY FORCE

Justification for the use of deadly force must be limited to what reasonably appears to be the facts known, or perceived, by an officer under the circumstances. Facts not known to an officer, no matter how compelling, cannot be considered in later determining whether the use of deadly force was justified. Deadly force, as with all uses of force, may not be resorted to unless other reasonable alternatives have been exhausted, would clearly be ineffective or exigent circumstances exist. Deadly force is authorized in defense of oneself or another when the officer reasonably believes, based on the facts and circumstances, that the person against whom the force is used poses an immediate threat of death or serious injury (CALEA 1.3.2, KACP 1.3b).

Deadly force is authorized to apprehend a felony suspect (KACP 1.3b), when under the facts and circumstances known to the officer, it is reasonable to believe that:

- The arrest is for a felony involving the use of, or threatened use of, physical force likely to cause death or serious physical injury, and
- It is likely that the person to be arrested will clearly endanger human life unless apprehended without delay.

The officer must be able to justifiably articulate his/her actions.

If feasible, verbal warnings shall be given before the use of deadly force. Warning shots are not permitted (CALEA 1.3.3, KACP 1.3d). Deadly force is never authorized to apprehend a fleeing misdemeanor or non-violent felony suspect (NOBLE).

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## 9.1.12 USE OF DEADLY FORCE (CONTINUED)

Deadly force is also authorized to prevent the escape of an arrested person, when deadly force could justifiably have been used to make the arrest, under which the person is in custody (e.g. a serious, violent felony), and the officer believes that the person is likely to endanger human life, unless apprehended without delay (KACP 1.3c).

Officers are authorized to discharge a firearm for the following purposes:

- In defense of human life, including the officer's life, or in defense of any person in immediate danger of serious physical injury or as described in this section.
- Against any animal that is gravely injured or poses a threat to persons, as necessary, when no other disposition is practical and the safety of persons has been given prime consideration.
- Training and qualifications.

Officers discharging a firearm should remain cognizant of the following:

- The direction in which the firearm is to be discharged.
- The danger of discharging a firearm while running or moving.

Officers shall not shoot from, or at, a moving vehicle, unless it is necessary to return gunfire to protect human life and when it does not create an unreasonable risk of harm to innocent persons.

## 9.1.13 DUTIES OF A COMMANDING OFFICER AT A "USE OF FORCE" SCENE (KACP 1.11a-c)

The commanding officer shall:

- Conduct a thorough investigation into the use of force incident.
- Ensure that medical treatment has been provided to any injured party (CALEA 1.3.5).
- Photograph any injuries sustained by officers and/or any damage to equipment, uniforms or property.
- Photograph the arrested subject to document any injury, or the lack of any injury. At least two (2) stand-up photos, one (1) showing the front of the suspect and one (1) showing the back shall be taken of all suspects charged with Resisting Arrest and/or Assault 3<sup>rd</sup> Degree of a police officer.
- Note witnesses and attempt to conduct preliminary interviews with all witnesses present at the scene.
- Download ECW data, if applicable, and attach the information to the AIR (LMPD #03-03-0001).
- Complete an AIR and forward it, through the appropriate chain of command, to the Chief of Police (refer to SOP 3.1) (CALEA 1.3.7).

When an AIR is not required, nothing in this policy shall prohibit officers from either taking photographs of prisoners to document lack of injury or requesting a commanding officer to respond to the scene.

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## 10.1 ENFORCEMENT (CALEA 1.2.1)

### 10.1.1 JURISDICTION (KACP 1.6)

Officers of the Louisville Metro Police Department (LMPD) may issue citations, and under certain circumstances, make a physical arrest, anywhere within Jefferson County for violations of state statutes and Louisville Metro ordinances, pursuant to Kentucky Revised Statutes (KRS) chapter 431.

Officers who enter Indiana in fresh pursuit of an individual in order to arrest him/her on grounds that he/she is believed to have committed a felony in Kentucky shall have the same authority to arrest, and hold such person in custody, as any law enforcement officer in Indiana. The arrested person shall be turned over to the appropriate Indiana police department having jurisdiction and taken, without unnecessary delay, before a judge of the county in which the arrest is made. If the judge determines the arrest to be lawful, the person shall be held for a reasonable time until an extradition warrant can be obtained. If the arrested person voluntarily signs an Indiana extradition waiver, the officer may return to Kentucky with the prisoner, without taking the prisoner before a judge in Indiana.

If an officer intends to arrest a subject on a Jefferson County warrant elsewhere in the Commonwealth, he/she shall first notify the law enforcement agency of that jurisdiction to affect the arrest. He/she may then transport the prisoner back to Jefferson County.

Officers, while in Jefferson County, shall make arrests on warrants issued by another county in the Commonwealth of Kentucky. Verification shall be made in a manner defined in SOP 10.1.4. Once arrested, the individual shall be placed at Metro Corrections, who shall then arrange for the pickup of the individual by the originating jurisdiction.

### 10.1.2 CITATIONS (CALEA 1.2.6)

For the purposes of this section, a violation is defined as an offense that is punishable by a fine or other penalty less than confinement in a jail or penitentiary. A misdemeanor is defined as an offense that is punishable by confinement, other than in a penitentiary, whether or not a fine or other penalty may also be assessed.

An officer may issue verbal warnings or Kentucky Uniform Citations for violations committed in his/her presence (CALEA 61.1.2b-c).

An officer may also make a physical arrest instead of issuing a citation for:

- Any offense in which the defendant poses a risk of danger to himself, herself or another person. The arrest citation narrative must contain specific language indicating how the arrestee posed the risk of danger.
- Any offense in which the defendant refuses to follow the officer's reasonable instructions. The arrest citation narrative must contain specific language indicating how the defendant failed to follow the officer's reasonable instructions.

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### 10.1.2 CITATIONS (CONTINUED)

- Any offense where there are reasonable grounds to believe that the defendant, if cited, will not appear in court at the designated time. The arrest citation narrative must contain specific language indicating why there are reasonable grounds to believe that the defendant will not appear in court.

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a). The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]. Victim/witness name(s) and address information shall be entered in the appropriate blocks on the uniform citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

KRS 431.015 specifies that an officer shall issue a citation instead of making a physical arrest for misdemeanors committed in his/her presence, except for the examples cited above, and offenses within the statutes covered by the following KRS chapters where the option to issue a citation or make a physical arrest is at the discretion of the officer:

#### **KRS Chapter 508 (Assault and Related Offenses)**

- Menacing (KRS 508.050)
- Wanton Endangerment 2<sup>nd</sup> Degree (KRS 508.070)
- Terroristic Threatening 3<sup>rd</sup> Degree (KRS 508.080)
- Criminal Abuse 3<sup>rd</sup> Degree (KRS 508.120)
- Stalking 2<sup>nd</sup> Degree (KRS 508.150)
- Violation of a Stalking Restraining Order (KRS 508.155)

#### **KRS Chapter 510 (Sexual Offenses)**

- Sexual Abuse 2<sup>nd</sup> Degree (KRS 510.120)
- Sexual Abuse 3<sup>rd</sup> Degree (KRS 510.130)
- Sexual Misconduct (KRS 510.140)
- Indecent Exposure 1<sup>st</sup> Degree (1<sup>st</sup> or 2<sup>nd</sup> offense) (KRS 510.148)
- Indecent Exposure 2<sup>nd</sup> Degree (KRS 510.150)

#### **KRS Chapter 527 (Offenses relating to Firearms and Weapons)**

- Carrying a concealed deadly weapon (KRS 527.020)
- Defacing a firearm (KRS 527.030)
- Possession of a defaced firearm (KRS 527.050)
- Possession of handgun by a minor (1<sup>st</sup> offense) (KRS 527.100)

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## 10.1.2 CITATIONS (CONTINUED)

### KRS Chapter 189 (Traffic Offenses)

- Driving Under the Influence (DUI) of a motor vehicle (KRS 189A.010) either committed in the officer's presence or not committed in the officer's presence with probable cause (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer)
- Measurement/Weight violation of a motor truck, semi-truck or trailer (KRS 189.223)
- Reckless/Careless driving (KRS 189.290)
- Failure to comply with a traffic officer's signal (KRS 189.393)
- DUI of a non-motorized vehicle (KRS 189.520)
- Accident-related responsibilities (e.g. leaving the scene, failure to report) (KRS 189.580)

An officer may also make a physical arrest instead of issuing a citation for certain misdemeanors and violations which fall outside of the arrest authority conferred by KRS 431.015, including:

- DUI of a boat (KRS 235.240)
- Violating motor carrier regulations (federal or state) (KRS 281.600)
- Criminal Trespass 3<sup>rd</sup> Degree (KRS 511.080)
- Harassment (KRS 525.070) (KACP 30.4)
- The authority of an officer, in uniform, to arrest for all offenses during a declared emergency (KRS 39A.190)
- Violating motor vehicle and boating offenses (except for offenses that only carry a fine as punishment) (KRS 281.765)
- Shoplifting (KRS 433.236(3)) either committed in the officer's presence or not committed in the officer's presence with probable cause
- Cruelty, mistreatment or torture of animals (KRS 436.605(2)) (refer to SOP 8.33.7)
- Violating the terms/conditions of probation, parole or conditional release (KRS 533.050)
- The authority of Fish & Wildlife officers and all other peace officers to arrest for violating any statute in KRS Chapter 235 (KRS 235.310)
- The authority of Fish & Wildlife officers to arrest or cite persons hunting on private land without permission, at their discretion (KRS 150.092(3))

If in doubt about whether to issue a citation or make a physical arrest, officers should contact a commanding officer for guidance. During normal business hours, officers may also contact the Jefferson County Attorney's Office.

When issuing a citation, officers shall explain the following to the violator, prior to his/her release:

- The reason for the citation
- The date of court appearance (CALEA 61.1.4a)
- The optional or mandatory nature of the court appearance (CALEA 61.1.4b)
- The option of prepaying a fine or satisfying the citation without going to court (CALEA 61.1.4c)
- The option of traffic school (if applicable) for the offense (CALEA 61.1.4d)

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	Effective Date: 02/18/04 Prv. Rev. Date: 03/10/13 Revised Date: 10/10/13
	Accreditation Standards: CALEA: 1.2.1, 1.2.5, 1.2.6, 61.1.2, 61.1.4, 61.1.5, 74.3.1, 74.3.2 KACP: 1.6, 4.4, 19.6, 22.4, 26.3, 30.1, 30.4
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## 10.1.2 CITATIONS (CONTINUED)

Officers may not issue a citation for the following misdemeanors. Officers shall make a physical arrest for:

- Assault 4<sup>th</sup> Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
- Violating any protective order (e.g. Emergency Protective Order (EPO)/Domestic Violence Order (DVO), etc.) issued pursuant to KRS 403.715 to 403.785
- Violating pretrial release conditions, imposed by the court, for offenses involving assault, sexual offenses or violation of a protective order
- Alcohol Intoxication (KRS 222.202, KRS 222.203)

Officers must have the approval of a commanding officer before issuing a citation for a felony offense or DUI of Intoxicants (CALEA 61.1.5a). The commanding officer granting this approval shall notify the appropriate division/section/unit commander as soon as practicable and be able to articulate the reason why a citation was issued rather than making a physical arrest. For the purposes of this section of the policy only, an acting sergeant is not considered a commanding officer.

All officers must sign the Citation Accountability Log (LMPD #06-0017) for all paper citations issued to them. Any voided paper citations must be turned in to the division/section/unit and logged on the Voided Citation Log (LMPD #06-0048) (KACP 22.4a). Accountability for issued eCitations and voided eCitations is controlled by the Kentucky State Police (KSP). However, officers must be able to account for all unused citations issued to them.

If an eCitation is voided, a separate electronic version of the Vehicle Stop Reporting form must be submitted in lieu of the KYOPS version (refer to SOP 8.8.7).

Officers shall forward the original copies of all handwritten paper citations (traffic, criminal and juvenile) to Technical Services, located at LMPD Headquarters, by the end of their tour of duty, for court processing. If the officer is off-duty, the original copies shall be forwarded by the end of his/her next tour of duty. Copies of eCitations do not need to be forwarded.

The blue copy of all handwritten misdemeanor, juvenile and traffic citations shall be forwarded to the Data Information Center by the end of the officer's tour of duty. If the officer is off-duty, the original copies shall be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding.

## 10.1.3 ARRESTS WITHOUT A WARRANT (KACP 1.6)

An officer may make an arrest without a warrant under the following circumstances:

- For a felony committed in the officer's presence or with probable cause to believe that a felony has been committed and that the person being arrested committed it.
- For any misdemeanor committed in the officer's presence that meets the statutory guidelines allowing a physical arrest in lieu of a citation.

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### 10.1.3 ARRESTS WITHOUT A WARRANT (CONTINUED)

- For a misdemeanor not committed in the officer's presence, when probable cause exists to believe that a subject has committed:
  - Theft by Unlawful Taking (TBUT) (Shoplifting)
  - Assault 4<sup>th</sup> Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
  - DUI of Intoxicants (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer)
  - Violation of an EPO/DVO
  - Violation of Pretrial Release Conditions

- For a violation of Assault 4<sup>th</sup> Degree (KRS 508.030) in the emergency room (ER) of a hospital, which was not committed in the officer's presence and the officer has probable cause to believe that the person being arrested committed it (KRS 431.005(f)).

**Definition:** An ER is defined as that portion of a licensed hospital which has the primary purpose of providing emergency medical care, 24 hours per day, seven (7) days per week and 365 days per year.

- For a violation committed in the officer's presence, involving:
  - Criminal Trespass 3<sup>rd</sup> Degree
  - Harassment
  - Reckless Driving
  - Failure to Comply with a Traffic Officer Signal
  - Leaving the Scene of an Accident
  - DUI of Intoxicants/Non-Motor Vehicle
- For a violation committed in the officer's presence, if there are reasonable grounds to believe that the person being cited will not appear to answer the charge in court (CALEA 61.1.2a).

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a). The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]. Victim/witness name(s) and address information shall be entered in the appropriate blocks on the uniform citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

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## 10.1.4 ARRESTS WITH A WARRANT (CALEA 74.3.1, KACP 1.6)

Only a sworn officer may make an arrest in obedience to a warrant issued by a court of competent jurisdiction within the Commonwealth of Kentucky (CALEA 74.3.2).

When executing a warrant, an officer must be especially diligent in identifying the person to be arrested as the person named on the warrant. This is particularly important when the suspect claims not to be the person named. The officer shall also determine if the warrant is valid on its face. The warrant shall be verified through:

- National Crime Information Center (NCIC) (KACP 26.3)
- Law Information Network of Kentucky (LINK) (KACP 26.3)
- eWarrants
- Calling the county clerk of the originating jurisdiction (the full name, title and phone number of the person verifying the warrant must be legibly written on the warrant or the citation if the officer does not have a copy of the warrant)

If an officer is in possession of a printed eWarrant with an unserved watermark, he/she shall validate the warrant, at the time of service, in eWarrants. Any paper copies of warrants with an unserved watermark, that have been served, shall be destroyed.

NCIC hits for wanted or Circuit Court warrants shall be verified through the NCIC by phone or radio prior to service.

When making an arrest in obedience to a valid warrant, the officer shall list, at a minimum, the issuing court, the warrant number and the offense(s) as listed on the warrant, in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a).

## 10.1.5 eWARRANTS/WANTED CHECK

eWarrants is a statewide database of all circuit and district court warrants and/or summonses issued in participating counties in the Commonwealth of Kentucky. Checking an individual in eWarrants does not eliminate the necessity of performing a LINK/NCIC warrant check for other statewide or nationwide offenses (KACP 26.3).

Outstanding warrants and summonses that are found in the eWarrants database are valid and no further verification is needed. The eWarrants system is only used for:

- Adult criminal complaints
- Arrest warrants and summonses resulting from adult criminal complaints
- Bench warrants
- EPO/DVO notifications



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## 10.1.5 eWARRANTS/WANTED CHECK (CONTINUED)

The eWarrants system is NOT used for:

- Mental Inquest Warrants (MIWs) (refer to SOP 10.6)
- Juvenile petitions (refer to SOP 10.7)

**Prior to the service of Circuit Court warrants, officers shall notify the NCIC by phone or radio.**

If an officer is serving a warrant originating from Jefferson County, through eWarrants, it is considered verified and may be executed immediately. Officers shall use their Mobile Data Terminal (MDT) or desktop computer to perform a records check through the NCIC, LINK and eWarrants of arrested subjects prior to booking. Officers may request that MetroSafe perform these records checks. Should outstanding charges be present on the subject, MetroSafe shall attempt to verify and confirm with the entering agency any "hit" or outstanding warrant, except outstanding warrants and summonses found in eWarrants which are valid and need no further verification. All verifications shall be performed in accordance with current LINK/NCIC and eWarrants protocols (KACP 26.3).

Once the arrested individual has been delivered to the Louisville Metro Department of Corrections (LMDC), the officer shall enter the arrest information into eWarrants, print an original copy of the warrant and click the "SERVED" button. This can be done from the officer's MDT or from one (1) of the computers located in the LMDC sally port.

Warrant service shall be prioritized based on the severity of the offense. Warrants involving violent crimes and felony offenses shall be served first.

## 10.1.6 CRIMINAL SUMMONS (CALEA 74.3.1)

When an officer determines that an individual has an outstanding summons, he/she is not required to have the summons in his/her possession in order to serve it (refer to Kentucky Rules of Criminal Procedure [(RCr) 2.10]. In such cases, the officer may serve the summons by issuing a citation containing the following information:

- The charges, as listed on the summons
- The assigned court case number
- The date, time and location where the subject has been ordered to appear

The officer serving the summons shall check eWarrants to enter the summons as served, if appropriate.

If using a MDT or desktop computer, the officer shall enter the service in eWarrants and print, sign and turn in the summons with the citation. If a MDT or computer is unavailable, the officer shall simply issue a paper citation. eWarrants shall be updated as soon as possible, but no later than the end of the officer's tour of duty.

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## 10.1.7 EXECUTING AN ARREST (KACP 1.6)

An officer not in uniform shall display his/her badge, identify himself/herself as a police officer and communicate the reason for the arrest. If, during an arrest, identifying oneself as a police officer could unnecessarily increase the risk to the officer or other parties, the announcement can be delayed until practical. An officer making an arrest in the field shall advise MetroSafe that an arrest has occurred once the individual is safely in custody.

Officers needing to enter a home for the purpose of serving an arrest/bench warrant shall complete a Risk Assessment Matrix Warrant Service form (LMPD #05-0016) whenever they have credible information that an arrest by normal means would prove dangerous to the officers involved (refer to SOP 8.1.13). Examples of credible information could include, but are not limited to, knowledge of weapons in the home and the suspect's violent criminal history.

All completed matrices shall be forwarded, through the appropriate chain of command, to the Support Bureau Commander or Patrol Services Commander. A copy of the completed matrix shall be forwarded to the Special Weapons and Tactics (SWAT) Team Commander (KACP 19.6d).

Nothing in this section prohibits a commanding officer from consulting the SWAT Team Commander, even if the matrix requirements for a call-out are not met.

Officers are reminded that they may only enter a home for the purpose of serving an arrest/bench warrant under the following circumstances:

- The officers have consent to enter the home, or
- The officers have a warrant for a serious felony, and
- The officers have a reasonable belief that the person named on the warrant lives in the home, and
- The officers have a reasonable belief that the person named on the warrant is in the home at the time of service

An arrest warrant does not justify entry into a third person's home to search for the subject of an arrest warrant.

## 10.1.8 TRANSACTIONS WITH PRISONERS

Members are prohibited from accepting, or buying, any article from any suspect, prisoner or associate of any suspect or prisoner.

## 10.1.9 DOCUMENTATION (CALEA 1.2.5a, KACP 22.4a-b)

Officers shall complete a Kentucky Uniform Citation when making a physical arrest of a subject. When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s).

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## 10.1.9 DOCUMENTATION (CONTINUED)

Merely restating the charges or making a reference to an incident report number is not sufficient for establishing probable cause.

Victim/witness name(s) and address information shall be entered in the appropriate blocks on the uniform citation. The primary officer establishing probable cause for the arrest should be listed at the bottom of the citation (e.g. officer initiating arrest, investigating detective).

Assisting officers who were also responsible for establishing probable cause should be listed on the front of the citation, either in the Witness box or the Narrative box, with their rank, code number and "LMPD" as the address. Division/section/unit or individual addresses shall not be used.

All Kentucky Uniform Citations shall be reviewed by the issuing officer's immediate supervisor (KACP 4.4).

## 10.1.10 POSTHUMOUS CHARGES

Posthumous charges may be placed against an individual when an investigation reveals that a deceased person has committed a crime and such charges are necessary in order to clear the case. A clearance by exception may be used to clear a case where the identified perpetrator has died.

Posthumous charges must have prior approval of an assistant chief of police. In all cases, probable cause must be shown that would be sufficient to charge the individual if he/she were still alive.

## 10.1.11 SUPERVISORY REVIEW

Commanding officers shall review paper citations and arrest slips of those officers under their direct supervision. The commanding officer shall place his/her code number on the upper right hand corner of the citation indicating that he/she has reviewed the citation. Commanding officers shall review the citation for, including, but not limited to:

- Missing/incomplete personal information of the offender
- The Vehicle Stop Reporting form control number (if applicable)
- The appropriate charges
- The arrest or citation date, time and location
- The arrest or citation narrative, statement of probable cause and elements of the crime
- The valid court date, time and location
- The report number, if the citation or arrest is related to clearing a reported incident
- Language indicating how the defendant posed a risk of danger (if applicable) (refer to SOP 10.1.2)
- Language describing how the defendant failed to follow the officer's reasonable instructions (if applicable) (refer to SOP 10.1.2)

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## 10.1.11 SUPERVISORY REVIEW (CONTINUED)

- Language indicating why there are reasonable grounds to believe that the defendant will not appear in court (if applicable) (refer to SOP 10.1.2)
- Legible handwriting

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Chapter: Arrests	
Subject: Exemptions from Arrest	

## 10.2 EXEMPTIONS FROM ARRESTS (KACP 1.6)

### 10.2.1 LEGISLATORS/MEMBERS OF THE GENERAL ASSEMBLY (CALEA 61.1.3c)

Pursuant to KRS 6.050 Privilege from arrest or civil suit – Censure—Fine or expulsion:

- A member of the General Assembly, while going to, attending or returning from any session of the house to which he [she] belongs, shall not be arrested, menaced or disturbed at any place in the Commonwealth of Kentucky, except on legal process for treason, felony or breach or surety of the peace.
- It is declared to be the legislative intent of the General Assembly to prohibit the arrest of any member of the General Assembly at any place within the Commonwealth while going to, attending or returning from any session of the house to which he [she] belongs, except for treason, felony or breach or surety of the peace.
- A member of the General Assembly shall not be required to stand trial in any civil action, except between terms of the legislature and then only in the county of his [her] residence; but either party to such an action may obtain a change of venue as in other cases.
- A member of either house, by a vote of two-thirds (2/3) of the members present, may be censured, fined or expelled for breach of privilege.

### 10.2.2 KENTUCKY NATIONAL GUARDSMEN (CALEA 61.1.3e)

A guardsman may not be arrested, except for felony offenses, while going to, returning from or present at a place of active service. Weekend duty drills are not considered active service. A guardsman may be cited for traffic law violations.

### 10.2.3 DIPLOMATIC IMMUNITY (CALEA 61.1.3d)

Under international law, all accredited diplomatic officers and ambassadors of foreign nations are immune from arrest. They may be detained only for the time necessary to confirm their diplomatic status. Should an individual claim to have diplomatic immunity, the officer shall contact his/her supervisor. The supervisor shall request that MetroSafe contact the United States Department of State to determine the subject's status prior to taking any enforcement action.

A diplomatic officer or ambassador found to be driving under the influence (DUI) shall be either (CALEA 61.1.5a, 61.1.11):

- Transported to his/her local destination and his/her vehicle released to family members or friends (CALEA 61.3.3a).
- Provided the use of a telephone to call a family member or friend.
- Be released to family members or friends.

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## 10.2.3 DIPLOMATIC IMMUNITY (CONTINUED)

A citation may be issued for traffic law infractions (CALEA 61.1.2b)

An officer seeking to place charges on a subject claiming diplomatic immunity shall notify his/her immediate supervisor. The supervisor shall request that MetroSafe contact a representative from the Office of the Commonwealth's Attorney or the United States Attorney's Office for appropriate legal advice.

Correspondence and other property belonging to a foreign diplomat is more closely protected from search and seizure under international law. An officer shall seek legal advice prior to search and seizure.

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Chapter: Arrests	
Subject: Arrests of Injured/Sick	

## 10.3 ARRESTS OF INJURED/SICK

### 10.3.1 TREATMENT (CALEA 1.3.5)

Any person injured as a result of police action, or injured prior to police arrival and subsequently taken into custody, shall be provided with appropriate medical treatment. This treatment shall be obtained prior to the subject being transported to Louisville Metro Department of Corrections (LMDC). A commanding officer shall be advised of the injuries, respond to the scene, photograph the injuries and complete an Administrative Incident Report (AIR) (LMPD #03-03-0001) according to guidelines listed in SOP 3.1 (CALEA 1.3.6b, 11.3.2, KACP 17.4).

### 10.3.2 HOSPITAL ARRESTS (KACP 1.6)

No injured or ill person shall be removed from a hospital, for the purpose of making an arrest, without the approval of the admitting physician or, if he/she is unavailable, the hospital staff physician.

An officer who has a warrant for a subject in the hospital must first obtain permission from the treating physician before making contact with the subject. The physician should be advised of the situation and the charges for which the subject is wanted. A commanding officer may decide to either delay serving the warrant until the release of the subject from the hospital or serve the warrant on the hospitalized subject and provide an officer to guard the prisoner (CALEA 11.3.2, KACP 17.4). This decision shall be based on the seriousness of the charges, the physician's opinion and the degree of illness of the subject. If the person is incapable of leaving the hospital at that particular time, arrangements may be made for the division/section/unit to be notified as to when the person may be able to leave on his/her own accord. At that time, a guard shall be placed on the prisoner.

If an officer determines that a wanted person is a patient at University of Louisville Hospital, he/she may obtain a Law Enforcement/Correctional Discharge Notification Request Form from hospital security. This form provides the hospital staff with information about charges and warrants, and specifies who to contact. The hospital staff has agreed to notify the listed contact person two (2) hours prior to the patient's discharge, to facilitate the arrest. The hospital's form is for patients admitted to University of Louisville Hospital, not emergency room patients.

### 10.3.3 PRISONER DETAILS

If a prisoner must be hospitalized and a guard posted, the following guidelines shall be followed:

- The division making the arrest or assuming custody of a prisoner involving an off-duty arrest shall be responsible for guarding the prisoner during the first 72 hours of hospitalization.
- After the first 72-hour period, a rotation among the patrol divisions shall begin. Each division shall be responsible for guarding the prisoner for a 24-hour period. It is the responsibility of the arresting officer's division commander to contact the Deputy Chief of Police/Patrol Services regarding the establishment of the prisoner detail.

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## 10.3.3 PRISONER DETAILS (CONTINUED)

- If a prisoner is arrested by the Major Crimes Division or another specialty unit, the rotation of guards among the divisions shall begin immediately, starting with the division in which the arrest was made. The specialty unit commander has the responsibility of making arrangements with the appropriate division commanding officers. The Deputy Chief of Police/Patrol Services shall be advised.
- Officers assigned to a prisoner detail shall be aware that they are responsible for the prisoner. They shall remain with the prisoner until relieved. For security reasons, officers shall remain inside of the room, out of public view at all times and shall not stand in the doorway or hallway. The only exceptions to this requirement are to allow an attorney/client visit, during which time the officer may stand immediately outside of the door, if requested by the attorney or the prisoner or if the hospital staff determines that the prisoner has a contagious illness, at which time the officer shall be seated immediately outside of the door and maintain visual contact with the prisoner.
- Officers, who are on detail at University of Louisville Hospital, are prohibited from remaining in an operating room (OR) suite during the surgical process. The officer shall be seated outside of the surgical suite door in the OR hallway. For security reasons, the officer may follow the prisoner to the OR to verify that the final anesthesia is administered, for the surgical procedure, through a glass window.
- Officers, who are on detail at University of Louisville Hospital, and in need of a short break, shall request that the nursing staff contact hospital security. Hospital security may only relieve the officer for a short amount of time.
- Prisoners shall be handcuffed to the bed unless it interferes with medical treatment (KACP 1.5). If an officer believes that it is not practical to handcuff or shackle a prisoner, he/she shall seek verbal approval from his/her commanding officer.
- Officers guarding prisoners shall not use patient phones. If an officer needs to use a phone, he/she shall request a phone through the nurse call system and is limited to ten (10) minutes of usage.
- Officers shall not use personal electronic devices (e.g. personal digital assistants (PDAs), cell phones, etc.) while accompanying a prisoner or while in the prisoner's room.
- Officers shall not restrict or limit a prisoner's use of a television.
- Generally, in-patient prisoners, regardless of whether in the emergency room (ER), intensive care unit (ICU) or in a private or semi-private unit, are not allowed to have visitors. Exceptions may only be made subject to hospital policies and with the approval of the commander of the division/section/unit that placed the initial charges. Exceptions may include, but are not limited to, the following:
  - A prisoner has a critical injury or terminal illness, and is near death. Visitation shall be restricted to immediate family members and are limited to spouse or "significant other", parent or adult children. Only one (1) family member may visit at a time and no other family members shall be allowed on the floor during the visit. Visits are limited to two (2) people per day for no more than 30 minutes each.
  - An attorney who represents the prisoner on the charges for which they are being incarcerated may visit, regardless of the condition of the patient. There shall be no time limit on the length of an attorney visit.
  - The investigating or arresting officer(s) who placed the initial charges may visit a prisoner subject to any applicable legal restrictions.



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## 10.3.3 PRISONER DETAILS (CONTINUED)

- All non-law enforcement visitors shall be searched prior to being allowed to visit, using a hand-held metal detector. The metal detector is kept in the University of Louisville Hospital Security Office and will be delivered to the unit, as needed, upon request by the officer. Visitors are prohibited from bringing anything into the prisoner's room (e.g. coats, purses, gifts, packages, flowers, plants, balloons, etc.).
- Approval of all visits shall be in compliance with the visitation policies of the hospital. In addition, if a visitor is disruptive or an officer has an articulable reason why they are a security risk, the officer may terminate the visit.
- An officer having reason to restrict the phone usage of a prisoner must obtain the approval of a commanding officer. For the purpose of this policy, an acting sergeant is not a commanding officer.

## 10.3.4 INVOLUNTARY DETENTION

An officer responding to a suicide attempt should try to persuade the subject to agree to voluntary commitment or advise the subject's family to seek involuntary commitment. If the situation is of an extreme nature and the officer has probable cause to believe that the subject is a danger to himself/herself or others, the officer may arrest the subject without a warrant and transport him/her to University of Louisville Hospital.

## 10.3.5 DOCUMENTATION (KACP 30.8)

Officers knowingly transporting prisoners who have a history of serious mental or physical illness, or who display suicidal tendencies, shall note such information on the Uniform Citation. These conditions shall only be noted if they serve a valid law enforcement purpose.

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	Accreditation Standards: CALEA: 1.1.4 KACP 1.6
Chapter: Arrests	
Subject: Special Notifications	

## 10.4 SPECIAL NOTIFICATIONS (KACP 1.6)

### 10.4.1 UNITED STATES POSTAL SERVICE MAIL CARRIERS

United States Postal Service (USPS) mail carriers are not exempt from arrest while on-duty. If an arrest is made, an officer shall stay with the mail vehicle until a representative from the USPS arrives at the scene.

### 10.4.2 MILITARY DESERTERS

Officers are authorized to arrest subjects who are absent without leave (AWOL) from the armed services. Verification of the AWOL status must be made by either the National Crime Information Center (NCIC) or the military police. Subjects charged with being AWOL shall be booked as any other prisoner would be.

### 10.4.3 ON-DUTY FIREFIGHTERS

Unless extenuating circumstances exist, an officer shall perform the following prior to arresting an on-duty firefighter:

- The officer shall notify MetroSafe to request that the on-duty Assistant Louisville Metro Fire Chief contact him/her at a particular telephone number. When a firefighter from an agency other than Louisville Metro Government is to be arrested, a commanding officer from the affected fire district shall be contacted.
- The officer shall update the Assistant Fire Chief, or commanding officer, of the situation, name and location of the firefighter.
- The Assistant Fire Chief, or commanding officer, may make arrangements to provide a replacement firefighter for the person being arrested.
- The officer shall affect the arrest of the on-duty firefighter after his/her relief, if any, is in place.

### 10.4.4 SCHOOL PERSONNEL DURING SCHOOL HOURS

School administrators shall be notified prior to any onsite arrest of employees during school hours. Unless unusual circumstances exist, officers shall request that the employee report to the office to facilitate the arrest.

### 10.4.5 FOREIGN NATIONALS (CALEA 1.1.4)

**Foreign National:** Any person who is a citizen of any country other than the United States.

The United States is obligated and legally bound under international agreements and customary international law to notify foreign authorities when foreign nationals are arrested in the United States. Upon knowingly arresting a foreign national, officers shall:

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	Accreditation Standards: CALEA: 1.1.4 KACP 1.6
Chapter: Arrests	
Subject: Special Notifications	

## 10.4.5 FOREIGN NATIONALS (CONTINUED)

- Immediately advise the foreign national of his/her right to consular notification.
- Immediately contact MetroSafe and inform them that he/she has arrested a foreign national, indicating the country to which the foreign national belongs. MetroSafe will advise the officer if the country is a mandatory or non-mandatory notification country. MetroSafe will also be responsible for notifying the Narcotics Division Commander that the officer has arrested a foreign national.
- Obtain a call for service (CAD) number from MetroSafe.

If the subject is from a mandatory notification country, the officer shall inform him/her that the department is required to notify his/her consulate. If the subject is from a non-mandatory notification country, the officer shall inform him/her of the right to have his/her government informed of the event, if he/she so desires.

Officers arresting foreign nationals are required to contact NCIC and provide them with the following information, regardless of whether a consulate is to be notified:

- Officer name and code number
- Call for service (CAD) number
- Date of the arrest
- Name, date of birth (DOB) and place of birth of the foreign national
- Passport number, with the date and place of issuance, if available

The NCIC shall use the information provided by the officer to complete a fax form. If notification is required or requested, the NCIC shall fax the form to the appropriate consulate. If notification is not mandatory or declined, the NCIC shall complete the fax form indicating that notification was not mandatory or declined and will not forward the form to the consulate. The NCIC shall be responsible for storing the forms and faxing a copy of each form to the Homeland Security Team commander, regardless of whether notification was made or declined.

A current list of telephone numbers for all foreign consulates as well as a current list of mandatory notification countries is kept on file in MetroSafe.

The officer shall record the time and date that the NCIC was notified of the arrest on the Uniform Citation.

## 10.4.6 METRO GOVERNMENT MEMBERS

The Public Integrity Unit (PIU) shall be notified whenever a Metro Government member is arrested for a felony offense. The PIU shall also be notified whenever an officer is arrested for any criminal offense. The PIU should be notified prior to the arrest, whenever possible.

Members summoned to any court, before any judge, concerning matters in which they, or other members, may become a defendant in a criminal prosecution must report the facts, in detail, to the Chief of Police, through the appropriate chain of command, as soon as practical.

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Chapter: Arrests	
Subject: Prisoner Transportation	

## 10.5 PRISONER TRANSPORTATION

### 10.5.1 POLICY

This policy establishes guidelines pertaining to prisoner transportation, including on-duty, off-duty and secondary employment situations. Officers should remember that the safety of the prisoner in their care is their primary responsibility.

### 10.5.2 SEARCH OF PRISONERS (CALEA 70.1.1, KACP 1.7b)

A person under arrest shall be thoroughly searched by each transporting officer.

### 10.5.3 INSPECTIONS OF TRANSPORTING VEHICLE (CALEA 70.1.2, KACP 1.7c)

The prisoner area of a transporting vehicle shall be thoroughly searched for evidence and contraband before, and after, transportation and at the beginning, and end, of each tour of duty.

### 10.5.4 TRANSPORTATION EQUIPMENT (CALEA 70.4.1, 70.4.2)

The rear doors of all vehicles used to transport prisoners shall be modified to prevent opening from the inside and the rear windows shall be modified to prevent opening from any place other than the driver's seat.

All marked vehicles used for prisoner transport shall be equipped with a safety barrier separating the prisoner from the officer. Conversation between the officer and prisoner shall not be impeded by the barrier.

Police vehicles that are not equipped with a safety barrier may be utilized as a prisoner transport vehicle based on the severity of the offense, the prisoner's demeanor or the transporting officer's discretion.

### 10.5.5 SEATING OF PRISONERS (CALEA 70.1.3)

In the absence of unusual circumstances, no prisoner should be permitted to sit in the front seat of any transporting vehicle.

In a vehicle without a safety barrier, a single officer shall only transport one (1) prisoner. The prisoner shall be placed in the passenger-side rear seat. Under no circumstances shall a prisoner be placed behind the driver while being transported without a safety barrier.

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## 10.5.5 SEATING OF PRISONERS (CONTINUED)

In vehicles equipped with a safety barrier, no more than three (3) prisoners may be transported at one time.

All transported prisoners shall be secured with seat belts, unless physical handicaps or officer safety issues prevent the proper use of a seat belt (KACP 21.4).

## 10.5.6 PRISONER OF OPPOSITE SEX

A female prisoner and a male prisoner shall not occupy the same vehicle without supervisory approval.

When an officer transports a prisoner of the opposite sex, he/she shall notify MetroSafe of his/her beginning and ending odometer readings.

## 10.5.7 JUVENILE PRISONERS

Juvenile prisoners shall not be transported in direct contact with adults. Juvenile prisoners shall not be placed in a departmental holdover facility with adults.

## 10.5.8 DECONTAMINATION OF PRISONERS

Prisoners who have come in contact with hazardous materials (e.g. HAZMAT incident, weapons of mass destruction, terrorist attack, clandestine lab) shall be decontaminated by the Urban HAZMAT Unit, or the responding fire department, prior to being placed in the vehicle.

Officers handling contaminated prisoners shall use flex cuffs and appropriate personal protective equipment (PPE) gear, when practical, to prevent cross contamination (refer to SOP 12.2).

Supervisors shall complete an Administrative Incident Report (AIR) (LMPD #03-03-0001) on all contaminated prisoners outlining the type and nature of the exposure (refer to SOP 3.1). A Health and Safety officer and Metro Louisville Hazardous Materials Team, or responding fire department, shall make the determination as to whether the prisoner requires additional treatment from a medical facility.

## 10.5.9 PRISONER TRANSPORTED TO MEDICAL FACILITY (CALEA 70.3.1, 70.3.2, KACP 1.7f, i)

Prisoners transported to a medical facility by an officer shall remain the officer's responsibility. The officer shall:

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## 10.5.9 PRISONER TRANSPORTED TO MEDICAL FACILITY (CONTINUED)

- Keep the prisoner in view, whenever possible.
- Accompany the prisoner to the treatment room.

The type and degree of authorized restraint utilized is at the discretion of the officer. However, prisoners shall not be completely unrestrained, unless directed by a physician, because of medical necessity.

Upon completion of treatment, a medical clearance signed by the physician shall be obtained and presented to Louisville Metro Department of Corrections (LMDC) personnel.

## 10.5.10 PRISONER ADMITTED TO MEDICAL FACILITY (CALEA 70.3.1, 70.3.2, KACP 1.7f, i)

If a prisoner transported to a medical facility by an officer is to be admitted, the officer shall notify his/her supervisor. The officer shall maintain a vigilant guard as near as possible to the prisoner. The officer shall remain in the room with the prisoner, if possible. If medical personnel advises the officer to leave the room, the officer shall assume a position immediately outside of the door (refer to SOP 10.3.3).

The officer shall not relinquish custody of his/her prisoner until properly relieved.

## 10.5.11 TRANSPORTATION DELAY (CALEA 70.1.4)

MetroSafe shall be advised when the officer embarks with his/her prisoner. The officer shall inform MetroSafe of his/her destination, beginning time and current odometer reading (KACP 1.7d). MetroSafe shall also be notified of any delay enroute. The officer shall not initiate, or assist in, a vehicular pursuit or other Code 3 response while transporting a prisoner. Only where the risk to third parties is both clear and grave, and the risk of escape or injury to the prisoner is minimal, should an officer stop to render assistance or take other enforcement action (KACP 25.1). Otherwise, an officer transporting a prisoner shall proceed directly to his/her official destination without any intermediate stops. Upon arrival, the officer shall notify MetroSafe with the ending location, time and mileage (KACP 1.7e).

## 10.5.12 TRANSPORTING DISABLED PRISONERS (CALEA 70.2.1, 70.3.1, KACP 1.7f)

If the nature of a prisoner's disability prevents the use of a vehicle equipped with a safety barrier for transportation, the officer shall request his/her supervisor's assistance with arranging alternate transportation.

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## 10.5.13 VISUAL OBSERVATION OF PRISONER

In order to promote the security and safety of officers, prisoners and the public, an officer shall maintain visual observation of his/her prisoner. Appropriate exceptions may be made to allow the prisoner to use the toilet facilities or to receive medical treatment (KACP 1.7i).

In patrol divisions equipped with holdover cells, a Holdover Observation form (LMPD #03-08-0125) shall be completed by the custodial officer whenever a prisoner is placed in the holdover. The prisoner's name should be recorded on the Holdover Observation form, along with the date and time that the prisoner was placed in the holdover and the initials of the custodial officer. Officers responsible for the custody of the prisoner shall visually observe the prisoner in the holdover and check on his/her welfare at intervals not to exceed 15 minutes (CALEA 71.3.3e). Each observation shall be recorded on the form. The Holdover Observation forms shall be maintained in close proximity to the holdover cell and filed with the division commander upon final removal of the prisoner from the holdover.

## 10.5.14 MEALS/USE OF TOILET (CALEA 70.1.4)

Under ordinary circumstances, the officer is not responsible for providing a prisoner with a meal or multiple uses of a toilet facility. If the officer is escorting a prisoner on a long trip (e.g. extraditions), meals and restroom stops shall be taken at random times and locations for security reasons.

No prisoner shall be directly observed using toilet facilities unless an officer has reason to believe that the observation would prevent harm to the officer or the prisoner, or the opportunity exists for the destruction of evidence or contraband.

## 10.5.15 COMMUNICATIONS WITH OTHERS (CALEA 70.1.5)

Prisoners under escort shall not be permitted unauthorized visitors or communications.

## 10.5.16 RESTRAINING DEVICES (CALEA 70.2.1, KACP 1.5, 1.7a)

All persons shall be restrained when taken into custody and shall remain restrained during all phases of transportation. Exceptions are permissible if the investigating officer has reason to believe that a greater degree of cooperation may be achieved from the person by being unrestrained. When a prisoner is not restrained, the officer should exercise extreme caution.

The preferred method of restraint is to handcuff an individual behind the back, with his/her palms facing outward. Exceptions are permissible if the officer in charge of the detention feels that another accepted method is more appropriate (e.g. extradition, physical impairment).

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## 10.5.16 RESTRAINING DEVICES (CONTINUED)

Handcuffs should only be tightened enough to effectively secure the person's wrists. The wrists should be checked for cutting and swelling and the handcuffs loosened, if necessary. All handcuffs shall be double-locked. In special circumstances (e.g. patrol divisions without holdover cells), an adult may be handcuffed to a fixed object for a reasonable period of time (CALEA 71.3.1d). Under no circumstances shall a juvenile be handcuffed, or secured, to a fixed object.

Age, sex or physical conditions alone are not the deciding factors as to whether or not to restrain an individual. Officers shall consider the nature of a physical or mental disability, sickness or injury and the severity of the offense charged in determining which authorized restraints shall be applied (KACP 30.8).

The following should be considered prior to the application of restraints on such prisoners:

- The potential for escape
- The degree of threat posed by the prisoner to the officer or others
- Whether the use of restraints would increase the severity of injury or aggravate an existing illness or condition

An individual may be restrained, even though not under arrest, if the officer is legally detaining the individual (e.g. status offenders, subjects present during search warrants).

When the use of regular handcuffs is not sufficient (e.g. combative prisoners, prisoners presenting a high escape risk), officers may apply approved leg restraints. Approved leg restraints include the following:

- Hobble restraints
- Padded leather restraints
- Key-locked metal leg cuffs (shackles)
- LR-2 leg restraints

Flex-cuffs may be used as handcuffs or leg restraints, if necessary. All restraints shall be used in accordance with Louisville Metro Police training guidelines. The hog-tying of prisoners is strictly prohibited.

Restraints are to be removed from the in-custody individual at the direction of the LMDC (CALEA 70.1.6b).

## 10.5.17 CARE OF SUBDUED PRISONER (CALEA 70.2.1, KACP 1.5)

Care must be taken when it becomes necessary to subdue an unruly prisoner or a prisoner who may be under the influence of alcohol or drugs. It is important to understand that pre-existing factors, along with a subject's body position when subdued or in transit, can compound the risk of sudden death.



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## 10.5.17 CARE OF SUBDUED PRISONER (CONTINUED)

A person in the face down position may experience trouble breathing. Obesity and/or drug and alcohol use may also increase the risk of breathing difficulty. These conditions, coupled with a prior violent struggle and the prisoner being handcuffed behind the back, can make a prisoner vulnerable to death by positional asphyxia. This position should be avoided, when possible.

In order to minimize the potential for asphyxia death, an officer should take the following precautions:

- As soon as the subject is handcuffed, move him/her off of his/her stomach.
- Ask the subject if he/she has used drugs or alcohol or suffers from a disease that can cause breathing difficulties.
- Monitor the subject carefully and obtain medical treatment, if necessary.
- When the prisoner is turned over to the LMDC facility or another authority, notify the receiving authority of existing medical problems.

It is not necessary to complete an AIR for each occurrence where a person is restrained in the absence of unusual circumstances. In the event that a restrained individual is the subject of an AIR, care shall be taken to include the following information in the description section:

- Type of restrained position
- How long the subject was face down or restrained
- How the subject was transported and in what position
- What observations were made of the subject
- Duration of struggle, if any
- Emergency Room (ER) observations

In the event that an unruly prisoner has been subdued, a supervisor should be contacted to determine if an uninvolved officer should transport the prisoner.

## 10.5.18 DELIVERY TO LOUISVILLE METRO DEPARTMENT OF CORRECTIONS (LMDC) (KACP 1.7g)

No officer shall carry firearms into a detention facility. Firearms shall be secured in designated storage areas (CALEA 70.1.6a).

Prisoners shall be delivered to LMDC after administrative, investigative and medical needs are fulfilled. All necessary paperwork shall be given to the LMDC (CALEA 70.1.6c).

If a prisoner under the custody of one (1) officer is released for transport to another officer, the transporting officer shall place his/her code number and initials in the lower right corner of the citation.

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**10.5.17 DELIVERY TO LOUISVILLE METRO DEPARTMENT OF CORRECTIONS (CONTINUED)**

Officers driving unmarked departmental vehicles to transport prisoners to LMDC shall give their name, rank and agency, via the intercom, before access to the sally port is granted. Moreover, officers not in their official uniform or in plainclothes shall be required to display their official credentials to the exterior control room officer prior to access.

Once a prisoner has been delivered to LMDC, an arrest history can be printed by accessing the Inmate Management System (IMS) at LMDC and printing the Master Card Summary. This can be used to document the transfer of custody to LMDC (CALEA 70.1.6e).

**10.5.19 SECURITY RISKS (CALEA 70.1.6d, 70.1.8, KACP 1.7h)**

Should the arresting officer determine that his/her prisoner poses a security or suicide risk, the officer shall clearly note that fact on the face of the Uniform Citation.

Should the arresting officer surrender his/her prisoner for transportation, the officer shall make the transporting officer aware of the security or suicide risk. When security risks dictate, two (2) officers may be assigned for transport.

**10.5.20 INTERSTATE TRANSPORTATION**

If a prisoner is to be transported interstate, the documentation shall include either a properly executed governor’s warrant or a properly executed waiver (refer to SOP 10.1.1).

If a prisoner poses an escape threat, suicide risk or other security risk, that information shall be clearly indicated on all transportation documents.

Appropriate arrest and transportation documentation shall accompany all prisoners.

**10.5.21 ESCAPE OF PRISONER (KACP 1.7k)**

Officers are required to take every precaution in order to prevent the escape of prisoners in their custody.

If an escape should occur, the following steps shall be taken:

- An immediate attempt to capture the escapee by the officer(s) involved, if doing so does not pose a threat to the safety of the officer(s) or the general public
- The officer shall notify MetroSafe and his/her supervisor of the escape (CALEA 70.1.7a)
- MetroSafe shall notify patrol units of the following:

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## 10.5.21 ESCAPE OF PRISONER (CONTINUED)

- Name of escapee
  - Description of escapee
  - Last known direction of escapee
  - Local address of escapee
  - Charges on escapee
  - Description of any accomplices
  - Vehicle descriptions
- Patrol cars set up a search pattern, if appropriate (CALEA 70.1.7c)
  - Obtain appropriate warrant(s) for the escapee (CALEA 70.1.7c)
  - Significant activity notification

In the event of an actual escape, the shift supervisor shall respond and take command of the situation. If the escape occurs out of the custodial officer's assigned division, the shift supervisor of the affected division shall be advised of the escape and shall respond to the scene.

When a prisoner escapes custody, the custodial officer shall submit a memorandum and an AIR, through the appropriate chain of command, to his/her division commander, advising of the escape (CALEA 70.1.7b).

## 10.5.22 LOUISVILLE METRO EMERGENCY MEDICAL SERVICES (LMEMS) TRANSPORTS (KACP 1.7i)

When a prisoner must be transported by Louisville Metro Emergency Medical Services (LMEMS), an officer may accompany the prisoner in the LMEMS vehicle when requested by LMEMS, or if deemed necessary by the officer.

## 10.5.23 TRANSPORTING PRISONERS FOR OFF-DUTY OFFICERS

If an officer makes an off-duty arrest that is not the result of secondary employment, an on-duty officer shall take charge of the prisoner for transportation purposes.

## 10.5.24 TRANSPORTATION OF PRISONERS RESULTING FROM SECONDARY EMPLOYMENT

In the absence of exigent circumstances, all persons arrested by an officer as a result of secondary employment shall be transported by the arresting officer. If the arresting officer has received permission to use a departmental vehicle for secondary employment and the arresting officer drove a departmental vehicle to the secondary job, the officer shall transport the prisoner. In situations where an officer working

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**10.5.24            TRANSPORTATION OF PRISONERS RESULTING FROM SECONDARY EMPLOYMENT (CONTINUED)**

secondary employment did not drive a departmental vehicle to the secondary job, on-duty Louisville Metro Police Department (LMPD) personnel shall transport the prisoner. The arresting officer who is working secondary employment shall immediately drive to the booking clerk to relieve the transporting officer. The department will not transport those individuals arrested by other law enforcement agencies as a result of secondary employment.

**10.5.25            AWOL PERSONS**

If a subject is found by an officer to be a walk-away from a mental treatment facility, a Crisis Intervention Team (CIT) officer shall be notified and respond to the scene (CALEA 41.2.7c, KACP 30.8).

If an officer encounters a juvenile who is absent without leave (AWOL) from a facility, the officer has the option of returning the juvenile to the facility or detaining him/her and taking him/her to the Louisville Metro Youth Detention Center (LMYDC), placing the appropriate charges on the juvenile. The officer shall notify the National Crime Information Center (NCIC) that the juvenile has been located.

**10.5.26            PRISONER IDENTIFICATION (KACP 1.7j)**

Before transporting a prisoner to another location or facility, the transporting officer shall verify the prisoner's identification through booking records, identification numbers, photographs or other appropriate means to ensure that the proper person is being transported. The appropriate documentation shall accompany the prisoner during transport.

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	Accreditation Standards: CALEA: 1.2.7, 74.1.2, 74.2.1 KACP: 1.6, 19.6, 30.8
Chapter: Arrests	
Subject: Mental Inquest Warrants	

## **10.6 MENTAL INQUEST WARRANTS (KACP 1.6, 30.8)**

### **10.6.1 MENTAL INQUEST WARRANT EXECUTION (CALEA 74.2.1)**

When a Mental Inquest Warrant (MIW) has been issued, the District Court Clerk shall fax a Confirmation Data to Execute Mental Inquest Warrant form to National Crime Information Center (NCIC) personnel and the following procedures shall be followed:

- NCIC personnel shall perform a criminal history check on the subject named in the Confirmation Data to Execute Mental Inquest Warrant form and notify MetroSafe of the MIW and the location where it is to be served. The NCIC shall then fax a copy of the Confirmation Data to Execute Mental Inquest Warrant form to the appropriate division.
- MetroSafe shall notify the appropriate division commanding officer and advise him/her to contact the NCIC regarding the MIW. The commanding officer shall call the NCIC to get the results of the criminal history check. This information shall be relayed by the commanding officer, to the officer assigned to execute the MIW. The commanding officer should assign a member of the Crisis Intervention Team (CIT), if readily available in the division, to retrieve the faxed Confirmation Data to Execute Mental Inquest Warrant form and attempt to locate the individual named on the form. Additional officers shall assist, as needed, or may be assigned to serve the warrant if a CIT officer is not readily available.
- Prior to serving the MIW, the officer shall complete the Risk Assessment Matrix Warrant Service form (LMPD# 05-0016). If the score is high enough to warrant Special Weapons and Tactics (SWAT) Team involvement, the officer shall contact his/her supervisor. The supervisor shall contact the division commander, who shall then request a SWAT Team response. A division commander may contact a SWAT Team commander even if the matrix score does not mandate SWAT Team involvement. All completed matrices shall be forwarded, through the officer's chain of command, to the appropriate Bureau or Patrol Services Commander. A copy of the matrix shall also be forwarded to the SWAT Team Commander (KACP 19.6d-e).
- If the score on the Risk Assessment Matrix does not require SWAT Team involvement, officers shall attempt to take the individual listed on the Confirmation Data to Execute Mental Inquest Warrant form into custody. If officers are unable to locate the individual on the first attempt, they shall periodically attempt to locate the individual during the remainder of their shift.
- During the assigned officer's shift, or immediately following the custodial detention of the individual, the original MIW shall be picked up at the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice.
- Warrants not served by the end of the shift shall be given to the shift supervisor, who shall forward the warrant, criminal history information and any other paperwork to the oncoming supervisor for attempted service by the next platoon.
- Once taken into custody, the individual shall be transported to University of Louisville Hospital, or another facility, as listed in the warrant. The officer shall give the individual a copy of the original MIW. Should the individual be taken into custody using the Confirmation Data to Execute Mental Inquest Warrant form, the officer must pick up the original MIW from the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice, to obtain a copy of the warrant.

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Subject: Mental Inquest Warrants	

## 10.6.1 MENTAL INQUEST WARRANT EXECUTION (CONTINUED)

- When a MIW has been served, officers shall return a copy of the MIW and a completed Uniform Citation to the Mental Inquest Division of District Court, located on the third floor of the Hall of Justice, between 0830 and 1630 hours, Monday through Friday. At all other hours, or when the Mental Inquest Division is closed, officers shall deliver the paperwork to the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice. Officers shall not forward MIW citations, or copies, to the Data Information Center or Technical Services.
- If a CIT officer takes the subject into custody, he/she shall complete a CIT Incident Report (LMPD# 03-08-0186) and forward it, through the chain of command, to the appropriate Bureau or Patrol Services Commander.
- Adult MIWs, not served within 30 days of issuance, shall be recalled and returned to the Mental Inquest Division of District Court, located on the third floor of the Hall of Justice, during regular business hours (between 0830 and 1630 hours, Monday through Friday). After regular business hours, unserved adult MIWs shall be returned to the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice.
- Juvenile MIWs, not served within 30 days of issuance, shall be recalled and returned to the Juvenile Office located on the second floor of the Hall of Justice, during regular business hours (between 0830 and 1630 hours, Monday through Friday). After regular business hours, unserved juvenile MIWs shall be returned to the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice.

## 10.6.2 MENTAL INQUEST WARRANT SERVICE DOCUMENTATION

The primary officer shall record all MIWs served, or those attempted to be served, in a log kept at the division/section/unit level. This log shall include:

- The name of the person on whom the warrant was served/attempted to be served (CALEA 74.1.2c).
- The date and time that the MIW was issued.
- The date and time that the MIW was served/attempted to be served (CALEA 74.1.2a).
- The name(s) of the officers serving/attempting to serve (CALEA 74.1.2b).
- The address of the service/attempt (CALEA 74.1.2e).
- The methods of service (CALEA 74.1.2d).
- The reason(s) that the service was not made (e.g. bad address, subject moved) (CALEA 74.1.2d).

## 10.6.3 DETENTION WITHOUT A MENTAL INQUEST WARRANT

Officers with reasonable grounds to believe that an individual is mentally ill and presents a danger, or threat, to himself/herself, or others, may take the subject into custody without a warrant, pursuant to KRS 202A.041 (CALEA 1.2.7). When available, a CIT officer shall respond to the scene and transport the person to University of Louisville Hospital. The completed Uniform Citation shall be delivered to the Criminal/Traffic Division of District Court, located on the first floor of the Hall of Justice. When a CIT officer is assigned, he/she shall

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Chapter: Arrests	
Subject: Mental Inquest Warrants	

## 10.6.3 DETENTION WITHOUT A MENTAL INQUEST WARRANT (CONTINUED)

complete a CIT Incident Report and forward it, through the chain of command, to the appropriate Bureau or Patrol Services Commander.

## 10.6.4 MENTAL INQUEST WARRANT REVIEW

Each division commander, or his/her designee, shall review all MIW logs periodically to ensure the active status and proper service of the MIW.

All recalled warrants shall be noted in the MIW logs listing the reason, date/time of the recall and the name and code number of the person recalling the warrant.

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Subject: Juvenile Public Offenders	

## 10.7 JUVENILE PUBLIC OFFENDERS (KACP 18.1)

### 10.7.1 DEFINITIONS

**Juvenile:** Any person under the age of 18.

**Public offense:** An offense that would be a crime, if committed by an adult.

**Custody:** Taking control of a child and holding them for a public offense investigation, for a period not to exceed two (2) hours.

**Retain:** Holding a child in custody, up to 12 hours, for processing purposes only. Processing includes, but is not limited to, identification, interviewing, fingerprinting, photographing, record checks, evidence collection and completing necessary paperwork. A Court Designated Worker (CDW) must be contacted for an extension after the first two (2) hours of that time.

**Detain:** To confine a child in a secure detention facility or shelter, in compliance with a valid court order.

### 10.7.2 TAKING JUVENILES INTO CUSTODY (KACP 1.6, 18.2, 18.4)

Officer discretion and applicable law shall be utilized when determining the need for charging a juvenile with a minor offense (CALEA 44.2.1a). When taking a juvenile into custody, officers shall immediately inform the juvenile of his/her constitutional rights (CALEA 44.2.2c, KACP 18.6a). Officers should also request that MetroSafe check for outstanding bench warrants or custody orders concerning the juvenile. The primary officer shall complete the Kentucky Uniform Citation, ensuring that the box marked juvenile has been checked at the top of the citation. Depending on the nature of the offense, members shall use one of the following acceptable options concerning the release, or detention, of a juvenile public offender:

- Release to a parent, guardian, adult relative or person exercising custodial control, or supervision, over the juvenile (CALEA 44.2.1a)
- Cite and release to a parent, guardian, adult relative or person exercising custodial control, or supervision, over the juvenile
- Cite and transport to YMCA Safe Place Services
- Transport to Louisville Metro Youth Detention Services (LMYDS)

### 10.7.3 CITE AND RELEASE TO PARENT (CALEA 44.2.1b, KACP 18.2, 18.3, 18.4)

Officers shall first consider citing and releasing juvenile public offenders to a parent, guardian, adult relative or person exercising custodial control, or supervision, over the juvenile, if the offense is a Class C felony or lower, except as listed in SOP 10.7.5, and non-violent in nature (refer to SOP 10.1).



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## **10.7.3 CITE AND RELEASE TO PARENT (CONTINUED)**

If the juvenile is released, the officer shall inform the parent, guardian or adult accepting responsibility that the child was cited and explain the specific charges against him/her. The individual assuming custody must sign the back of the first page of the citation. The officer shall explain that by signing for the release of the juvenile, the person assumes the responsibility for bringing the juvenile before the court at a future date of which he/she will be notified by mail.

Prior to submitting a juvenile Uniform Citation for approval and processing, the citing/arresting officer shall raise his/her right hand and shall swear before another officer, in-person, that "The information contained within the juvenile citation is correct." If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a Louisville Metro Police Department (LMPD) Oath Verification sticker applied to the front copy of the Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the following on the back of the citation, "Sworn to before me this (date) day of (month), (year)" with the witnessing officer's name and title below.

All original handwritten citations involving juveniles shall be sent to Technical Services, located at LMPD Headquarters, by the end of the officer's tour of duty. If the officer is off-duty, the citation(s) shall be forwarded by the end of his/her next tour of duty. The blue copy of the citation shall be sent to the Data Information Center by the end of the officer's tour of duty. If the officer is off-duty, the citation(s) shall be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding. The Data Information Center shall handle all records involving juveniles in accordance with state and federal statutes (KACP 18.9a, 18.10).

## **10.7.4 YMCA SAFE PLACE SERVICES (KACP 18.2, 18.4, 18.6b)**

If a parent, legal guardian or another responsible adult cannot be located or refuses to accept custody, and the requirements for detention at Louisville Metro Youth Detention Services (LMYDS) are not met, the preferred option shall be to transport the child to the YMCA Safe Place Services, located at 2400 Crittenden Drive. The original citation should be turned over to YMCA Safe Place Services personnel with the juvenile. The blue copy of the citation shall be forwarded to the Data Information Center by the end of the officer's tour of duty. If the officer is off-duty, the citation(s) shall be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding. Officers will retain the pink copy of the citation for their records. YMCA Safe Place Services will not accept a juvenile who has been charged with a firearm or drug trafficking offense. YMCA Safe Place Services personnel may refuse to accept a juvenile who is under the influence of drugs or alcohol, depending on the level of intoxication.

Prior to submitting a juvenile Uniform Citation to YMCA Safe Place Services, the citing/arresting officer shall raise his/her right hand and shall swear before another officer, in-person, that "The information contained within the juvenile citation is correct." If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a LMPD Oath Verification sticker applied to the front copy of the Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the

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## 10.7.4 YMCA SAFE PLACE SERVICES (CONTINUED)

following on the back of the citation, "Sworn to before me this (date) day of (month), (year)" with the witnessing officer's name and title below.

## 10.7.5 DETENTION FACILITY (KACP 18.2, 18.3)

Normally, juveniles charged with misdemeanor offenses will not be detained at LMYDS, unless they meet specific criteria or special circumstances. If release to a parent, legal guardian or another responsible adult is not possible, and release to YMCA Safe Place Services is not allowed, officers shall deliver juveniles taken into custody to LMYDS, located at 720 West Jefferson Street. The 24 hour phone number is (502) 574-6854. If the officer was unable to contact the parent or legal guardian, or if release to YMCA Safe Place Services is not allowed, he/she shall note the fact in the narrative section of the citation.

Prior to submitting a juvenile Uniform Citation to LMYDS, the citing/arresting officer shall raise his/her right hand and shall swear before another officer, in-person, that "The information contained within the juvenile citation is correct." If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a LMPD Oath Verification sticker applied to the front copy of the Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the following on the back of the citation, "Sworn to before me this (date) day of (month), (year)" with the witnessing officer's name and title below.

The original citation should be turned over to LMYDS personnel with the juvenile and the officer shall forward the blue copy of the citation to the Data Information Center by the end of their tour of duty. If the officer is off-duty, the citation shall be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding. Officers shall retain the pink copy of the citation for their records.

Pursuant to KRS 610.200(6), no juvenile age ten (10), or younger, shall be detained in a detention facility unless he/she has been charged with a Class B felony, or higher. Officers should contact a CDW for assistance with alternative methods of handling juveniles who are ten (10) years of age, or younger, and not eligible for detention.

Officers shall transport a juvenile to LMYDS, without delay, in the following situations (CALEA 44.2.2d):

- For all Capital, Class A and Class B felony offenses
- Arson First, Second or Third Degree
- Assault Second or Third Degree
- Burglary First or Second Degree
- Escape First or Second Degree
- Manslaughter Second Degree
- Rape Second or Third Degree
- Reckless Homicide

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## 10.7.5 DETENTION FACILITY (CONTINUED)

- Robbery Second Degree
- Sexual Abuse First Degree
- Sodomy First or Second Degree
- Unlawful Imprisonment First Degree
- Wanton Endangerment First Degree
- A juvenile charged with an offense in which a firearm, whether functional or not, was used
- A juvenile with a past history (within six (6) months) of failing to appear in court, with the exception of status offenders
- A juvenile taken into custody with multiple offenses, which would constitute felonies arising out of separate incidents
- A juvenile taken into custody within 30 days of a prior petition for a felony offense and the new offense is a felony
- Juveniles ordered held on a valid court order or warrant

Officers should contact a CDW or LMYDS if there is any question as to whether or not a juvenile will, or should be, detained on charges. The phone number at the CDW main office is (502) 595-0036. Office hours are from 0900 to 1600 hours Monday through Friday. The phone number at the CDW office at LMYDS is (502) 595-3330. Office hours are from 0830 to 1630 hours Monday through Friday. The after-hours number for the on-call worker is (502) 574-6854. If the child is not detained, the officer should refer to SOP 10.7.3, SOP 10.7.4 or, if applicable, SOP 10.7.7. LMYDS will refuse to accept a juvenile who is injured, intoxicated or who has stated that he/she has been drinking or using drugs. In such cases, the juvenile shall be taken to a medical facility where a parent, or legal guardian, will be needed to sign for treatment.

## 10.7.6 INTERVIEW AND INTERROGATION (CALEA 44.2.3, KACP 18.3)

If an officer takes, or receives, a juvenile into custody, the juvenile may be retained at a police facility, secure juvenile detention facility, juvenile holding facility, intermittent holding facility, youth alternative center, a non-secure facility or, as necessary, in a hospital or clinic for the following purposes:

- Identification and booking
- Notification of the parents or person exercising custodial control, or supervision, over the juvenile, an adult relative, guardian or other responsible person
- Photographing and fingerprinting
- Physical examinations, including examinations for evidence, evidence collection and scientific tests
- Record checks
- Determining whether the juvenile is subject to trial as an adult
- Other inquiries of a preliminary nature

The juvenile may be retained in custody, for investigative purposes, for a period of time not to exceed two (2) hours, unless a time extension is granted. Permission for a time extension may be granted by the court or CDW, and the juvenile may be retained in custody for up to ten (10) more hours. Officers needing an extension of time should contact LMYDS or MetroSafe to get phone numbers for CDWs. Any juvenile held in custody shall be

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## 10.7.6 INTERVIEW AND INTERROGATION (CONTINUED)

sight and sound separated from any adult prisoners held in secure custody at the same location. Juveniles shall not be handcuffed to, or otherwise securely attached to, any stationary object.

Questioning of a juvenile in custody shall be conducted pursuant to KRS 610.220. Questioning may be conducted at the following locations:

- At the scene
- While en route to LMYDS
- In a police facility or at the designated location at LMYDS (prior to being placed in the custody of LMYDS)
- At the juvenile's home or place of arrest

Prior to any custodial interrogation, the officer shall:

- Give a brief explanation of the department and juvenile justice system procedures to the juvenile and his/her parents or legal guardians (KACP 18.6c).
- Obtain a valid Miranda Rights Waiver form (LMPD #0006-96).
- Inform the juvenile that his/her parent, guardian or custodian shall be notified regarding the arrest and interrogation, and that the juvenile has a right to consult with an attorney and that an attorney may be appointed, by a judge, for the juvenile if he/she cannot afford one.
- Notify the juvenile's parent/legal guardian – Kentucky law only requires notification. Parents/legal guardians are not required to be present nor may they interfere with an interrogation (CALEA 44.2.2e).

Juvenile interrogation rules shall follow the same procedure as adult interrogation rules (refer to SOP 8.25).

Normally, no more than two (2) officers should simultaneously actively participate in an interview or interrogation. Exceptions shall be approved by a commanding officer and documented to the division/section/unit commander.

If a juvenile knowingly, intelligently and voluntarily waives his/her constitutional rights to remain silent, statements made by the juvenile will be admissible in court. However, juvenile confessions may be suppressed if the juvenile's rights are not adequately protected during interrogation (e.g. excessive number of officers present, threats, promises, hostile environment). Officers should ensure that the juvenile's rights are adequately protected and that the interrogation environment is non-coercive.

Physical evidence related to juvenile public offenses shall be collected and utilized in the same manner as it is in adult criminal investigations. If resistance from a parent or legal guardian is encountered when attempting to fingerprint, or photograph, a juvenile in his/her home based on probable cause, the officer shall obtain a court order before proceeding. All records and physical evidence so obtained shall be surrendered to the court upon motion for good cause shown or upon elimination of the juvenile as a suspect in the case.

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## **10.7.7 JUVENILE PETITION (CALEA 44.2.1c, KACP 18.3)**

Officers may apply for a juvenile petition in lieu of taking a juvenile into custody. A juvenile petition may be taken at Juvenile Services, located at 429 W. Muhammad Ali Blvd., 3<sup>rd</sup> floor. If the juvenile is to be charged with a felony, supervisory approval must be obtained prior to releasing the child and filing the petition (refer to SOP 10.1). In order to ensure proper legal service, all juvenile petitions and citations shall contain (within the narrative section of the Uniform Citation) the name, age and address of the child and the name and address of the parents/legal guardian, or the nearest adult relative, of the child.

## **10.7.8 DRIVING UNDER THE INFLUENCE (DUI) (KACP 18.3, 23.1d)**

Juveniles taken into custody for DUI shall be transported to Metro Corrections for breath analysis testing. Officers requesting juveniles to submit to blood or urine tests shall take the juvenile to Kosair Children's Hospital for the specimen collection (refer to SOP 7.6). After the requested tests have been completed, the officer shall deliver the child to either a parent or legal guardian, or a medical facility where a parent or legal guardian will be needed to sign for treatment.

## **10.7.9 MENTAL INQUEST WARRANTS (KACP 1.6, 18.3)**

A Mental Inquest Warrant (MIW) issued for a juvenile shall be handled in the same manner as a MIW issued for an adult (refer to SOP 10.6). The transporting officer shall deliver the juvenile to the facility designated on the warrant. During normal business hours, the officer shall return the pertinent paperwork to the Juvenile Division of District Court. Outside of normal business hours, the paperwork shall be turned in to the Traffic/Control counter at the Hall of Justice, the same procedure as with adult MIWs (refer to SOP 10.6).

## **10.7.10 DOMESTIC VIOLENCE (KACP 18.3, 30.1)**

Officers shall handle juvenile perpetrators of domestic violence in the same manner as adult perpetrators. Juveniles should not be released at the scene; they shall be taken into custody under the provisions of the Juvenile Code, with the exception of juveniles age ten (10) or younger (refer to SOP 10.7.5).

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Chapter: Arrest	
Subject: Juvenile Status Offenders	

## 10.8 JUVENILE STATUS OFFENDERS

### 10.8.1 DEFINITIONS

**Status Offender:** A juvenile who commits an act, which, if committed by an adult, would not be a crime. Such behavior shall not be considered criminal or delinquent and such juveniles shall be termed status offenders. The following shall be considered status offenses:

- **Habitual truant:** A juvenile who has been found by the court to have been reported as absent from school or tardy, without a valid excuse, for three (3) days or more, two (2) or more times during a one (1) year period (KRS 159.150).
- **Habitual runaway:** A juvenile who has been found by the court to have been absent from his/her place of lawful residence, without the permission of his/her custodian, for at least three (3) days during a one (1) year period.
- **Beyond the control of parents or school:** A juvenile who has repeatedly failed to follow the reasonable directives of his/her parents, legal guardian or person exercising custodial control or supervision, other than a state agency, and whose behavior results in a danger to himself/herself or others and whose behavior does not constitute behavior that would warrant the filing of a petition under KRS 645.040.
- **Tobacco offender:** A juvenile who purchases or receives, or attempts to purchase or receive, tobacco products, or who presents false identification in order to purchase or receive tobacco products (KRS 438.305 to 438.340).
- **Alcohol offender:** A juvenile who possesses or purchases alcohol, or presents false identification in order to purchase alcohol (KRS 244.085).

**Non-offender:** A juvenile alleged to be dependent, neglected or abused and who has not been otherwise charged with a status or public offense (KRS 600.020).

### 10.8.2 STATUS OFFENDERS (CALEA 44.2.2a, KACP 18.5a)

A status offender may be taken into custody:

- Pursuant to a court order; or
- If there are reasonable grounds to believe that the juvenile has been a habitual runaway from his/her parents or person exercising custodial control or supervision of the juvenile, the officer may take the child to the Louisville Metro Youth Detention Services (LMYDS), located at 720 West Jefferson Street (refer to SOP 10.7.5).

If a juvenile has not committed a public offense or the situation does not fall into one of the two categories listed, an officer should refer the complainant to a Court Designated Worker (CDW). Officers may request that MetroSafe contact an on-call CDW. If a status offender has no medical problems, an officer must, within two (2) hours, deliver the status offender to a CDW or release the child to a parent, adult exercising custodial control or

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## 10.8.2 STATUS OFFENDERS (CONTINUED)

a responsible adult. Upon this release, the officer should forward the original handwritten paperwork to Technical Services, located at Louisville Metro Police Department (LMPD) Headquarters. The blue copy shall be forwarded to the Data Information Center. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding. An officer may also deliver the child to a CDW with a Uniform Citation and the CDW will determine the appropriate placement for the status offender. The original paperwork shall be forwarded to Technical Services. The blue copy shall be forwarded to the Data Information Center. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding

Under no circumstances should a status offender be placed in a station holdover or transported with adult offenders.

Non-offenders and juveniles charged with curfew violations shall not be detained in a secure juvenile detention facility or a juvenile holding facility, nor shall they be placed in a station holdover or transported with adult offenders.

## 10.8.3 TRUANCY AND CURFEW VIOLATIONS

Officers shall be familiar with, and enforce, the Metro Truancy and Curfew Ordinances. Officers shall refer to the Louisville-Jefferson County Metro Government Code of Ordinances, TITLE XIII, Chapter 137 Juvenile Offenses, for the Curfew Ordinance and School Attendance Requirements. Officers cannot detain a juvenile if the juvenile chooses to leave during an investigation of these ordinances unless the officers have probable cause (e.g. Terry Stop), or there is a public offense with which to charge the juvenile. Officers obtaining information from a juvenile about either ordinance violation shall complete the Field Interview form.

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	Accreditation Standards: CALEA: 82.1.2 KACP: 18.8, 18.9, 18.10, 26.1
Chapter: Arrest	
Subject: Juvenile Evidence and Records	

## 10.9 JUVENILE EVIDENCE AND RECORDS (KACP 26.1)

### 10.9.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to ensure the security and confidentiality of juvenile records and case files. Juvenile evidence and records shall be used for official purposes only.

### 10.9.2 JUVENILE EVIDENCE (KACP 18.8, CALEA 82.1.2b)

Pursuant to Kentucky Revised Statute (KRS) 610.300, physical evidence shall be obtained and utilized in the investigation of public offenses involving children in the same manner as it is obtained and utilized in the investigation of public offenses involving adults. Fingerprints, photographs and other forms of juvenile identification shall be used for official purposes only. These forms of evidence shall be included in case files until utilized.

Photographs and fingerprints of juveniles taken by the LMPD shall be kept only in the division/section/unit investigative file and/or secured in the Property Room until utilized in an investigation, court case, etc.

### 10.9.3 JUVENILE RECORDS

Kentucky Revised Statutes (KRS 610.330) and the Commonwealth of Kentucky Records Retention Schedule dictate that juvenile evidence and records are subject to expungement by court order or by the offender reaching the age of 18 (CALEA 82.1.2d-e, KACP 18.9b-c). To ensure the LMPD's ability to comply with expungement requirements, the administrative sergeant in each division/section/unit shall be responsible for the collection, dissemination and retention of juvenile records (KACP 18.10). The LMPD divisions/sections/units shall separate juvenile case files from adult case files (CALEA 82.1.2a, KACP 18.9a). Divisions/sections/units shall also separate open juvenile case files and closed juvenile case files. These files shall be stored in a secure locked file cabinet (CALEA 82.1.2c).

Case files shall be kept within each division/section/unit until the juvenile has reached the age of 18. At that time, any case files that have not been previously expunged, pursuant to court order under KRS 610.330, shall be transferred to the Inspections and Compliance Unit (ICU) (refer to SOP 1.8.5). Files must be separated by date of birth, with the date of birth of the suspect and "JUVENILE" marked on the front of each case jacket (CALEA 82.1.2a). The ICU shall be responsible for boxing and transferring the juvenile files to Louisville Metro Archives. A Records Transmittal Form shall be attached to the files upon transfer to Metro Archives. A detailed list of the contents of each archived box of juvenile files shall be made and kept by ICU. Each box shall be eligible for destruction at the end of the year of which the last person in the box turns 23.

Pursuant to the Commonwealth of Kentucky Records Retention Schedule, juvenile files shall be stored until the defendant reaches the age of 23. Metro Archives shall send an annual Destruction Eligibility List to the ICU for approval and the files shall then be expunged (CALEA 82.1.2d, KACP 18.9c). A 30-day review period shall be granted prior to the destruction of the documents. If the archived items need to be maintained beyond the approved retention period, a written reason for the "destruction hold" must be submitted to Metro Archives prior



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## 10.9.3 JUVENILE RECORDS (CONTINUED)

to the end of the 30-day review period. A failure to send a written reason within the 30-day review period shall signify an "assumed approval" for the destruction.

When the boxes are destroyed, Metro Archives shall generate a Destruction Certificate that lists the number of boxes destroyed per record series (e.g. number of boxes of juvenile investigation files, number of boxes of citizen complaint files, etc.) and the date range of each series. The original Destruction Certificate shall be sent to the Kentucky Department for Libraries and Archives. A copy of the Destruction Certificate can be requested by the department.

These procedures do not apply to cases where a juvenile is tried as an adult and child abuse cases where a juvenile is a suspect. These case files may be treated the same as adult case files and kept 80 years pursuant to the Commonwealth of Kentucky Records Retention Schedule. Traffic offenses and accidents are also excluded. Divisions/sections/units are prohibited from keeping copies of juvenile citations not included in case files (e.g. citation arrest for possession of marijuana), unless there are open charges against the juvenile.

Juvenile records shall not be open to public scrutiny, pursuant to KRS 610.320 and KRS 610.340. Pursuant to KRS 610.340, juvenile records shall only be accessed by personnel involved in an investigation and/or on a need-to-know basis only (CALEA 82.1.2c, KACP 18.9d).

## 10.9.4 ELECTRONIC RECORDS

The same policies relating to case files also apply to electronic records stored in the I/Leads Records Management System (RMS). Juvenile I/Leads RMS entries are segregated from adult entries (CALEA 82.1.2a, KACP 18.9a). Juvenile electronic records are accessible in the I/Leads RMS until the subject of the I/Leads RMS entry reaches the age of 23 (CALEA 82.1.2d). The I/Leads RMS record of a subject between the ages of 18 and 23 shall be expunged if ordered by the courts, pursuant to KRS 610.330 (CALEA 82.1.2d-e, KACP 18.9b). When the subject of the record reaches the age of 23, the record shall be deleted in accordance with the Commonwealth of Kentucky Records Retention Schedule (KACP 18.9c).

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## 11.1 CONFISCATION/FORFEITURE OF PROPERTY (KACP 30.3)

### 11.1.1 STATUTORY AUTHORITY

The Kentucky Revised Statutes (KRS) subject certain property to forfeiture, such as:

- Contraband (KRS 218A.410)
- Property used in the commission or furtherance of certain crimes (KRS 514.130)

### 11.1.2 DOCUMENTATION FOR ASSET AND VEHICLE FORFEITURE

There are occasions in which officers may seize personal property, including money and vehicles. In these instances, officers shall complete and email a Request for Forfeiture form (LMPD #03-11-0071) prior to the end of their tour of duty according to the procedures outlined below. The officer must articulate probable cause for the seizure, including facts connecting the seized assets to the offense.

### 11.1.3 ASSET FORFEITURE

If a seizing officer intends to seek forfeiture of property, excluding motor vehicles and other conveyances, which are covered in SOP 11.1.5, the officer shall:

- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.
- The commanding officer shall review and initial the paper copy of the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form shall be distributed as follows:
  - A copy of the form shall be maintained in division/section/unit files.
  - The original form shall be sent to the Legal Advisor's Office for final review.

The Legal Advisor shall review the Request for Forfeiture form to determine if sufficient probable cause exists to justify the seizure. If the forfeiture is approved, the form shall be returned to the division/section/unit commander, who shall provide the investigating officer with the original form for submission to the appropriate prosecutor. If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer shall have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

If the Request for Forfeiture form does not adequately articulate probable cause for the seizure, the Legal Advisor may return the form to the division/section/unit commander with a request that the investigating officer supplement the probable cause statement. The Legal Advisor shall address any questions from the investigating officer concerning the information needed for supplementing the probable cause statement. If the seizing officer is unable to adequately supplement the statement, or the Legal Advisor determines that the property is not subject to

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## 11.1.3 ASSET FORFEITURE (CONTINUED)

forfeiture, the investigating officer shall immediately dispose of the property in accordance with SOP 11.6.2, if it is no longer needed for evidentiary purposes.

The Property Room shall be responsible for notifying the owner of the property that is being released (CALEA 84.1.1g).

At the conclusion of a case where seized property is approved for forfeiture, the officer shall request that the prosecutor obtain a written court order specifying that the forfeited property be delivered to the Louisville Metro Police Department (LMPD). If the forfeiture is approved, the officer shall immediately send or deliver the signed court order to Asset Forfeiture, located at 810 Barret Ave, 4<sup>th</sup> floor. Asset Forfeiture shall be responsible for forwarding a copy of the signed court order to the Property Room and the Office of Management and Budget (OMB) Compliance Office, located at 611 West Jefferson Street.

If the forfeited property involved is currency, the OMB Compliance Office shall then contact the Property Room to coordinate the execution of the court order. The OMB Compliance Office shall be responsible for the appropriate distribution of the forfeited funds to the County Attorney's Office, the Office of the Commonwealth's Attorney or any third party named in a court order, pursuant to statute. The funds shall be placed in the appropriate asset forfeiture fund on Louisville Metro's accounting books.

In cases where there is sufficient evidence that property is subject to forfeiture, but for technical or unusual reasons the criminal case is dismissed or the defendant is acquitted, civil action for the forfeiture of property may be considered.

## 11.1.4 DEADLY WEAPONS

Whenever a deadly weapon is used in the commission of a crime, it shall be seized and placed into property according to Property Room procedures. Upon conviction of a person for the violation of any KRS in which a deadly weapon was used, displayed or unlawfully possessed, the court shall order the weapon forfeited to the state and sold, destroyed or otherwise disposed of, in accordance with KRS 500.090. It is the responsibility of the officer investigating the case to advise the prosecutor of the department's intention to seek forfeiture of the weapon.

## 11.1.5 MOTOR VEHICLES AND OTHER CONVEYANCES

All vehicles that are used in violation of applicable statutes, if seized, shall be impounded at the Vehicle Impoundment Lot, located at 1487 Frankfort Avenue. Upon vehicle impoundment, if the seizing officer intends to seek forfeiture of a vehicle or other conveyance, he/she shall:

- Note "**Vehicle seized for forfeiture**" in the block for vehicle holds on the Parking Citation and on the LMPD Vehicle Hold form (LMPD #05-0019).
- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.

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### 11.1.5 MOTOR VEHICLES AND OTHER CONVEYANCES (CONTINUED)

- The commanding officer shall review and initial the paper copy of the form and forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form shall be distributed as follows:
  - A copy of the form shall be maintained in division/section/unit files.
  - The original form shall be sent to the Legal Advisor's Office for final review.

The Legal Advisor shall review the Request for Forfeiture form to determine if sufficient probable cause exists to justify the seizure. If the forfeiture is approved, the form shall be returned to the division/section/unit commander, who shall provide the investigating officer with the original form for submission to the appropriate prosecutor. If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer shall have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

If the Request for Forfeiture form does not adequately articulate probable cause for the seizure, the Legal Advisor may return the form to the division/section/unit commander with a request that the investigating officer supplement the probable cause statement. The Legal Advisor shall address any questions from the investigating officer concerning the information needed for supplementing the probable cause statement. If the seizing officer is unable to adequately supplement the statement, or the Legal Advisor determines that the vehicle is not subject to forfeiture, the vehicle shall be released. Unless the vehicle is being held for some other lawful reason, once it is determined that it will not be subject to forfeiture, the investigating officer shall immediately remove the hold on the vehicle by completing a Hold Release/Transfer/Continue form (LMPD #06-0052) and forwarding it to Asset Forfeiture.

If the vehicle is approved for forfeiture, the seizing officer shall be responsible for pursuing the vehicle's forfeiture along with the prosecution of the criminal offense. Any court documents necessary for forfeiture shall be prepared by the prosecutor, who shall supply the seizing officer with a court order to be signed by the court and returned, by the officer, to Asset Forfeiture following case disposition. Asset Forfeiture shall provide a copy of the order to the OMB Compliance Office.

Asset Forfeiture shall provide a copy of the court order, along with a Request for Mechanical Inspection form (LMPD #04-11-0072), to Metro Fleet Services. Metro Fleet Services shall inspect the vehicle, assess its mechanical condition and determine whether the vehicle should be retained for use in the fleet, disposed of at auction or have the seizure/forfeiture terminated due to its unacceptable condition, excessive lien or other circumstances.

Metro Fleet Services shall prepare and process the required title transfer documents and shall notify the Assistant Chief of Police/Administrative Bureau when the vehicle is ready for service, if it is to be retained as a fleet vehicle. Assignment of the vehicle is at the discretion of the Assistant Chief of Police/Administrative Bureau and will be based on the needs of the department.

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### 11.1.6 COMPUTER EQUIPMENT (CALEA 83.2.5)

Whenever computers or computer-related equipment are used in the commission of a crime, the items may be seized and placed in the Property Room. If the investigating officer is seeking the forfeiture of such items, he/she shall follow normal forfeiture procedures outlined in this SOP.

Officers seizing computers and computer-related equipment requiring forensic examination shall complete the Kentucky Regional Computer Forensics Laboratory (KRCFL) Service Request form (RCFL-101) and forward it to the KRCFL.

If the forfeiture of the computer or computer-related equipment is granted, the officer shall complete the Request for Inspection of Forfeited Computer form (LMPD #05-11-0172) and forward it to Metro Technology Services (MTS).

The MTS Director shall complete an assessment of the items to determine whether the computer or computer-related equipment complies with established standards (refer to SOP 4.20) and shall recommend whether it should be retained for use by the department.

If the MTS Director approves the computer or computer-related equipment for departmental use, the priority placement of the items shall be designated as follows:

- Metro Technology Services (MTS)
- Kentucky Regional Computer Forensics Laboratory (KRCFL)
- The seizing officer's division/section/unit
- Other divisions/sections/units

If the forfeited computer or computer-related equipment does not meet the established MTS standards, it will be sold at auction or properly destroyed.

If the computers or computer-related equipment are not forfeited, the items shall be released according to outlined procedures (refer to SOP 11.6.2).

### 11.1.7 MISCELLANEOUS PROPERTY

Whenever an officer wishes to secure the forfeiture of seized property other than items previously mentioned, he/she shall:

- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.
- The commanding officer shall review and initial the paper copy of the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form shall be distributed as follows:
  - A copy of the form shall be maintained in division/section/unit files.
  - The original form shall be sent to the Legal Advisor's Office for final review.

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## 11.1.7 MISCELLANEOUS PROPERTY (CONTINUED)

If the forfeiture is approved by the Legal Advisor's Office, the officer shall:

- Request the prosecutor to make a motion for forfeiture after the disposition of the case.
- Return the completed court order to Asset Forfeiture, who shall provide a copy of the court order to the Property Room and the OMB Compliance Office.

If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer shall have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

## 11.1.8 NARCOTICS-RELATED CURRENCY

Whenever an officer secures narcotics-related currency, he/she shall:

- Complete and print two (2) paper copies of the Request for Forfeiture form (LMPD #03-11-0071), using a Mobile Data Terminal (MDT) or a computer in the Property Room, prior to placing the currency in the Property Room.
  - Give one (1) paper copy to the Property Room clerk, who shall forward it to the Property Room command staff for monitoring purposes.
  - Give the second paper copy to his/her commanding officer for review and forwarding.
  - Email the form to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- The commanding officer shall review and initial the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form shall be distributed as follows:
  - A copy of the form shall be maintained in division/section/unit files.
  - The original form shall be sent to the Legal Advisor's Office for final review.

If the forfeiture is approved by the Legal Advisor's Office, the officer shall:

- Request the prosecutor to make a motion for forfeiture after the disposition of the case.
- Return the completed court order to Asset Forfeiture, who shall provide a copy of the court order to the Property Room and the OMB Compliance Office.

If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer shall have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

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## 11.1.9 DISCLAIMER OF OWNERSHIP

In cases where property, including currency, has been lawfully seized, and the person who was in physical control of the property at the time of the seizure denies ownership, the seizing officer shall request that the subject sign a Disclaimer of Ownership form (LMPD #09-0001). If the property was in the joint possession of more than one (1) person at the time of the seizure, each person shall be asked to sign a separate form. Completing the form may prevent an individual from later making a legal claim of ownership of the seized property and will serve as an acknowledgment that the property was in their possession at the time that it was seized.

## 11.1.10 DISPOSITION OF FORFEITED PROPERTY

Forfeited property awarded to the department shall be considered property for official use and shall be used at the discretion of the Chief of Police. Divisions/sections/units requesting the official use of forfeited property shall complete the Request for Official Use of Forfeited Property form (LMPD #05-11-0289) and forward it, via the appropriate chain of command. If approved, the property shall be included in the division's/section's/unit's inventory for tracking purposes. Forfeited property that is deemed inappropriate for official use shall be sold at auction or properly destroyed.

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## 11.2 GENERAL GUIDELINES

### 11.2.1 PROPERTY

The Louisville Metro Police Department (LMPD) Property Room shall accept the following types of property (KACP 27.2, 27.4):

- **Found property:** The initiating member shall make reasonable efforts to determine the owner and release the property in lieu of it being placed in the Property Room (CALEA 84.1.1f). A preliminary incident control number (ICN) is required for all items to be deposited into the Property Room.
- **Items of value from an impounded vehicle**
- **Personal property/valuables of collision victims:** The officer should make every effort to return property to the owner. Only if the victim is unable to exercise custody and control should the property be placed in the Property Room.
- **Personal property of prisoners:** Louisville Metro Department of Corrections (LMDC) will not accept items such as weapons, illegal items or large items such as bicycles, backpacks, bags of clothing or blankets. LMDC does accept small items such as keys, purses, currency, I.D. cards, properly labeled prescription medicine, etc. The initiating member should book these items at the LMDC facility with the prisoner. The Property Room will accept items of personal property that LMDC refuses to accept. Members should advise the owners that personal property may be claimed at the Property Room, Monday through Friday from 0730 until 1730 hours.
- **Evidence:** Seizure of items of evidence shall be consistent with governing statutes. When possible, members should document the evidence at the scene and use discretion as to whether the evidence should be collected and placed in the Property Room.
- **Property for safekeeping:** Pursuant to KRS 95.435, this is "property taken from persons supposed to be insane, intoxicated or otherwise incapable of taking care of themselves."

The Property Room shall **not** accept the following types of property:

- **Motor vehicles:** Motor vehicles are to be taken to the Vehicle Impoundment Lot where their records will be maintained. The vehicles shall be stored and released from this location.
- **Trailers designed to be towed behind a vehicle:** These items are to be taken to the Vehicle Impoundment Lot where they will be stored and released.
- **Fossil fuel/flammable powered equipment:** Fossil fuel powered equipment (e.g. walk behind lawnmowers, weed eaters, leaf blowers, chain saws, go-carts, etc.) shall be brought to the Property Room by the member. The item shall be entered into the I/Leads Records Management System (RMS) and then transported to the Vehicle Impoundment Lot, by the member, for storage. Gasoline and other fossil fuel storage containers shall be handled in the same manner. The Property Room is responsible for maintaining records of this equipment and releasing it. A Property Room supervisor shall be notified of needed access to the Vehicle Impoundment Lot's shed by Property Room personnel. Items of this nature cannot be stored inside the Property Room due to Occupational Safety and Health Administration (OSHA) and fire code regulations.



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## 11.2.1 PROPERTY (CONTINUED)

If the item has been listed as stolen, the member is encouraged to notify the owner to pick it up and to photograph the item and upload the image in the Digital Image Management System (DIMS) for evidentiary purposes.

- **Explosives:** Explosives shall not be accepted by the Property Room for storage. All explosives shall be examined by a member of the Bomb Squad and transported to the explosives bunker for storage by a Bomb Squad member.
- **Biohazard/DNA evidence that is wet or not prepackaged:** These items shall be stored at the Crime Scene Unit (CSU) until dry. Once packaged by CSU personnel, the items shall be delivered to the Property Room by the CSU technician.
- **Food items:** In cases of theft, shoplifting, etc., food items should be photographed and released to the owner. These items shall not be stored in the Property Room.
- **Unsealed cans, bottles or coolers containing ice or liquid:** Photograph the original container and, if testing is required on any liquid, only the amount required for testing shall be accepted. Sterile containers are maintained in the Property Room in order to collect samples for testing.
- **Animals:** All animals are to be taken to Metro Animal Services, located at 3705 Manslick Road.
- **Unknown chemical substances:** Chemicals shall not be accepted unless the member has had the substance identified, properly packaged the substance to comply with Environmental Protection Agency (EPA) and OSHA regulations and weighed the substance prior to having packaged it. Only the amount necessary to be tested shall be accepted. A Property Room supervisor shall immediately be notified to place the item(s) in the chemical locker.
- **Pressurized containers containing hazardous materials:** The contents of any pressurized containers that are unmarked, or appear to have been tampered with, must be tested prior to being brought to the Property Room. Cylinders or tanks that are unmarked, or appear to have been tampered with, shall not be accepted by the Property Room (refer to SOP 11.4, and SOP 12.4). If a cylinder or tank is connected to a grill or other device, the cylinder or tank may be removed from the device and the grill or other device can then be stored in the Property Room. If the cylinder or tank is clearly marked and has no apparent signs of having been tampered with, the Property Room shall accept it. It shall be stored with the fossil fuel (flammable) equipment stored at the Vehicle Impoundment Lot. These items shall be handled in the same manner as gas powered equipment.
- **Firearms that are loaded with ammunition:** Firearms shall not be accepted until the depositing member can demonstrate to the Property Room clerk that the weapon is not loaded. Bullet traps are located in the member's lobby for this purpose. Eye and ear protection is available for the clerk and the member (refer to SOP 11.4.2).
- **Human remains:** These items shall be retained by the Jefferson County Coroner's Office.

## 11.2.2 EVIDENCE PROCEDURES

Evidence shall be properly collected, accurately documented and secured, thereby keeping the chain of evidence short and the integrity of the chain complete (CALEA 42.2.1c, 83.2.1, KACP 27.1). The chain of evidence begins with the seizing member.

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## 11.2.2 EVIDENCE PROCEDURES (CONTINUED)

The chain shall be kept as short as possible and shall be thoroughly and accurately documented on the property voucher (CALEA 84.1.1c). Items requiring lab analysis or processing must be placed in separate packages (CALEA 83.2.1).

At no time shall any evidence be left unsecured until the evidence has been turned over to the Property Room.

Evidence shall only be handled by more than one (1) member when:

- Several items of evidence have been collected and a commanding officer has authorized one (1) or more members to transport all of the evidence to the Property Room.
- An officer is assigned to log-in evidence during the service of a search warrant.

The seizing member or technician shall transport the physical evidence to the Property Room as soon as possible before the end of his/her tour of duty (CALEA 84.1.1b).

## 11.2.3 DOCUMENTARY EVIDENCE

Documentary evidence including, but not limited to, written statements, court ordered records, Miranda Rights Waiver form (LMPD #0006-96), photo-packs and identification forms may be retained in the member's case file, if the case files are stored in a secured area. These items may be scanned and stored electronically as attachments in the I/Leads RMS, but shall be placed in the Property Room if a secure area for case file storage is not available in the member's division/section/unit (CALEA 84.1.2).

## 11.2.4 DIGITAL IMAGE EVIDENCE (CALEA 83.2.2, 83.2.4b)

Any property that is recovered as evidence, pursuant to offenses defined in KRS Chapter 514 (Theft and Related Offenses) or KRS Chapter 515 (Robbery), where the property has been obtained unlawfully or unauthorized control of the property has been exerted, should be processed in accordance with the following guidelines, except as stated in SOP 11.2.5:

- Members should photograph recovered property that is likely to spoil or ruin if deposited into evidence and arrange for its immediate return to the rightful owner.
- Recovered stolen items that are unusually bulky, large or are unnecessary to hold for evidentiary purposes, should be photographed and released to the owner as soon as possible.
- Any property that is recovered by store personnel in shoplifting cases, prior to the member's arrival, may remain in the custody of the business. It is at the member's discretion if photographs need to be taken. Items must be properly described in all reports.
- Any property in a shoplifting case, which is recovered by the member away from the business and has been out of the control/custody of the business, may be released after photographing the property.

Photographed items should be properly described and all owners identified in all reports.

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## 11.2.4 DIGITAL IMAGE EVIDENCE (CONTINUED)

KRS 422.350 states that in a prosecution of any offense covered in KRS Chapter 514 (Theft and Related Offenses) and Chapter 515 (Robbery), the court shall receive as competent evidence a photograph of property over which the accused is alleged to have exerted unauthorized control of if:

- The photograph will serve the purpose of demonstrating the nature and identity of the property; and
- Is otherwise admissible into evidence under all other rules of law governing the admissibility of photographs into evidence. The member will have to testify to the authenticity of the picture, including the date, time, etc., just as he/she would if the item had been collected as evidence.

According to KRS 422.350, if photograph(s) of evidence are found to be competent, it is admissible into evidence in place of the property and to the same extent as the property. The evidence does not have to be proven to be impractical to introduce into evidence for reason of size, weight or unavailability in order to use a photograph in its place.

All digital evidence, for discovery purposes, should only be released to the Office of the Commonwealth's Attorney, the U.S. Attorney or the Jefferson County Attorney's Office.

Digital images taken by LMPD members, for law enforcement use, shall reside in the main Digital Image Management System (DIMS) server located at the Photo Lab (refer to SOP 4.26).

## 11.2.5 EVIDENCE REQUIRING SPECIAL HANDLING (KACP 27.1)

Evidence that requires special handling shall be processed in compliance with SOP 11.4. Examples of evidence that would require special handling include, but are not limited to:

- Evidence that requires drying
- Firearms
- Sharps
- Vehicles
- Combustible articles
- Digital images
- DNA evidence
- Hazardous materials

## 11.2.6 PLACING EVIDENCE IN THE PROPERTY ROOM

Sworn members, Police Report Technicians (PRTs) and CSU technicians shall transport evidence to the Property Room by the end of their tour of duty. Property Room personnel shall be responsible for entering evidence information into the I/Leads RMS for evidence deposited by sworn members and PRTs.

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## 11.2.6 PLACING EVIDENCE IN THE PROPERTY ROOM (CONTINUED)

CSU technicians, using the I/Leads RMS, shall create an evidence voucher for evidence they are depositing into the Property Room, prior to submission. Refer to the I/Leads Manual for the proper procedures on entering this information into the system.

All evidence requires an ICN.

Stolen, found, recovered and evidentiary property files shall be maintained in the Property Room, via the I/Leads RMS, by using unique serial numbers (CALEA 82.3.2c).

Kentucky Revised Statute (KRS) 422.350 allows evidence to be photographed for prosecution of offenses defined in KRS 514 (Theft and Related Offenses) and 515 (Robbery). Once photographed, the property may be returned to the owner (refer to SOP 4.26.3).

## 11.2.7 EXCULPATORY EVIDENCE

Exculpatory evidence is any evidence that points or might point toward a defendant's innocence. Prosecutors are required to automatically hand over such evidence to the defense, even if the defense doesn't request it. A showing that this rule was violated can sometimes result in a conviction being reversed. Exculpatory evidence includes, but is not limited to, the following:

- A written or verbal statement from a person, other than the defendant/suspect, admitting or implying that he/she or someone other than the defendant/suspect committed or might have committed the crime.
- Physical evidence, no matter the type, that would tend to indicate that the defendant/suspect did not or might not have committed the crime.

Due to the United States Supreme Court ruling in the case of Brady v. Maryland, 373 U.S. 83 (1963) and the United States Sixth Circuit Court of Appeals ruling in the case of Elkins v. Summit County, Ohio, 615 F.3d 671 (6th Cir. 2010), law enforcement members are held to the same legal standard as prosecutors, related to the surrendering of exculpatory evidence to a defendant's/suspect's counsel. Members are required to surrender any exculpatory evidence in their possession, or which they have knowledge of, in writing, to the appropriate prosecutor. Members shall record, in their case notes, the nature of the exculpatory evidence and when it was surrendered to the prosecutor.

Knowingly failing to surrender exculpatory evidence exposes the department and the member to legal liability for violating the due process rights of the defendant/suspect.

## 11.2.8 OPERATOR'S LICENSES AND MOTOR VEHICLE REGISTRATION PLATES

Any operator's license which has been suspended or revoked by court order, or by the Kentucky Transportation Cabinet, may be seized from a driver still in possession of the license. If the driver is cited for driving with a suspended or revoked operator's license and a license is seized, the officer shall state in the narrative of the

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	Accreditation Standards: CALEA: 42.2.1, 82.3.2, 83.2.1, 83.2.2, 83.2.4, 84.1.1, 84.1.2 KACP: 27.1, 27.2, 27.4
Chapter: Evidence and Property	
Subject: General Guidelines	

## 11.2.8 OPERATOR'S LICENSES AND MOTOR VEHICLE REGISTRATION PLATES (CONTINUED)

citation that the operator's license was seized. Officers shall immediately forward the seized operator's license, via interdepartmental mail, to the NCIC.

Motor vehicle registration plates recovered or seized shall be checked through LINK and the I/Leads RMS to determine if they are stolen or wanted for any other reason (e.g. used in commission of a crime). Reports related to stolen and/or wanted plates shall be cleared in the I/Leads RMS and the NCIC shall be immediately notified of the recovery. In cases where the seizure of a motor vehicle registration plate is related to the arrest of an individual and/or the plate is considered evidence of a crime, the plate shall be deposited as evidence in the Property Room. The NCIC shall be advised if the plate is deposited into the Property Room. If the seizure of the motor vehicle registration plate, including a stolen plate, is unrelated to a charged offense it shall be forwarded through interdepartmental mail to the NCIC, after notifying them of the recovery.

Under no circumstances shall an operator's license or motor vehicle registration plate be seized and retained in a departmental vehicle.

## 11.2.9 SAFEGUARDING OF EVIDENCE AND PROPERTY

Members taking control of evidence or personal property in the course of their official duties (e.g. investigation, arrest) shall safeguard the evidence or personal property while it is in their custody. All evidence and/or personal property shall be returned to the owner, deposited into the Property Room or delivered, with the arrested subject, to jail.

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	Accreditation Standards: CALEA: 84.1.1 KACP: 27.4
Chapter: Evidence and Property	
Subject: Seizure of Currency	

## 11.3 SEIZURE OF CURRENCY (KACP 27.4)

### 11.3.1 PROCEDURES

The following procedures shall be followed when an officer has evidence in the form of currency to be placed in the Property Room:

1. When an officer locates currency, he/she shall immediately request another officer to act as a witness to the discovery. At a minimum, two (2) officers shall be present when processing seized currency. If officers believe the amount of currency to be seized is in excess of \$25,000, officers shall contact their supervisor and request that Asset Forfeiture responds.
2. Asset Forfeiture shall respond to the scene of the seizure and process the seizure.
3. Currency shall not be counted at the time of seizure.
4. If the currency is being seized during the execution of a search warrant, then the words "**An Undetermined Amount of U.S. Currency-Pending Official Count**" shall be listed on the search warrant or Search Warrant Inventory List (LMPD #06-0037).
5. If currency is found on, or in the area of, a subject who is in custody, the person(s) shall be read his/her Miranda warning(s). The officer(s) shall then inquire as to whether any person present claims the currency. If a person claims ownership of the money, the person shall be allowed to witness the packaging of the currency, unless his/her presence is a threat to the officer(s) or others. If the currency is not claimed by anyone, or if currency is seized in an unoccupied area, this information shall be documented on a Disclaimer of Ownership form (LMPD #09-0001) and a Request for Forfeiture form (LMPD #03-11-0071).
6. When currency is seized from a particular individual, a Currency Seizure form (LMPD #04-11-0070) shall be signed by the individual, seizing officer and the witnessing officer. The Currency Seizure form shall state "**An Undetermined Amount of U.S. Currency-Pending Official Count.**" The seizing officer shall explain that the Currency Seizure form shall act as a receipt for the seizure.
7. If currency is seized from the possession of a known individual, that individual shall remain on-site until the currency has been photographed and sealed in an evidence envelope, unless the individual's presence presents a threat to the seizing officer(s) or others.
8. Seized currency shall be photographed in the same location and in the same position that it was discovered, unless photography is impractical or unsafe.
9. The photographs shall be downloaded into the Digital Image Management System (DIMS) (refer to SOP 4.26).
10. The seized currency shall be taken to the Property Room. Property Room personnel shall weigh the currency AND envelope.
11. The envelope shall then receive a label before being deposited into the drop box.
12. The Property Room command staff shall remove the currency envelopes from the drop box and take them to the bank, where an official count will be conducted by bank personnel. Bank personnel will then deposit the monies into the correct Louisville Metro Police Department (LMPD) account. Bank personnel will provide a deposit slip showing the report number and the amount deposited for each report number. The Property Room shall submit the official count to Asset Forfeiture. Asset Forfeiture shall document the official count in the asset forfeiture database and forward each depositing officer the official deposit for each case.

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## 11.3.1 PROCEDURES (CONTINUED)

13. Officers seizing currency for possible forfeiture shall complete a Request for Forfeiture form and immediately submit it to "LMPD Forfeitures," located within the department's email distribution list.
14. Officers shall then print a paper copy of the Request for Forfeiture form to submit to their commanding officer.
15. The Request for Forfeiture form shall state "**An Undetermined Amount of U.S. Currency-Pending Official Count**" when submitted. Once the Property Room obtains an official count, an email shall be sent to the seizing officer and to "LMPD Forfeitures," located within the department's email distribution list, for documentation.

## 11.3.2 PLACING MONETARY EVIDENCE IN THE PROPERTY ROOM

All incoming money shall be deposited in the bank, unless there is a justifiable evidentiary reason for not depositing the cash or the currency seized is collectible (pre-1960) and worth more than face value (CALEA 84.1.1e). Therefore, it is important that the seizing member or Crime Scene Unit (CSU) member photograph all of the money, prior to placing it into the Property Room.

In cases where the serial numbers are important to the case or the member intends to request that the money be held, the money should be photographed with sufficient detail that the serial numbers are legible. Care should be taken when currency is photocopied to ensure that the size of the copied money is different than actual size (e.g. 75% or 125%), in accordance with federal law.

The member shall download all images into the DIMS. In the event that the photographs are needed for court, the member shall request that prints be made by the Photo Lab (refer to SOP 4.26).

The seizing member shall complete a Currency Seizure form (LMPD #04-11-0070) to document the number and denomination of each bill. A copy of the Currency Seizure form shall remain in the case file with the Property Room receipt. The original Currency Seizure form shall be placed into the evidence envelope along with the cash.

## 11.3.3 REQUEST TO HOLD MONEY

It may be necessary to hold money in the Property Room and not deposit it in the bank. Such situations shall be the exception rather than the rule. An example would be any money that has forensic evidentiary value (e.g. blood on the bills, a fingerprint on a bill, dye on the bills from a bank robbery). In such cases, the depositing member must photocopy the currency and complete a Request to Hold Money form (LMPD #03-11-0601).

The Property Room clerk shall make a copy of the Request to Hold Money form and attach it to the evidence envelope, prior to returning it to the member. The envelope can then be placed into the drop safe. The Request to Hold Money form shall be forwarded to the Assistant Chief of Police/Administrative Bureau, or his/her designee, who shall make the decision whether to hold the money or deposit it. If the money is to be held, it shall be stored in the vault.

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Chapter: Evidence and Property	
Subject: Evidence Requiring Special Handling	

## 11.4 EVIDENCE REQUIRING SPECIAL HANDLING (KACP 27.1, 27.2)

### 11.4.1 EVIDENCE REQUIRING DRYING/REFRIGERATION

Items that require drying shall be turned over to the Crime Scene Unit (CSU) and placed in the drying room, before being deposited in the Property Room. Once it is dry, the CSU technician shall package the item and deposit it into the Property Room.

Perishable items of evidence (e.g. blood samples, urine specimens, etc.) shall be delivered to the Property Room, deposited as evidence and placed in the Property Room refrigerator.

### 11.4.2 FIREARMS (KACP 27.4)

The depositing officer shall check all firearms, including those found, for "stolen status" through the National Crime Information Center (NCIC), prior to depositing them into the Property Room. Any firearm received at the Property Room, without a NCIC check attached, shall be checked through NCIC, by the depositing officer, at the request of the Property Room personnel during initial intake.

The depositing officer must render the firearm safe (e.g. empty chamber, magazine, cylinder) and safely demonstrate to the Property Room clerk that the firearm has been made safe before depositing the weapon into the Property Room. If requested, the Property Room clerk shall provide the officer with eye and ear protection. The officer shall utilize the bullet trap, located in the secured hallway of the Property Room. If the officer is unable to unload the firearm, he/she shall notify his/her supervisor. The supervisor shall contact an on-duty firearms instructor or, if one is not available, an officer of the Firearms Training Center (FTC). If an officer of the FTC or a firearms instructor advises that the weapon is unable to be unloaded, the Property Room clerk shall mark the firearm as "loaded" and call the Bomb Squad Commander to store it as an explosive device in the LMPD explosives bunker (refer to SOP 11.4.9).

If the firearm is a handgun and has been made safe, the officer shall secure the handgun by placing it in an evidence envelope. The Property Room clerk shall then seal the envelope and apply evidence tape. Both the Property Room clerk and the depositing officer must initial the evidence tape. The Property Room clerk shall then place the package in the appropriate location (CALEA 84.1.1d).

When accepting "long" guns into the Property Room, the Property Room clerk shall tag the firearm and take it to the long gun area, once the officer renders the gun safe (e.g. empty chamber, magazine, cylinder). Ammunition from long guns shall be placed in a separate envelope and stored in the appropriate location by the Property Room clerk.

Firearms shall be packaged separately from all other items. The Property Room clerk shall separately package all ammunition and place the separate package in the larger envelope containing the weapon (CALEA 84.1.1d).



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## 11.4.2 FIREARMS (CONTINUED)

In some instances, an officer may need additional information on a weapon. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) e-Trace system gives law enforcement agencies the complete history of a weapon, which includes the manufacturer, importer, dealer and purchaser of a weapon. If the history of a weapon is necessary, an ATF e-Trace Request form (LMPD #12-0004) shall be completed and submitted to the Crime Information Center (CIC). The CIC shall submit the request to the ATF National Tracing Center and shall forward any response from the center to the requesting officer, upon receipt. The request may take up to ten (10) business days to process. The response from ATF may be placed in the investigative case file as evidence. An e-Trace shall not replace a NCIC search (e.g. to see if a weapon is stolen).

## 11.4.3 SHARPS

Syringes or needles deposited as evidence, or to be destroyed, shall be placed in an approved "sharps" container at the time that the item is seized. Syringes or needles shall be shipped, in a syringe holder, to the appropriate lab, with a letter from either the Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney certifying that the item needs to be tested for use as evidence, in accordance with Kentucky State Police (KSP) Forensics Laboratory requirements. It is the officer's responsibility to obtain the letter, deliver it to the Property Room and place the letter with the evidence.

## 11.4.4 EDGED WEAPONS

Edged weapons include, but are not limited to, knives, swords and axes. The Property Room clerk shall handle these in the same manner as any other item requiring booking. The edged weapon must either be in a manufactured sheath or in a sheath made by the Property Room clerk out of cardboard and attached to the blade before being placed in an envelope or in a bin. This shall protect the officer from being cut. In the case of folding knives, the Property Room clerk shall secure the blade(s) by wrapping packing tape around the closed knife.

## 11.4.5 CURRENCY (CALEA 84.1.1d)

The Property Room accepts currency as evidence, found property and personal property.

The depositing officer and the Property Room clerk must agree on the amount of money. Coins shall be rolled and placed in coin wrappers in the Property Room. A coin counter/wrapper is available in the Property Room.

If the money is entered as evidence, the depositing officer must complete the Request to Hold Money form (LMPD # 03-11-0601). The original request shall be forwarded to the Assistant Chief of Police/Administrative Bureau by the Property Room clerk. A copy of the request shall be forwarded to a Property Room supervisor by the Property Room clerk. Another copy shall be attached to the envelope. The Property Room clerk shall package the money and both the officer and the Property Room clerk shall initial the evidence tape. Only if the

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## 11.4.5 CURRENCY (CONTINUED)

Assistant Chief of Police/Administrative Bureau authorizes the hold shall the money be kept in the Property Room.

All money must be examined by the depositing officer and the Property Room clerk, prior to being deposited into the Property Room, in an attempt to locate collectible bills and coins. Collectible bills or coins are valued at more than their face value. These items must be inventoried, packaged separately and held as evidence. The officer shall prepare a Request to Hold Money form (LMPD # 03-11-0601) and note on the form that the money is collectible and worth more than the face value on the bill or coin. A copy of the form shall be attached to the outside of the envelope and the original forwarded to a Property Room supervisor.

The officer shall deposit the money, not tagged specifically as collectible or evidence, in the money/jewelry drop box in the officer's lobby. A Property Room supervisor shall remove these items from the drop box and place the money in the bank. Cash shall not be released to the rightful owner unless it is collectible money. The citizen shall be issued a cash voucher and receive a check from Louisville Metro Government.

Money evidence that has been signed out for investigation, court or viewing and is returned to the Property Room with the seal broken, shall be recounted and resealed by the Property Room clerk accepting the return of the envelope.

## 11.4.6 ALCOHOLIC BEVERAGE CONTAINERS

Photographs of alcoholic beverage containers will suffice for evidentiary purposes, in most cases. These items should not be deposited into the Property Room. Exceptions may be made for serious felony cases.

## 11.4.7 NARCOTICS AND DANGEROUS DRUGS

All seized drugs shall be deposited in the Property Room prior to the end of the officer's tour of duty (CALEA 84.1.1b).

Drug items shall be inventoried by a Property Room clerk and the depositing officer and packaged by the Property Room clerk. The Property Room clerk shall seal the envelope or package and apply a strip of evidence tape to seal. Both the Property Room clerk and the officer shall initial the evidence tape (CALEA 84.1.1d).

Drugs should only be weighed outside of their package/container when removal of the substance from its package/container would not alter the substance's weight or composition. The method used to weigh (e.g. in the container/package, outside of the container/package, etc.) should be noted on the evidence voucher. Drugs in a powder or liquid form shall be weighed in the package/container with an indication on the voucher that the weight does include the packaging. The description field shall contain the exact weight as measured by the official scales in the Property Room.

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## 11.4.7 NARCOTICS AND DANGEROUS DRUGS (CONTINUED)

Capsules/pills are to be counted and then weighed in their container/package, with an indication on the voucher that the weight does include the packaging. The counting and weighing of pills shall be done by the depositing officer and the Property Room clerk. Pills shall be counted and documented by type, classification, color, shape, markings, etc. Every attempt shall be made to identify the type of pill that is being deposited. A Physicians' Desk Reference (PDR) shall be available at the Property Room for assistance. The Poison Control Center (502-589-8222) can also be of assistance.

"Crack" cocaine rocks shall be weighed in their package with an approximate weight noted on the evidence voucher. Officers shall not enter a count for the number of rocks observed in the package.

Hits of LSD shall be counted.

Before depositing marijuana plants into the Property Room as evidence, the officer shall photograph all of the marijuana plants at the scene, in one (1) or more photos, for an accurate count. Marijuana plants in pots shall be un-potted and the dirt removed, making sure that the root stays intact, and the plants counted and weighed. When depositing marijuana plants into the Property Room as evidence, officers shall package a maximum of six (6) marijuana plants, including the root system, stems and leaves for lab testing. Any marijuana plants not being lab tested shall be packaged and immediately signed for disposal. When the marijuana plants come back from the lab, they shall be marked to be destroyed (refer to SOP 11.5.3).

When depositing a pipe and charging for possession of drug paraphernalia (PDP), the classification would be for the pipe. If an officer is charging PDP and possession of a narcotic when depositing a pipe with residue, a separate entry should be made listing the narcotic as an item. Since the amount cannot be measured, it should be listed as 0.01 grams. When depositing a quantity of narcotics, the narcotics should be packaged separately from pipes or other items of evidence in the case.

The depositing officer shall place the package in the narcotics drop box in the officer's lobby. Narcotics evidence that has been signed out for investigation, viewing or court, and then returned with the seal broken, shall be reweighed and resealed by the Property Room clerk. When accepting returned evidence, the depositing officer, along with the accepting Property Room clerk as a witness, shall reconcile and agree on the weight and quantity of the redeposited drug evidence. Pills shall be recounted and reweighed.

All found drugs shall be deposited in the same manner as evidence and noted as found property.

Officers shall notify the Narcotics Evidence Handling Team to request lab tests for any chemicals taken from drug labs.

### **Drying of Wet Plant-based Drugs**

Wet marijuana and other green vegetation-based drugs (e.g. salvia), hereafter referred to as product, shall be weighed by the Property Room clerk in the presence of the seizing officer, packaged and the information entered into I/Leads Record Management System (RMS) by the Property Room clerk. The depositing officer shall then place the package in the narcotics drop box in the officer's lobby. The Narcotics Evidence Handling

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## 11.4.7 NARCOTICS AND DANGEROUS DRUGS (CONTINUED)

Team shall pick up the product and place it in the narcotics dryer, according to their procedures. The product shall be reweighed for accountability by a Property Room clerk and the narcotics evidence technician, after it is removed from the dryer. The product shall then be repackaged and sealed with evidence tape. The evidence tape shall be initialed by both the Property Room clerk and the narcotics evidence technician. The Property Room clerk shall also note the new dry weight in the I/Leads RMS.

### Opening Sealed Narcotics Evidence Items

Other than court viewing and content testing at the lab, narcotics envelopes should never be opened prior to auditors opening for verification purposes during the disposal process.

The only exception to this shall be if a narcotics evidence technician notices that the contents of the package have molded, are leaking or the container's integrity is compromised. At this point, the narcotics evidence technician is authorized, with a witness present, to open the package in order to examine the contents.

If the packaging has been compromised, either by mold or leakage of liquid contents, the narcotics evidence technician has the authority, with a witness present, to pull the product, open it and repackage it, as necessary. However, the outside of the new package must have the chain of custody filled out, noting the date and time that the package was unsealed. Additionally, the I/Leads RMS shall be updated to include the date and time that the evidence was repackaged, the person who repackaged the product along with the witness's name, and a notation which states the reason that the package was opened and repackaged. Upon breaking a seal in order to repackage, the contents of the package shall be reweighed and documented for accountability at a later date.

## 11.4.8 VEHICLES

When requesting the CSU to process a vehicle, officers shall complete the Evidence Processing Request for Vehicles form (LMPD #04-00-0050). Vehicles may be processed when the vehicle has been used in the commission of a felony, or upon the authority of one (1) of the following:

- Majors and above
- The Professional Standards Unit (PSU)
- The Public Integrity Unit (PIU)
- A CSU commanding officer

Vehicles shall be the responsibility of the Vehicle Impoundment Lot. The vehicle information shall be recorded at the Vehicle Impoundment Lot, where personnel shall be responsible for recording data on, storing and releasing the vehicle.

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## 11.4.9 EXPLOSIVE EVIDENCE

When an officer has explosive evidence (e.g. dynamite, hand grenades, electric blasting caps, military explosives or any unknown substance in a pressurized gas tank), he/she shall not handle the evidence and shall notify MetroSafe and request that the Bomb Squad Commander contact him/her (CALEA 41.2.4). The Bomb Squad Commander shall determine the proper response. If the explosive substance must be stored at the explosives bunker, the seizing officer shall complete the necessary paperwork at the Property Room.

Under no circumstances shall explosive material be brought into any police facility.

## 11.4.10 JEWELRY AND PRECIOUS METALS

When depositing jewelry as evidence, the depositing officer and the Property Room clerk must agree on the inventory. Specific descriptors will appear in the drop down pick lists in the I/Leads RMS. The officer must enter specific descriptive information of each item of jewelry, including the following:

- Type – ankle bracelet, chain, earring, necklace, etc.
- Chain style – figaro, box link, etc.
- Stone type – diamond, sapphire, emerald, etc.
- Ring style – band, class ring, cluster, nugget, etc.
- Band style (watches) – leather, cloth, metal, etc.
- Metal type – antique, chrome, platinum, silver, white gold, yellow gold, etc.
- Stone shape – oval, heart, round, etc.
- Karat weight – 10 karat, 12 karat, gold plated, etc.
- Stone weight – 10 carats, etc.

When recovering property (e.g. box of stolen jewelry), the officer is required to deposit the box and itemize each item of jewelry. This will assist with returning stolen items to the proper owner by being able to locate them in the I/Leads RMS.

The Property Room clerk shall package the jewelry. The officer shall deposit the jewelry or precious metals in the money/jewelry drop box in the officer's lobby. A Property Room supervisor shall remove these items from the drop box and place them in the money/jewelry area in a locked cabinet (CALEA 84.1.1e).

## 11.4.11 LARGE ITEMS

Large items (e.g. refrigerators, stoves, washers, file cabinets, TVs, etc.) may be brought into the Property Room through the loading dock doors, freight elevator or the basement exterior doors. It is the officer's responsibility to bring all items into the building. All items must still be properly recorded in the I/Leads RMS. The Property Room clerk shall be responsible for placing these items into storage. The officer shall make an attempt to locate the owner, photograph the item(s) in the Digital Image Management System (DIMS) and release the item(s) to the owner instead of depositing them into the Property Room.

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## 11.4.12 FOUND PROPERTY

Officers depositing found property are required to obtain a report number from the I/Leads RMS. The officer shall be asked for the name of the person who found the property. This person's name shall be entered into the I/Leads RMS to assist in the release process.

## 11.4.13 DNA EVIDENCE

It is the officer's responsibility to inform the Property Room clerk when depositing possible suspect DNA evidence from capital crimes or Class A, B, C and Chapter 510 Class D felonies. The evidence shall then be properly marked to avoid unauthorized disposal.

All items containing biohazard (e.g. blood and/or body fluid residue) material shall be marked as such on the outside of the package (KACP 29.3a).

## 11.4.14 HAZARDOUS MATERIALS

Refer to SOP 12.4 for the definition of a hazardous material.

Incidents involving suspected clandestine drug labs shall be handled in accordance with SOP 12.12.

Generally, appropriately trained fire department, Metro HAZMAT Response Task Force and/or Louisville Metro Department of Public Health and Wellness (LMDPHW) personnel are responsible for the protection, control and collection of evidence related to local hazardous material incidents, including vehicle accident-related incidents (KACP 23.3).

In most cases, the fire department and/or LMDPHW shall conduct a field test to identify the material, which should be sufficient for criminal evidence purposes.

Only hazardous materials to be tested for evidentiary purposes shall be placed in the Property Room and only the amount needed for testing shall be collected. The collected hazardous material shall be packaged in an approved container and placed in a properly labeled evidence envelope at the Property Room (CALEA 84.1.1d, KACP 29.3a).

Commanding officer approval is required for any hazardous material to be placed into evidence. All evidence shall be collected in a manner that is consistent with pertinent laws, regulations, policies and established procedures. Hazardous material not collected as evidence may be photographed in the original container, fingerprinted, if appropriate, and left with the owner, if the owner is known. If the owner is in custody or unknown and the hazardous material would create a hazard if left where it was found, the appropriate fire department and/or LMDPHW shall make arrangements for removal.

Certain hazardous materials may not be stored in the Property Room. The Property Room shall not accept any of the following:

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## 11.4.14 HAZARDOUS MATERIALS (CONTINUED)

- Unidentified materials that may be hazardous
- Hazardous materials in pressurized containers
- Hazardous materials not sold in common consumer businesses such as hardware stores, home improvement stores, etc.
- Hazardous materials with a gross weight of over 220 lbs.
- Red or white phosphorus
- Anhydrous ammonia
- Combustible metals (e.g. lithium, sodium)

Hazardous materials that are prohibited for any of the above mentioned reasons, found hazardous materials that are not part of criminal activity and hazardous materials not collected for testing must be contained at the scene. Clean-up and disposal shall be the responsibility of the owner of the material or the property owner where the hazardous material is located.

The LMDPHW and/or the appropriate fire department shall ensure compliance with this responsibility. If the hazardous material is located on public property, the LMDPHW and/or appropriate fire department shall arrange for clean-up and disposal by contacting the Metro Division of Solid Waste Management or an approved contract vendor.

Hazardous materials that are not in the original container, are leaking or do not have lids or tops must be overpacked prior to being taken to the Property Room. Overpacking shall consist of placing the container within another appropriate sized closable container and filling the outer container with absorbent material. In addition, these materials must be identified to determine the suitability of storage. The LMDPHW may be called to assist with the overpacking and identification of the material. All hazardous materials must be properly labeled as hazardous with a label indicating which end is up. All overpacked material shall have an additional label containing the following information (CALEA 84.1.1d, KACP 29.3a):

- Corresponding Property Room number
- Hazardous material identification and pH number
- Number of overpacked containers per case (e.g. 1 of 2)
- Weight of the hazardous material (not including container and overpacking)
- Date and time seized
- Incident report number
- Disposal officer's name and code number

The Property Room shall maintain a secure, fenced area containing two (2) hazardous material storage lockers. Each locker shall contain four (4) drums. The two (2) lockers shall be used as follows (CALEA 84.1.1e):

- One (1) for flammables
- One (1) for corrosives, acids and oxidizers

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Chapter: Evidence and Property	
Subject: Evidence Requiring Special Handling	

## 11.4.14 HAZARDOUS MATERIALS (CONTINUED)

The movement of these lockers is prohibited without the permission of the Assistant Chief of Police/Administrative Bureau (National Fire Protection Association (NFPA) 2000, Chapter 30, 4.6.4.1). The lockers, as well as the fenced area, shall remain locked at all times (NFPA 2000, Chapter 30, 4.6.4.3 and OSHA 1910.106 (d) (6) (IV)). Authorized Property Room personnel shall retain the keys. No Property Room personnel are to handle hazardous materials. Only personnel with appropriate personal protective equipment (PPE) shall place the hazardous material in the appropriate hazardous material locker, in the presence of the Property Room clerk, after the paperwork has been processed. Unauthorized personnel shall not be given keys to the hazardous material lockers.

## 11.4.15 REFUSAL TO ACCEPT EVIDENCE AT THE PROPERTY ROOM

Property Room clerks shall have the authority to refuse the acceptance of any item submitted in violation of this SOP. The Property Room clerk shall advise the depositing officer of the reason for the refusal and, if correctible, how to correct the error (e.g. incorrectly filled out evidence voucher). If the depositing officer wishes to speak with a Property Room supervisor, one shall be requested.



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Subject: Evidence Processing	

## 11.5 EVIDENCE PROCESSING (KACP 27.1)

### 11.5.1 SUBMISSION OF EVIDENCE TO LABORATORY FOR ANALYSIS

The investigating officer shall advise Crime Scene Unit (CSU) personnel when evidence has been collected in a case and indicate which evidence needs to be submitted to a lab for testing (CALEA 83.3.2a). The officer shall advise the CSU of pertinent information regarding the case (e.g. offense, victim/suspect information, type of testing required). The evidence shall then be submitted according to the guidelines of the specific lab. Labs utilized by the Louisville Metro Police Department (LMPD) include, but are not limited to, the Federal Bureau of Investigation (FBI), the Louisville Metro Department of Corrections (LMDC), Kentucky State Police (KSP) or any private lab under contract with any of these agencies.

It is the responsibility of CSU personnel to complete the required paperwork for laboratory examination requests and for transporting, or sending, evidence to, and from, the appropriate lab(s) (CALEA 83.3.2b-c).

CSU members shall get a receipt from the laboratory that will be testing the evidence submitted. This shall ensure that the chain of custody remains intact (CALEA 83.3.2d).

Results shall be received, in writing, from the laboratory that is processing the submitted evidence (CALEA 83.3.2e).

### 11.5.2 NARCOTIC EVIDENCE

It shall be the responsibility of the officer to request a letter from the Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney, certifying that an item needs to be tested for use as evidence, in accordance with KSP Forensic Laboratory requirements. The Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney will send the letter directly to the lab and the lab will notify the Narcotics Evidence Handling Team to send the listed evidence. The Narcotics Evidence Handling Team shall ship syringes or needles in a syringe holder to the requesting lab (CALEA 83.3.2a-b).

The KSP Forensics Laboratory shall not routinely test misdemeanor amounts of drugs. Testing shall only occur in the event that the defendant requests a trial. Officers shall notify the Narcotics Evidence Handling Team at (502) 574-2331 to request lab tests for misdemeanor amounts of drugs.

All felony amounts of drugs are automatically sent for testing. Officers shall log into the Bar-code Evidence and Statistical Tracking system (BEAST) to obtain a copy of the report.

### 11.5.3 MARIJUANA PLANT DISPOSAL

When officers are submitting marijuana plants into evidence in the Property Room, the officer shall use the following procedures (refer to SOP 11.4.7):

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## 11.5.3 MARIJUANA PLANT DISPOSAL (CONTINUED)

- Photograph all of the marijuana plants at the scene together for an accurate count.
- For five (5) or more marijuana plants, members shall package a maximum of six (6) marijuana plants with the root system, stem and leaves to be sent to the lab to be tested (CALEA 83.3.2b). Any marijuana plants not being lab tested shall be packaged and immediately signed for disposal.
- When the marijuana plants come back from the lab, they shall be marked for destruction.

## 11.5.4 DNA ANALYSIS (CALEA 83.2.7a-d)

Requests for DNA analysis shall be made through the CSU by the requesting division/section/unit commanding officer.

CSU members shall follow the procedures set forth in the CSU Operations Manual, which is kept on file in the CSU, for the collection, storage, transportation and submission of DNA evidence. CSU members shall be trained according to CSU standards.

## 11.5.5 GUNSHOT RESIDUE EVIDENCE TESTS

Gunshot residue (GSR) only has a four (4) hour window collection period for proper testing. If GSR evidence cannot be obtained within four (4) hours, testing shall not be done.

The submission of GSR evidence for examination must be completed through the CSU (CALEA 83.3.2a). The LMPD will utilize GSR testing known as Scanning Electron Microscopy/Energy Dispersive Spectrometry (SEM/EDS). This analysis is extremely sensitive and will provide analysis on clothing and vehicles, as well as skin.

- The officer/detective shall be responsible for questioning the suspect, completing the form located in the GSR test kit and the Request for KSP Lab Examination form (LMPD #0440-99).
- The officer/detective shall inform the analyst if the suspect has been in contact with fireworks or conducts automotive repair, which can produce a false positive.
- If possible, collection should be done prior to handcuffing.
- Samples from subjects who have washed their hands will not be routinely collected.
- Samples from suicide cases may be collected, but will not be analyzed unless the officer/detective states that there is an unusual circumstance.
- GSR tests shall not be conducted on subjects who have only handled a firearm, but not fired the weapon.
- GSR tests can be utilized on a victim, but shall only be submitted to the lab upon written request from the prosecutor.
- The collection of GSR from vehicles must be conducted at the scene, prior to towing.

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## 11.5.5 GUNSHOT RESIDUE EVIDENCE TESTS (CONTINUED)

The GSR evidence shall then be placed into a LMPD evidence envelope. An Evidence Chain of Custody form (LMPD #04-04-0127) shall be completed by the member and attached to the evidence envelope along with the completed Request for KSP Lab Examination form (CALEA 83.3.2b-c). The evidence shall be dropped in the evidence vault, which is located in the Forensic Investigations hallway in the basement of LMPD Headquarters. All required forms are located next to the drop site. The GSR request form shall be completed and include the following:

- Incident control number (ICN)
- Offense
- Location of the offense
- Complainant's/subject's name
- Address
- Date and time of the offense
- Name of the member who collected the GSR
- Division/section/unit or the lead investigator
- Date and time collected
- Name of the member who packaged the GSR
- Date and time that the GSR was packaged
- Name of the member who sealed the GSR evidence envelope
- Date and time that the GSR evidence envelope was sealed
- The name of the person delivering the GSR envelope
- Date and time of delivery to Forensic Investigations

Members shall be required to sign a log listing the date and time that he/she deposited the evidence. When Forensic Investigations removes evidence from the vault, the log shall be initialed with the date and time that it was removed. This log shall be kept by the CSU. Upon receipt of the evidence, a KSP Request for Evidence Examination Form 26 shall be completed by the CSU. The evidence shall then be sent to the lab for examination (CALEA 83.3.2c). Results from the test shall be sent back to the requesting member, upon completion of testing by the CSU, via email (CALEA 83.3.2e). Replacement GSR test kits are available through the CSU.

## 11.5.6 LATENT PRINTS (CALEA 83.2.3, 83.2.4a)

When attempting to lift latent prints, non-CSU members, trained to lift prints (CALEA 83.3.2a), shall adhere to the following:

- Only attempt to lift prints on misdemeanor and felony offenses that he/she has been approved to take reports on.
- Only powder processing shall be attempted. "Magnetic" powder shall not be used by non-CSU members. Any other processing shall be completed by the CSU.

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## 11.5.6 LATENT PRINTS (CONTINUED)

- Use caution when using powder on electronic items to avoid destroying or seriously damaging the equipment. Examples of such equipment are as follows: alarms, automatic windows, stereo equipment, etc.
- Prior to using powder, two (2) photographs of the area to be examined shall be taken. These two (2) photographs shall include one (1) of the entire area and one (1) close up. Prior to lifting the print, additional photographs from several different angles shall be taken once the powder has been applied and dusted. Another photograph shall be taken once the print has been lifted and placed on the card.
- Once the powder has been used and the print has been lifted and placed on the transolifts, the cards shall be placed into a latent envelope and deposited into the CSU latent depository, which is located in the Forensic Investigations hallway in the basement of LMPD Headquarters. The envelope shall be completed and include the following:
  - Incident control number (ICN)
  - Offense
  - Location of the offense
  - Complainant's/subject's name
  - Address
  - Date and time of the offense
  - Name of the member who collected the latent prints
  - Division/section/unit or the lead investigator
  - Date and time collected
  - Name of the member who packaged the latent prints
  - Date and time that the latent prints were packaged
  - Name of the member who sealed the evidence envelope
  - Date and time that the evidence envelope was sealed
  - The name of the person delivering the evidence envelope
  - Date and time of delivery to Forensic Investigations
- An Evidence Chain of Custody form (LMPD #04-04-0127) shall be completed and attached to the latent envelope.

CSU members shall adhere to the CSU Operations Manual for procedures to be used in processing, developing, lifting and labeling fingerprints at crime scenes (CALEA 83.2.3).

## 11.5.7 TAKING EVIDENCE INTO A DIVISION/SECTION/UNIT

If a member takes evidence into a division/section/unit for completing an incident report, photographing the evidence prior to placing it into the Property Room or for any other reason, the member shall decontaminate the area where the evidence was in order to prevent cross-contamination (KACP 29.1e).

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## 11.5.8 CELL PHONE EVIDENCE

Officers may utilize the self-service Cell Phone Investigative Kiosk (CPIK), located at the Kentucky Regional Computer Forensics Laboratory (KRCFL), in an effort to extract data from a cell phone during the course of a criminal investigation. The KRCFL is located at 310 North Whittington Parkway, Burhans Hall, Room 255, Louisville, KY 40222. Their phone number is (502) 852-4454. Hours of operation are 0800-1600, Monday through Friday. Officers wishing to utilize the CPIK must have first attended a training class or viewed the computer-based training provided by the KRCFL and shall use the following procedures:

- Obtain legal authority, such as a search warrant, court order, written consent, etc.
- Remove the cell phone from the LMPD Property Room and transport it to the KRCFL
- Complete and sign a CPIK worksheet provided at the KRCFL

## 11.5.9 DIGITAL MEDIA EVIDENCE

Officers may utilize the self-service Loose Media Kiosk (LMK), located at the KRCFL, in an effort to view and extract data from digital media (e.g. thumb drives, CDs/DVDs, loose hard disk drives, flash memory cards, etc.) during the course of a criminal investigation. Officers wishing to utilize the LMK must have first attended a training class or viewed the computer-based training provided by the KRCFL and shall use the following procedures:

- Obtain legal authority, such as a search warrant, court order, written consent, etc.
- Remove the media from the LMPD Property Room and transport it to the KRCFL
- Complete and sign a LMK worksheet provided at the KRCFL

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Chapter: Evidence and Property	
Subject: Removal or Disposal of Evidence	

## 11.6 REMOVAL OR DISPOSAL OF EVIDENCE (KACP 27.1, 27.2)

### 11.6.1 ACCESS

Property releases shall be done from the Property Room, located at 635 Industry Road. The building shall be open to the public from 0730 to 1730 hours, Monday through Friday, except on official holidays.

The Property Room shall be open to members, 24 hours a day, seven (7) days a week, including official holidays. The front gate to the parking lot shall be closed from 1800 to 0700 hours, but is operational by using a departmental ID. For help accessing the parking lot, call (502) 574-3433. After confirming your code number, the gate will open. If a phone is unavailable, the service channel can be used to contact the Property Room for assistance in getting in the front gate after hours.

Property/evidence shall be released from the Property Room only for:

- Court presentation
- Inspection/investigation
- Disposal
- Processing of forensic evidence
- Departmental litigation
- Court order
- Return to the legal owner

Property/evidence shall only be released from the Property Room to:

- Crime Scene Unit (CSU) personnel for processing
- The departmental personnel who submitted it
- The investigator assigned to the case
- A commanding officer
- The departmental personnel for court presentation with a subpoena for the case
- The legal owner of the property

### 11.6.2 DISPOSAL OF EVIDENCE/PROPERTY

An effective purging program is important in keeping the inventory of the Property Room at a manageable level. The timely and appropriate disposition of evidence is extremely important to the efficient management of evidence, the integrity of evidence security and the effectiveness of prosecutorial efforts.

Disposal of evidentiary items is governed by statute, specific court order and Property Room procedures. Only sworn members may dispose of evidence and/or property.

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## 11.6.2 DISPOSAL OF EVIDENCE/PROPERTY (CONTINUED)

### Evidence

Officers shall make every effort to release property to victims in a timely manner, consistent with state law and rules of evidence (CALEA 55.2.4d). Per KRS 218A.415, real property subject to forfeiture may be seized pursuant to final judgment and order of forfeiture of the court having jurisdiction over the property (KACP 30.3). The order may be obtained upon application of the Commonwealth. Officers are strongly encouraged to obtain a written court order from the judge for the disposal of property promptly after the conclusion of the court case. Immediately after receiving a judge's order regarding the disposition of the property/evidence, the officer shall sign a Property Disposition form (LMPD #0070-97) and submit it to the Property Room, indicating the judge's order for disposal.

Property Disposition forms shall be made available in the Officer's Lounge located at 600 West Jefferson Street. When a subject enters a guilty plea, or upon a final non-appealable judgment by a judge, officers should promptly dispose of all evidence attached to that particular case. Upon completion of a trial, the officer shall present a Property Disposition form for the prosecuting attorney to review.

Evidence may be disposed of in one (1) of the following ways:

- Authorization from the case officer
- Authorization from the detective assigned to the case
- Authorization from a commanding officer
- Authorization from a prosecuting attorney
- A court order directing the disposal, forfeiture or release of evidence (KACP 30.3)

Evidence is held indefinitely or until the Property Room gets written authorization from the officer or a court order denoting final disposition. Officers cannot phone the Property Room to release evidence. The officer's signature is needed. It is also the officer's responsibility to give a final disposition on items that have no evidentiary value.

### Firearms

All firearms placed in the Property Room as evidence shall be disposed of in one (1) of the following ways:

- Pursuant to a court order, the firearm shall be forfeited to the police department and turned over to the Kentucky State Police (KSP), in accordance with KRS 500.090.
- Pursuant to a court order, the firearm shall be released to the proper owner.
- At the conclusion of the case, the case officer may sign the Property Disposition form, specifying the disposition of the firearm.

A National Crime Information Center (NCIC) criminal history check shall be conducted on all persons retrieving firearms from the Property Room. Officers should advise citizens that attempting to retrieve a firearm while subject to a Domestic Violence Order (DVO) may be a violation of the law. Firearms shall not be released to

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Subject: Removal or Disposal of Evidence	CALEA: 55.2.4, 84.1.7
	KACP 27.1, 27.2, 30.3

## 11.6.2 DISPOSAL OF EVIDENCE/PROPERTY (CONTINUED)

convicted felons. Citizens wishing to retrieve a firearm from the Property Room should be advised that they need to contact the Property Room at least one (1) business day prior to picking up the firearm, or they will have to wait while a criminal history check is conducted on them.

Upon receiving a request to obtain a firearm, the clerk shall immediately notify the Property Room sergeant or lieutenant. A Criminal History Request form (LMPD #03-08-0111) shall be completed using the case number for the evidence. Once either the Property Room sergeant or lieutenant signs off on the request, the request shall be faxed to (502) 572-3596. A contact number shall be placed at the bottom of the form for NCIC use.

Once it is ascertained that the citizen is not prohibited from the possession of a firearm, the firearm(s) shall be released. The NCIC operator's name and ID number shall be placed on the bottom of the form and the original request will be attached to the permanent record. If it appears that the citizen is prohibited from the possession or return of the firearm, a Property Room supervisor shall be notified to address the situation with the citizen.

The Property Room has a "second day release" policy on ammunition that was seized with a firearm. Citizens should be advised that ammunition shall not be released at the same time as the firearm that they are retrieving from the Property Room. The citizen shall be instructed to return the following day, without the firearm, and any ammunition shall be released at that time.

### Found

Some property/evidence may be directly returned to its owner prior to being placed in the Property Room (e.g. found property, recovered stolen property and/or vehicle or evidence when photographed prior to release). Found property shall be released to the rightful owner with proper identification. Serial numbers on found property can be matched using the I/Leads Records Management System (RMS) with items reported lost or stolen. The owner shall immediately be notified upon retrieval of this information and the contact documented in the I/Leads RMS. Under no circumstances shall a member of the public be allowed to come into the Property Room to look for their lost or stolen items. This is for security purposes and also to protect the integrity of evidence maintained in these areas. All found or unclaimed property (other than firearms) shall be destroyed or disposed of at public auction after 90 days, pursuant to court order. The Property Room does not need a Property Disposition form from an officer to dispose of found or personal property after the 90 day waiting period has expired.

### Safekeeping

Items entered as personal property shall only be released to the individual or business listed as the owner when the item(s) was first entered into the I/Leads RMS, except under one (1) of the following exceptions:

- Upon presentation of a notarized statement from the listed owner of the item authorizing its release to the person presenting the statement
- Upon presentation of a signed court order authorizing the release of the item to a specific individual or business
- Upon authorization of the listed disposal officer or a commanding officer by signing a release form.



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## 11.6.3 TEMPORARY RELEASE OF PROPERTY

### Court

Physical evidence may be obtained from the Property Room. Officers and CSU technicians shall notify the Property Room supervisor 48 hours prior to the court date, for the release of any evidence needed in the proceeding, or for viewing by either the prosecutor or defense attorney. The notification, via the I/Leads Organizer, shall include the item number(s) in the Notes section. Officers and CSU technicians shall sign for the release of property/evidence on the appropriate form and shall ensure that the evidence is either returned to the Property Room at the conclusion of the day's proceeding or remains secured with the court. Officers and CSU technicians are responsible for returning the evidence to the Property Room at the conclusion of a trial. If property/evidence is retained by the court, the chain of custody must include the signature of the court person who received the item(s) for storage, along with the date and the time that the item(s) was in their custody.

Property cannot be released directly from court by the officer or CSU technician. The officer or CSU technician shall sign the authorization to release the property to the owner and the Property Room shall notify the owner to claim the item(s).

The Property Room maintains a log of all transactions and the owner's signature becomes a part of the permanent records of the chain of custody.

For narcotics cases, unless ordered by the court, the officer shall only present laboratory results for evidentiary purposes. If the court orders the actual evidence to be presented, the officer shall contact the Narcotics Evidence Officer, through the I/Leads Organizer, at least 48 hours prior to the court date.

### Labs/Forensic Processing

If the evidence is in a sealed container or envelope, it shall not be opened unless directed by the court or, as needed, for processing. When the envelope is opened, the date and the name of the person opening the envelope must be recorded on the envelope. Upon returning the opened envelope to the Property Room, the Property Room clerk shall check the opened envelope to ensure that all contents listed on the property records are present.

## 11.6.4 SPECIAL CIRCUMSTANCES

### Monetary Seizures

To indicate that an officer no longer needs to keep the monetary amounts listed as evidence, the officer shall mark the evidence disposition slip as "dispose/destroy." All dispositions, listed as "dispose/destroy", on monetary amounts seized from citizens shall be researched by Property Room personnel. If a court disposition for forfeiture of the money is not located, then a letter shall be sent to the person, from whom the money was seized, advising him/her of the money's existence and how to claim the money. If no response is received regarding the money after 90 days, the money is considered to be abandoned property. The money shall then be listed on a court order for a judge's approval to be forfeited to the appropriate governmental entity.

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## 11.6.4 SPECIAL CIRCUMSTANCES (CONTINUED)

### DNA Evidence – Special Procedures

Since the inception of DNA testing, laws have been expanded to address the disposal of evidence that may be subject to DNA testing. KRS 524.140 addresses defendants charged with the following:

- Capital crime
- Class A
- Class B
- Class C
- Class D in Chapter 510 (sexual offenses)

Officers should only dispose of DNA evidence associated with the above offenses upon a court order.

DNA evidence associated with Class D offenses, other than those in KRS Chapter 510, may be disposed of by the officer after the appeal of any conviction or three (3) years from the time of sentencing, if no appeal has been filed. If charges are pending on an unsolved case, the DNA evidence shall be kept.

DNA evidence associated with misdemeanor cases may be disposed of by the officer after sentencing for any conviction, after the conclusion of the appeal, if one is filed, or one (1) year from the date of the offense, if no charges have been filed, except in the following instance. For a misdemeanor offense under KRS Chapter 510, in which the victim is under the age of 18 at the time of the offense, evidence associated with the case may be disposed of by the officer after sentencing or after the conclusion of the appeal, if one is filed, or six (6) years from the date that the victim turns 18, if no charges are filed (KRS 500.050(3)).

### Non-DNA Evidence

Non-DNA evidence associated with any felony case may be disposed of by the officer after the appeal of any conviction or three (3) years from the time of sentencing, if no appeal has been filed. If charges are pending on an unsolved case, the evidence shall be kept.

Non-DNA evidence associated with misdemeanor cases, with the exception of Mobile Video System (MVS) tapes (refer to SOP 4.1.8) and evidence from accidents involving department vehicles (refer to SOP 7.7.5), may be disposed of by the officer after sentencing for any conviction or one (1) year from the date of the offense, if no charges have been filed.

## 11.6.5 STATUTE OF LIMITATIONS AND RECOMMENDED DISPOSITION VIA I/LEADS

The I/Leads RMS has a statute of limitations feature that will facilitate the proper and timely release or disposal of property from the Property Room. The system will send out a notification to the appropriate personnel when a piece of property associated with a case has reached its statute of limitations date.

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## 11.6.5 STATUTE OF LIMITATIONS AND RECOMMENDED DISPOSITION VIA I/LEADS (CONTINUED)

When a case has reached its statute of limitations date, the system will send an I/Leads Organizer notification and link to the appropriate officer requesting the recommended disposition. The system will attempt the notification in the following order:

- The system will first attempt to notify the lead investigator assigned to the case in the Case Management module.
- If no lead investigator is found, the system will attempt to notify the investigator assigned in the Case Management module.
- If no investigator is found, the system will attempt to notify the primary officer assigned in the Incident module.
- If no primary officer is found, the system will notify the Default Notify user or role assigned in the Agency Configuration.

KRS 500.050 addresses time limitations for the prosecution of criminal offenses in Kentucky. This statute advises that the prosecution of a felony is not subject to a period of limitation and may be commenced at any time. The prosecution of an offense, other than a felony, must be commenced within one (1) year after it is committed. For the purpose of this section, it states that an offense is committed either when every element occurs or if a legislative purpose to prohibit a continuous course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein, is terminated.

## 11.6.6 REVIEW DATES

Evidence and property shall be reviewed for disposal at periodic intervals to eliminate the hazards of overcrowded conditions caused as a result of excessive amounts of stored property/evidence. It is the responsibility of each officer to make the proper disposition of all property/evidence entered by him/her or assigned to him/her, when the evidence/property is no longer needed and within six (6) months of the legal requirements having been met (CALEA 84.1.7).

Items of evidence shall be listed on the Property Disposition form (LMPD #0070-97) and forwarded, by Property Room personnel, to the officer listed as having disposal authority. This form shall serve as the official notification to the officer that the listed items are being reviewed for disposal. Notification may also be sent via the I/Leads Organizer. Once notified, the officer shall notify the Property Room on what to do with the property. Upon receipt of the Property Disposition form or notification via I/Leads RMS, officers shall:

- Review their cases and determine if there is a need for continued retention.
- Provide an explanation if there is a need for continued retention.
- Electronically authorize the proper disposition, through the I/Leads RMS, or complete the form indicating the proper disposition if a need for retention does not exist.

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## 11.6.7 TRANSFER OF EVIDENCE UPON RETIREMENT OR SEPARATION OF SERVICE

Officers retiring from the department are not to dispose of any evidence in unsolved cases. Prior to retirement, officers are required to transfer disposal rights to another officer or commanding officer (SOP 11.6.5). For any property or evidence that has not been transferred due to retirement or the separation of service, release of evidence involving cases generated by former officers shall be turned over to the former officer's last commanding officer, prior to retirement or separation of service. If the last commanding officer is no longer with the department, the current commanding officer of the investigating unit shall be responsible for researching the disposition of such cases and for releasing, or disposing of, the remaining items in evidence.

The Narcotics Division Commander shall have the authority to order the destruction of narcotic case evidence, when no other appropriate officer can be located to sign the destruction order (e.g. deceased, resigned, retired, terminated).

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## 12.1 PURSUITS (CALEA 41.2.1)

### 12.1.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) that the pursuit operation of a police vehicle is justified only when the necessity of immediate apprehension outweighs the dangers created by:

- The operation of the pursuing police vehicle, or;
- The responding police vehicle, or;
- The offender being pursued.

The officer must have a reason to believe that the violator being pursued has committed, or is wanted on a warrant for committing, a violent felony.

For the purposes of this policy, a "violent felony" is defined as:

- Offenses where a suspect has killed a person
- Assault in the First, Second or Third Degree
- Wanton Endangerment in the First Degree
- Unlawful Imprisonment in the First Degree
- Kidnapping
- Rape in the First Degree
- Sodomy in the First Degree
- Sexual Abuse in the First Degree
- Arson in the First Degree
- Robbery in the First Degree
- Escape in the First Degree

Officers shall pursue with the vehicle's emergency lights and siren in continuous operation. Police vehicles are exempt from most traffic regulations, pursuant to Kentucky Revised Statute (KRS) 189.940. However, no portion of this statute relieves the driver from operating the vehicle with due regard for the safety of all persons using the roadway.

Officers and supervisors shall be held accountable for their actions in a pursuit and must be able to articulate why they believe that someone has committed, or is wanted on a warrant for committing, a violent felony.

Officers shall not initiate or participate in pursuits when:

- The offense is a traffic infraction, misdemeanor or non-violent felony.
- Passengers or prisoners are in the police vehicle.
- Their vehicle is not equipped with emergency lights and siren.

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## 12.1.2 DEFINITION

**Pursuit:** An active attempt by a law enforcement officer operating a police vehicle, utilizing emergency equipment, to apprehend the operator of a fleeing vehicle, who is attempting to avoid arrest by using speed or other evasive tactics.

## 12.1.3 RESPONSIBILITIES OF PRIMARY UNIT (CALEA 41.2.2a-b, KACP 21.2a-b)

The decision to initiate a pursuit must be based on the pursuing officer's reasonable belief that the suspect has committed, or is wanted on a warrant for committing, a violent felony. The officer must weigh the immediate danger or potential danger to the public, should the suspect be allowed to remain at large, against the danger or potential danger created by the pursuit itself.

The pursuing officer shall consider the following factors in determining whether to initiate a pursuit:

- The nature and seriousness of the offense
- The amount of vehicular and pedestrian traffic in the area
- The likelihood of successful apprehension
- The area or location characteristics
- The availability of assistance
- The environmental conditions (e.g. lighting and weather)
- The performance capabilities of the pursuit vehicle
- The condition of the road surface on which the pursuit is being conducted
- The officer's familiarity with the geographic area of the pursuit

The officer initiating a pursuit shall, as soon as practical, provide the following information by radio:

- Car number
- Location
- Direction of travel
- Approximate speed
- Reason for pursuit
- Vehicle description
- License number, if known
- Number and description of occupants
- Traffic conditions

Failure to provide this information to MetroSafe shall result in an immediate termination of the pursuit by a commanding officer. The initiating unit shall be in command and bear operational responsibility for the pursuit until the pursuit is acknowledged by a commanding officer.

Unmarked and specialty vehicles shall have a fully marked police vehicle involved in the pursuit as soon as possible. The marked unit shall take over the primary unit position, when feasible. Police vehicles and rental vehicles without emergency lights and siren are prohibited from participating in pursuits (CALEA 41.2.2d).

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## 12.1.4 RESPONSIBILITIES OF SECONDARY UNIT (CALEA 41.2.2c, KACP 21.2c)

Upon joining the pursuit, assisting units shall notify MetroSafe by providing their car number and location.

The active pursuit shall not involve more than two (2) units, unless approved by the commanding officer in charge of the pursuit. The commanding officer may approve or assign additional backup units based upon several factors, including, but not limited to, the following:

- The nature of the offense
- The number of suspects in the vehicle and/or any known propensity for violence
- Weapon involvement
- Other officer safety concerns

If the primary unit is unable to continue for any reason, the secondary unit shall become the primary unit, assuming the authority to terminate the pursuit. Any primary or secondary unit sustaining damage to, or failure of, essential vehicular equipment during the pursuit shall not continue in the pursuit. MetroSafe shall advise the field supervisor and other units that a new secondary unit is needed and the next unit to join the pursuit shall be designated the secondary unit.

Vehicles not actively involved in the pursuit shall be considered support units and shall conduct the following activities:

- Cover escape routes
- Assume a primary or secondary unit role, should one (1) of those vehicles be unable to continue
- Operate with all emergency equipment, when necessary, to maintain support positions and to warn other drivers of the support vehicles' approach
- Attempt to join the active pursuit if a support vehicle inadvertently intercepts the suspect vehicle

## 12.1.5 RESPONSIBILITIES OF METROSAFE (CALEA 41.2.2e, KACP 21.2d)

MetroSafe shall be responsible for the following:

- Ensuring that the immediate commanding officer is aware of the pursuit and the nature of the pursuit.
- Clearing the primary channel of unnecessary traffic, advising all other channels that a pursuit is in progress, providing all relevant information and activating the emergency tone on the primary channel.
- Coordinating assistance under the direction of the commanding officer in charge of the pursuit.
- Notifying the Air Unit and Canine Unit.
- Performing relevant record and motor vehicle checks.
- Notifying outside agencies if the pursuit might involve their jurisdiction, and whether the call is a request for assistance or merely a courtesy notification with no participation requested.
- Conducting all transmissions on a radio frequency/channel capable of being monitored and recorded by MetroSafe while within the primary channel range.

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## 12.1.6 RESPONSIBILITIES OF AIR UNIT (CALEA 41.2.2d, KACP 21.2c)

The Air Unit often has the ability to safely follow fleeing vehicles without endangering suspects, officers or bystanders. The Air Unit shall be contacted on all pursuits and shall attempt to become involved in all pursuits initiated by an officer or being conducted in the department's jurisdiction. Once the Air Unit is in a position to maintain visual contact with the pursued vehicle, it shall become the primary unit for the pursuit. The primary and secondary ground units may continue in the pursuit with due regard for the safety of others.

The Air Unit shall continually broadcast the location of the wanted vehicle to ground units, allowing them to follow the suspect's vehicle from a greater distance. The Air Unit shall also advise ground units of upcoming traffic congestion, road hazards or other information which could be beneficial to responding units.

In situations where the Air Unit is involved in a pursuit that has been terminated, the Air Unit may continue to follow the suspect's vehicle to gather intelligence regarding the suspect's final destination. This information may be relayed to ground units when the pursued vehicle stops, parks, is abandoned or when officers are able to approach. When appropriate, officers may respond to the suspect's final destination in a manner consistent with departmental policy.

During terminated pursuits, the Air Unit shall follow the suspect's vehicle in a covert manner. The Air Unit shall not illuminate the suspect's vehicle with their spotlight and shall only use FLIR thermal imaging or night vision to monitor the suspect's vehicle if that is the only way to maintain a visual. If it is not safe to proceed, the Air Unit shall terminate their surveillance of the suspect's vehicle.

In a situation where officers attempt to stop a vehicle and the vehicle does not yield; the suspect has committed, or is wanted on a warrant for committing, a non-violent felony; and the Air Unit is present or in close proximity, the Air Unit may follow the suspect's vehicle and provide information to ground units regarding its final destination. In the case of any other violation or misdemeanor, the Air Unit shall not follow the vehicle.

When a pursued suspect's vehicle leaves Jefferson County, the Air Unit may follow that vehicle for as long as they may safely do so, considering environmental conditions, fuel status and other known factors. MetroSafe will pass along the observations of the Air Unit to the law enforcement agency that has jurisdiction over the pursuit. LMPD officers may only leave Jefferson County in hot pursuit, and shall not leave Jefferson County to assist the Air Unit in any terminated pursuit. Once a suspect's vehicle has stopped, the jurisdictional law enforcement agency must handle all contact with the suspect(s). Upon the approval of a commanding officer, LMPD members may be authorized to respond to another jurisdiction to provide investigative information and assist with any criminal investigation.

## 12.1.7 RESPONSIBILITIES OF SUPERVISOR (CALEA 41.2.2f, KACP 21.2e)

Once notified of a pursuit, the affected supervisor shall acknowledge and assert control by monitoring the pursuit, taking necessary action to ensure compliance with this policy and shall verify the following:



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## 12.1.7 RESPONSIBILITIES OF SUPERVISOR (CONTINUED)

- That sufficient information has been provided by the pursuing officer for the supervisor to evaluate the necessity of a pursuit.
- Only the required or necessary units are involved in the pursuit.
- Aerial assistance, if available, has been requested.
- The proper radio frequency is being utilized. The radio channel where the pursuit was initiated shall be the frequency utilized for the entire pursuit. All assisting units shall change to the assigned channel. Specialty units (e.g. Narcotics Division, Canine Unit, Traffic Unit, etc.) shall also change to a primary channel (Police 1 – 4).
- Affected allied agencies are being notified.

The supervisor in charge shall continuously evaluate the updated information to determine if the pursuit should be continued or terminated and shall be held accountable for his/her decision. In controlling the pursuit, the supervisor in charge shall be responsible for:

- Approving or terminating a pursuit (CALEA 41.2.2g, KACP 21.2g).
- Directing pursuit vehicles or air support into, or out of, the pursuit.
- Redesignation of primary, secondary or other unit responsibilities.
- Coordinating pursuit tactics.
- Granting or denying permission for the pursuit to continue outside of the LMPD's jurisdiction (CALEA 41.2.2h, KACP 21.2h).

The supervisor may also approve support units to assist the primary and secondary pursuit units based upon an analysis of the following criteria:

- The nature of the offense for which the pursuit was initiated
- The number of suspects in the vehicle and/or any known propensity for violence
- Weapon involvement
- The number of pursuit vehicles
- Any damage or injuries to the primary and secondary unit or officers
- The number of officers needed to make an arrest at the pursuit conclusion
- Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles

The supervisor in charge of the pursuit shall continue to direct the pursuit, approve or order alternative tactics and maintain control until the pursuit is terminated.

## 12.1.8 TACTICS (KACP 21.2f)

**Physical or Deadly Force:** Pursuit tactics involving the use of physical or deadly force are guided by KRS and departmental policy.

**Emergency Equipment:** Officers shall utilize all emergency equipment in continuous operation during a pursuit.

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## 12.1.8 TACTICS (CONTINUED)

**Offensive Tactics:** In the course of a pursuit, deliberate contact to forcibly stop a fleeing vehicle is permitted only if the use of deadly force would be justified under the circumstances and the action does not create a substantial risk of serious physical injury or death to uninvolved persons (CALEA 41.2.3a).

**Passing:** There shall be no attempt by officers to pass other units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the field supervisor.

**Roadblocks:** A roadblock is a barricade or other obstruction (e.g. vehicle, signs, devices, etc.) used to disrupt the flow of traffic in an attempt to stop, or prevent the escape of, a fleeing vehicle. Roadblocks may not be utilized without the approval of a supervisor. The use of roadblocks must be weighed against the potential risk presented by continuing the pursuit. Roadblocks shall be established with due regard for everyone, whether directly or indirectly involved in the pursuit, including, but not limited to, officers, civilians and suspects. To ensure that the pursuing vehicles and the offender can safely stop, roadblocks shall only be used in areas with sufficient visibility. Under no circumstances shall roadblocks be established in blind areas, such as curves or expressway ramps (CALEA 41.2.3a, KACP 21.2i).

**Disabling Devices:** Disabling devices shall be deployed, whenever possible, to immobilize a pursued vehicle. However, they shall not be used if the pursued vehicle is a two-wheeled vehicle (CALEA 41.2.3a).

**Shooting at or from a Moving Vehicle:** Officers shall not shoot at, or from, a moving vehicle unless necessary to return gunfire to protect human life and when it does not create an unreasonable risk of harm to innocent persons.

## 12.1.9 TERMINATION (CALEA 41.2.2g, KACP 21.2g)

Pursuits shall be terminated when the risks created by continuing the pursuit outweigh the need for immediate apprehension.

An officer's decision to terminate a pursuit for safety reasons is not subject to criticism or review.

Pursuits shall be terminated immediately when the following occur:

- A supervisor in charge of the pursuit, or a higher-ranking officer, issues an order of termination
- The officer loses visual contact and the likelihood for apprehension is decreased
- The officer doesn't believe that it is safe to continue the pursuit
- The officer is lost and/or unfamiliar with the area
- The officer is out of radio range or loses contact with MetroSafe

Pursuits may be terminated by the pursuing officer, the supervisor in charge of the pursuit or any commanding officer of a higher rank than the supervisor who is in charge of the pursuit. Supervisors shall be held accountable for the failure to exercise authority under this section.

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## 12.1.10 INTERJURISDICTIONAL PURSUITS (CALEA 41.2.2h, KACP 21.2h)

When a LMPD pursuit enters another agency's jurisdiction, MetroSafe shall notify that agency and specify:

- All pertinent information that is available at the time
- If the call is a request for assistance or for notification only

Once the other agency takes over the pursuit, the primary and secondary units must relinquish control of the pursuit and move to a support position.

When notified of a pursuit by another agency entering the department's jurisdiction, MetroSafe shall gather all pertinent details. MetroSafe shall notify the affected division and, pending the approval of a commanding officer, dispatch a unit(s) based on available information. The affected division's supervisor may authorize LMPD officers to become actively involved in another agency's pursuit, if specifically requested and the pursuit meets the criteria of this policy.

## 12.1.11 POST PURSUIT (CALEA 41.2.2i)

The primary pursuit unit retains the responsibility for maintaining control and directing activities at the conclusion of the pursuit, until relieved by a supervisor. The supervisor of the division where the pursuit ends shall proceed to the termination point in order to provide guidance and necessary supervision. The commanding officer in charge of the pursuit shall submit an Administrative Incident Report (AIR) (LMPD# 03-03-0001) with the pursuit section completed. Any use of roadblocks or forcible stopping techniques shall be documented on the AIR (CALEA 41.2.3e). The AIR shall be submitted by the end of his/her tour of duty.

## 12.1.12 PURSUIT REVIEW (CALEA 41.2.2i)

All pursuits shall be reviewed to:

- Monitor compliance with policy; and
- Determine the effectiveness of current training methods

The pursuit review shall entail:

- A review of the AIR (LMPD #03-03-0001) and all attached supporting documentation.
- A review of all associated radio transmissions.
- A review of all associated video recordings.

The division/section/unit commander in the officer's chain of command is responsible for:

- Compiling the documentation required for the review.
- Reviewing the material.
- Requesting supplemental documentation, if required.

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## 12.1.12 PURSUIT REVIEW (CONTINUED)

- Making recommendations about compliance with policy and the effectiveness of training.

The completed review shall be forwarded to the appropriate Deputy Chief of Police in the officer's chain of command and then to the Legal Advisor and Chief of Police for final review.

A documented analysis of vehicle pursuits shall be conducted on an annual basis in order to identify larger patterns that may lead to policy and/or training modifications (CALEA 41.2.2j, KACP 21.2j).

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## 12.2 EXPOSURE CONTROL AND BLOODBORNE PATHOGENS (KACP 29.1a)

### 12.2.1 POLICY

The Louisville Metro Police Department (LMPD) is responsible for ensuring that its members are able to perform their duties in the safest and most effective manner possible. Life-endangering, communicable diseases threaten the safe performance of daily operations. In order to minimize a potential exposure and increase the understanding of the nature and potential risks of communicable diseases, the department shall continuously provide members with up-to-date procedures and information on communicable diseases and shall ensure that the proper safety equipment is available.

The Exposure Control Plan meets all mandatory federal regulations. Its purpose is to eliminate or reduce a member's exposure to blood, bodily fluids and other potentially infectious materials. It shall be available in each division/section/unit and accessible to all members on a 24-hour basis.

### 12.2.2 DEFINITIONS

**Blood:** Human blood, human blood components and products made from human blood.

**Bloodborne Pathogens:** Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens shall include, but are not limited to, Hepatitis B Virus (HBV), Hepatitis C Virus (HCV) and Human Immunodeficiency Virus (HIV).

**Body Substance Isolation:** Formerly known as "universal precautions." All individuals should be considered as possible exposure threats for bloodborne or airborne pathogens and should be approached and treated using the appropriate procedures and personal protective equipment (PPE).

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

**Contaminated Clothing:** Clothing that has been soiled with blood or other potentially infectious materials, or clothing that may contain sharps.

**Contaminated Sharps:** Any contaminated object that can penetrate the skin, including, but not limited to, needles, knives, broken glass and the exposed ends of dental wires.

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

**Exposure Incident:** A specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood, or other potentially infectious materials, that result from the performance of a member's duties. Non-intact skin shall include skin with dermatitis, hangnails, cuts, abrasions and chafing.

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## 12.2.2 DEFINITIONS (CONTINUED)

**Occupational Exposure:** Reasonably anticipated eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood, or other potentially infectious materials, that may result from the performance of a member's duties.

**Other Potentially Infectious Materials (OPIM):** The following human body fluids shall be considered OPIM:

- Any bodily fluids such as semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid or saliva
- Any unfixated tissue or organ (other than intact skin) from a human (living or dead)
- Any cell, tissue or organ cultures containing pathogens
- Any culture medium or other solution containing pathogens
- Any blood, tissues or organs from experimental animals infected with HIV, HBV, HCV or other pathogens

**Parenteral:** Piercing mucous membranes or skin barriers through such events as needle sticks, human bites, cuts and abrasions.

**Personal Protective Equipment (PPE):** Specialized clothing, or equipment, worn by a member for protection against a hazard. Generally, work clothes (e.g. uniforms, pants, shirts) are not intended to function as protection from a hazard and shall not be considered PPE.

**Regulated Waste:** Liquid, or semi-liquid, blood or other potentially infectious materials and/or contaminated items that are soaked or caked in blood or OPIM which, if handled or compressed, may release these materials, pathological and microbiological wastes containing blood or OPIM.

## 12.2.3 EXPOSURE DETERMINATION

The following chart serves as an assessment for all job classifications within the department for occupational exposure to bloodborne pathogens:

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Chief of Police		X	
Deputy Chief - Colonel		X	
Assistant Chief – Lieutenant Colonel		X	
Major		X	
Captain		X	
Lieutenant	X		
Sergeant	X		
Officer/Detective	X		
Recruit		X	

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## 12.2.3 EXPOSURE DETERMINATION (CONTINUED)

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Administrative Assistant			X
Administrative Clerk			X
Administrative Coordinator			X
Administrative Secretary			X
Administrative Specialist			X
Administrative Supervisor I			X
Attorney			X
Clerk Typist II			X
Community Outreach Coordinator			X
Crime Analyst I			X
Crime Scene Unit Technician I	X		
Crime Scene Unit Technician Trainee	X		
Criminal Justice Specialist			X
Criminal Justice Supervisor			X
Executive Assistant			X
Information Process Technician			X
Keeper I			X
Latent Fingerprint Technician		X	
LMPD Service Center Technician			X
Management Assistant			X
Paralegal			X
Permit/License Assistant			X
Personnel Specialist			X
Personnel Supervisor			X
Physical Fitness Instructor			X
Photographer Technician			X
Police Data Analyst			X
Police Report Technician		X	
Property Room Clerk		X	
Property Room Clerk Trainee		X	
Property Room Coordinator		X	
Property Room Supervisor		X	
Public Information Specialist			X
Records Manager			X
Records Supervisor I			X
Records Supervisor II			X
Storage Equipment Operator		X	
Tow-In Equipment Operator		X	
Traffic Control Officer II			X

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## 12.2.3 EXPOSURE DETERMINATION (CONTINUED)

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Traffic Guard I, II and III			X
Traffic Guard Supervisor			X
Transcriber			X
Vehicle Impoundment Supervisor			X
Video Forensics Specialist		X	
Word Processing Clerk			X

Departmental members can reasonably anticipate coming into contact with human blood and OPIM in the course of their duties. Incidents that involve a significant risk of exposure include, but are not limited to, the following situations:

- Responding to assaults
- Conducting corpse investigations
- Aiding injured/sick persons
- Responding to injury accidents
- Handling intoxicated persons
- Conducting crime scene searches
- Handling evidence
- Aiding in child birth
- Arresting and searching individuals
- Handling mental patients
- Serving search warrants

## 12.2.4 BODY SUBSTANCE ISOLATION

Body substance isolation, formerly known as “universal precautions,” shall be observed in order to prevent contact with blood or OPIM. Departmental members shall treat human blood, body fluids and OPIM as if they are known to be infectious for bloodborne pathogens. Therefore, eating, drinking, smoking, applying cosmetics/lip balm and handling contact lenses are prohibited in areas where a reasonable likelihood of contamination is present (KACP 29.1d).

In circumstances where it is difficult, or impossible, to differentiate between fluid types, members shall assume that the fluid is potentially infectious and use the appropriate level of PPE. When in doubt, members shall use maximum protection.

Under rare and extraordinary circumstances, a member may decline to use PPE. In such situations, it must be the member's professional judgment that the use of PPE would have prevented the delivery of healthcare or would have posed an increased hazard to his/her, or another's, safety. Exceptions to the use of PPE are



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## 12.2.4 BODY SUBSTANCE ISOLATION (CONTINUED)

limited. However, when such an exposure incident occurs, the member's immediate supervisor shall complete the portion of the Exposure Report form (LMPD #04-08-0303) that documents why PPE was not used and suggest possible changes in policy that might prevent similar, future incidents.

## 12.2.5 PERSONAL PROTECTIVE EQUIPMENT (PPE)

### Supply (KACP 29.1c)

The department shall provide PPE to all members with a moderate or high occupational exposure and shall repair, replace and dispose of the PPE, as required, at no cost to the member. Commanding officers and supervisors shall ensure that each member with a moderate, or high, occupational exposure has the required PPE and the necessary replacement items. The failure of a member to use PPE due to its unavailability is unacceptable. Each member with a moderate or high occupational exposure shall have the following readily available:

- Nitrile (non-latex) gloves
- Outer garments
- Shoe covers
- Eye protection
- Biohazard tape
- Paper dust mask
- Barrier resuscitation mask/mouthpiece (CPR mask)
- Full-face negative pressure air purifying respirator
- Heavy-duty utility style leather gloves
- Head cover
- Antiseptic wipes or hand cleaner
- Biohazard bag
- Sharps container
- Medical trauma kit
- Spit sock hood

### Medical Trauma Kit

The medical trauma kit is a compact kit that contains the items essential for the treatment of serious injuries encountered by law enforcement. The medical trauma kit is compact and should be stored in the glove box of the member's vehicle when not deployed, unless a tactical situation dictates otherwise. The medical trauma kit is packed in a heavyweight re-sealable bag, allowing for the easy replacement of individual kit items. Kit components can also be periodically inspected without damaging the integrity of the packaging.

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## 12.2.5 PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)

Contents of the medical trauma kit include:

- SOF tactical tourniquet.
- Olaes® modular bandage, consisting of:
  - Three (3) meters of sterile four (4) ply gauze.
  - Plastic occlusive sheet included in dressing pocket.
  - Transparent pressure cup that focuses pressure on the wound and acts as an eye cup for treatment of eye injuries.
- One (1) pair of nitrile gloves.
- Two (2) EZ-Gauze.

If the contents are used and/or need to be replaced, the member shall contact the Health and Safety Officer (HSO) for replacement.

### **Storage** (CALEA 41.3.2, KACP 29.4)

Members assigned PPE shall store the equipment in a readily accessible area of their vehicle. CPR masks and medical trauma kits shall be stored in the glove box of the vehicle for easy access. If members work primarily in a building (e.g. Property Room personnel), PPE shall be stored in a readily accessible area at the workplace.

### **Inspection, Maintenance and Replacement**

Members shall be responsible for continually inspecting their issued PPE for damage (e.g. tears, rips, cracks, etc.). If an article of PPE is damaged or has been used, the member shall notify his/her supervisor and respond to his/her division/section/unit for replacement. Each division/section/unit is responsible for ordering its own PPE and maintaining an adequate supply, as needed, for replacement. If a division/section/unit does not have an adequate supply of PPE or it is unavailable for replacement, members shall obtain a replacement from the Property Room (CALEA 41.3.2). Replacement supplies for the medical trauma kit, barrier resuscitation mask/mouthpiece (cardiopulmonary resuscitation (CPR) mask) and spit sock hood shall be available from the HSO.

### **Use of PPE**

The type and amount of PPE used shall be considered appropriate only when it prevents the member from coming into contact with blood or OPIM, under normal conditions and durations of use. At a minimum, the following procedures should be followed:

- Disposable gloves, two (2) gloves on each hand (double glove), should be worn when handling any persons, clothing, equipment or item contaminated with blood or OPIM. Nitrile gloves may leak and double gloving can prevent blood, or OPIM, from reaching the skin.

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## 12.2.5 PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)

- Masks, in combination with eye protection, should be worn whenever the possibility of splashes, spray, spatter or droplets of blood, or OPIM, exists.
- Protective outer garments should be worn whenever the possibility of an exposure may occur, based upon the task to be performed.
- Shoe covers should be worn at scenes with gross contamination on the floor or ground.
- Head covers should be worn whenever the possibility of splashes, spray, spatter or droplets of blood, or OPIM, may come into contact with the head or scalp.
- Plastic mouthpieces or other authorized barrier resuscitation devices should be used whenever a member performs CPR or rescue breathing.
- Biohazard bags should be used to dispose of used PPE and all waste products from cleaning and decontamination.
- Biohazard tape should be used to warn individuals when a scene or item (e.g. vehicle, room, house) is contaminated. When securing crime scenes, biohazard tape should only be used to rope off the contaminated area. Yellow police tape should be used to secure the perimeter.
- Members are responsible for properly disposing of any PPE that they have used. Used PPE shall not be left at a crime scene, accident scene or at any other location. Prior to reopening a crime scene or accident scene, personnel from the unit responsible for the investigation shall check the scene and properly dispose of any used PPE.

### Removal and Disposal of PPE

PPE shall be removed as soon as feasible upon leaving the scene of contamination. If the PPE was contaminated, it shall be placed in a leak-proof biohazard bag and closed (KACP 29.1f). The bag shall be taken to the biohazard decontamination station, either at the member's division or at the Property Room. If Crime Scene Unit (CSU) personnel are available, the bag may be taken to the biohazard disposal container inside of the CSU.

Caution should be taken when removing contaminated PPE to prevent the spread of contamination to exposed skin and clothing. Clean nitrile gloves shall be worn when removing or cleaning contaminated PPE.

## 12.2.6 HANDWASHING

Members shall wash their hands for at least 15 seconds, with soap and hot water, upon removal of gloves and other PPE. Members shall wash their hands, and any other exposed skin, with soap and hot water, or flush mucous membranes with water immediately, or as soon as possible, following the contact of such body areas with blood or OPIM. Handwashing facilities are located in each division, Police Headquarters, the Property Room and the CSU office.

When handwashing is not feasible, an appropriate antiseptic hand cleanser, in conjunction with a clean cloth, paper towels or antiseptic wipes, shall be used (KACP 29.1c). Hands shall then be washed with soap and hot running water as soon as practical.

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## 12.2.7 DECONTAMINATION

All equipment (including the outside surfaces of police vehicles, handcuffs, batons, etc.) shall be cleaned and decontaminated after contact with blood or OPIM. Decontamination shall be performed as soon as practical. Work surfaces (e.g. processing areas) shall be decontaminated with an appropriate disinfectant before and after use (KACP 29.1e).

All waste products from cleaning and decontamination shall be placed in a biohazard bag, closed and taken to the biohazard decontamination station at the member's division, the Property Room or the biohazard disposal container inside of the CSU, if CSU personnel are available.

### Vehicles

Any vehicles, whether government or civilian, that contain blood or OPIM shall be clearly marked with biohazard tape so as to inform anyone who will have contact with the vehicle of the necessity to use PPE. Biohazard tape may be obtained from the Property Room. Whenever possible, officers should contact Louisville Metro Emergency Medical Services (LMEMS) to treat, clean and bandage a potentially contaminated prisoner prior to placing him/her in their vehicle, or before taking him/her into a police facility, in order to avoid contamination of these locations. This decision should be made after considering escape and public or officer health and safety risks.

The interior of police vehicles shall be cleaned and decontaminated after transporting any person who may have contaminated the vehicle. Members shall decontaminate the vehicle before transporting another person.

Small amounts of blood and OPIM may be cleaned using antiseptic wipes. Larger areas of contamination shall be cleaned by absorbing the contaminating substance with paper towels, then washing the area with hot soapy water, and lastly, using antiseptic spray or wipes on the affected area. All waste products used in cleaning and decontamination of a vehicle shall be placed in a biohazard bag, closed and taken to the biohazard decontamination station at the member's division, the Property Room or the biohazard disposal container inside of the CSU, if CSU personnel are available.

If a member's vehicle is severely contaminated, it shall be clearly marked with biohazard tape. After receiving approval from the division/section/unit commander, the vehicle shall be taken to a facility contracted by the department for complete detailing and decontamination.

If a member performing mechanical maintenance, or repairs, to a departmental vehicle discovers that a vehicle is contaminated, he/she shall cease work immediately and notify the member responsible for the vehicle that the vehicle must be decontaminated. Work on the vehicle shall not be resumed until decontamination is complete.

### Uniforms (KACP 29.1f)

All members with a moderate or high occupational exposure risk level are required to maintain a complete change of clothes in their vehicles or at their assigned division/section/unit.

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## 12.2.7 DECONTAMINATION (CONTINUED)

Contaminated clothing shall be removed as soon as practical. If the clothing cannot be removed at the scene, the member shall immediately go to his/her division/section/unit to remove it. The member shall wash any affected areas of the body with soap and water. The member shall place the contaminated items in a biohazard bag, close the bag and label it with his/her name and a brief description of the contents. He/she shall then deliver the bag to the Property Room for laundering or disposal. Contaminated clothing shall not be taken home under any circumstances.

### **Evidence** (CALEA 84.1.2)

Any evidence contaminated with body fluids shall be dried, bagged and marked as a possible hazard. Any item that is not yet dry shall be collected by the CSU or transported to the CSU office to be dried prior to being placed in the Property Room. Wet items shall be transported in leak-proof containers to prevent leak-through contamination. Needles and other sharps shall be placed in a puncture-resistant container when being collected for evidentiary purposes (KACP 29.1c).

## 12.2.8 SHARPS

All sharp instruments such as knives, razors, needles and broken glass shall be considered contaminated. Leather gloves should be worn when searching for, or handling, sharp instruments. Nitrile gloves should be worn under the leather gloves when blood, or other body fluid, is present. Members should not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted. When lighting is inadequate, a flashlight should be used to illuminate dark areas. When searching suspects, a member may ask the suspect to remove such objects from his/her person. Broken glass, which may be contaminated, shall not be picked up by hand, but by mechanical means such as tongs, forceps or a brush and dustpan. Needles shall not be recapped, bent, broken, removed from a disposable syringe or otherwise manipulated by hand. The shearing or breaking of contaminated needles is prohibited. A puncture-resistant container shall be used when collecting needles and other sharps for evidentiary or disposal purposes (KACP 29.1c).

## 12.2.9 REGULATED WASTE

### **Storage** (CALEA 84.1.2, KACP 29.3d)

Warning labels shall be affixed to secured containers (e.g. refrigerators, freezers) of regulated waste. Furthermore, a biohazard label shall be affixed to evidence or other property contaminated with human blood or OPIM. The label shall be affixed as close as possible to the item in such a manner as to prevent loss or unintentional removal. On evidence envelopes, the label shall be affixed to the face along the right-front edge.

Food and drink shall not be stored in the same location (e.g. refrigerators, shelves) as blood or OPIM.

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## 12.2.9 REGULATED WASTE (CONTINUED)

### Disposal

The Property Room, as well as divisions/sections/units equipped with decontamination stations, is responsible for the disposal of regulated waste.

Contaminated sharps shall be placed in containers that are (KACP 29.1c):

- Closable
- Puncture resistant
- Leak-proof on the sides and bottom
- Appropriately labeled (KACP 29.3a)

Other regulated waste shall be placed in containers that are:

- Closable
- Constructed to contain all contents and prevent leakage of fluids during handling, storage, transporting or shipping
- Appropriately labeled (KACP 29.3a)

## 12.2.10 HEPATITIS B VACCINATIONS

Within ten (10) working days of initial assignment to a job classification, the department shall make the Hepatitis B vaccination series available to members who have a moderate or high occupational exposure risk level. This shall exclude members who have received the complete Hepatitis B vaccination series and whose antibody testing has revealed that the member is immune. If a vaccine is contraindicated for medical reasons, members may decline the vaccination (KACP 29.1c).

Pre-vaccination screening for antibody status is not required for participation. However, it is available at no cost to the member. The vaccination series shall be available even if the member declines prescreening.

Members who decline to accept the Hepatitis B vaccination shall sign the Hepatitis B Vaccination Declination form (LMPD #04-07-0301).

If a member initially declines the Hepatitis B vaccination, but at a later date, while still covered by this policy, decides to accept the vaccination, the department shall make available the Hepatitis B vaccination at that time. Occupational Physician Services (OPS), located at 901 West Broadway, should be contacted at (502) 584-2257 to begin participation.

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## 12.2.11 INFESTATIONS

### Bed Bugs

There may be instances where members will encounter scenes with bed bug infestations. In such cases, members shall use complete PPE covering their shoes, extremities and torso. After exiting the exposed environment and before getting in their vehicle, members shall remove the PPE and place it in a biohazard bag and seal the bag. The member shall discard the bag into an outside trash receptacle. Members should be careful when leaning over suspects, patients and/or other items as bed bugs crawl. Members should not sit on upholstered furniture and never place equipment on anything upholstered. If anything must be brought into the scene, members should use a plastic lining on the surface of a chair or table before placing items down. Before getting into their vehicle, members should check the crevices of anything brought into the environment, especially phones, computers, equipment, clothing and shoes. Members should wipe down or spray exposed items with alcohol or other disinfectant, which kills live bed bugs on contact. Alcohol does not kill bed bug eggs, but as bed bugs only move by crawling, and eggs do not crawl, they are not an issue for contamination.

For all incidents of bed bug infestations, members shall have MetroSafe immediately page the LMPD HSO as soon as they suspect that bed bugs may be present.

### Fleas

Fleas are blood-sucking parasitic insects that live on pets, livestock and humans. They are small, 1–4 mm in length, and blackish-brown in color. Although wingless, fleas are still capable of taking giant leaps, jumping to a height of several meters. Adult fleas feed on only blood and are capable of living long periods without feeding. The flea injects allergenic saliva after piercing the skin with its mandibles. The bites, which are usually felt immediately, become increasingly irritated and may remain sore and/or itchy, for as long as a week. Itching may be generalized or just at the site of the bite.

Flea bites usually occur around the ankles and lower leg area. Other common locations for flea bites are around the waist, in the armpits, in the creases of the elbows and behind the knees. A flea bite appears as a small single growth that is flat, firm and surrounded by a single red halo. The growth blanches when pressure is applied. Flea bites may show signs of bleeding. The area of skin affected may increase over time or the rash may spread to a different area.

There may be instances where members encounter scenes with flea infestations. In such cases, members shall use complete PPE covering their shoes, extremities and torso. After exiting the exposed environment and before getting in their vehicle, members shall remove the PPE and place it in a biohazard bag and seal the bag. The member shall discard the bag into an outside trash receptacle. Members should be careful when leaning over suspects, patients and/or other items as fleas can jump. Members should not sit on upholstered furniture and never place equipment on anything upholstered. If anything must be brought into the scene, members should use a plastic lining on the surface of a chair or table before placing items down. Before getting into their vehicle, members should check the crevices of anything brought into the environment, especially phones, computers, equipment, clothing and shoes.

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## 12.2.11 INFESTATIONS (CONTINUED)

For all incidents of flea infestations or bites, members shall have MetroSafe immediately page the LMPD HSO as soon as they suspect that fleas may be present.

## 12.2.12 LINE OF DUTY EXPOSURE INCIDENTS

Departmental members who have had a specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or OPIM shall be considered to have been exposed to a communicable disease.

### Member's Responsibilities

When a member has been exposed to another person's blood, living or deceased, or OPIM in the above listed manner, he/she shall:

- Immediately report the exposure to his/her supervisor.
- Report to the University of Louisville Hospital's Emergency Room (ER) and notify the triage personnel that he/she is there for a post-exposure evaluation.
- Discuss the exposure evaluation, source individual's test results and risks of treatment with the HSO and the departmental physician to determine whether prevention medication is recommended. If the member is a female, she should notify the physician if there is a chance that she may be pregnant.
- Choose whether to participate in the recommended medical treatment. This decision shall be made at the time that the treatment is recommended.

The member's supervisor shall be responsible for completing the Exposure Report form (LMPD #04-08-0303), the Workers' Compensation – First Report of Injury or Illness form (IA-1) and an Administrative Incident Report (AIR) (LMPD #03-03-0001) by the end of his/her shift.

### Supervisor's Responsibilities

When an exposure occurs, the supervisor shall:

- Notify MetroSafe that an exposure has occurred and the member is going to the University of Louisville Hospital for the post-exposure evaluation. MetroSafe shall notify the department physician and the HSO.
- Arrange transportation for the member to the University of Louisville Hospital's ER in order for the member to arrive within one (1) hour of the exposure.
- Document on the Exposure Report form whether identification of the source individual is known, whether the source individual is in custody (no criminal charges placed, individual escaped, etc.) and whether the individual provided consent to have his/her blood drawn for testing. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented. If the source individual is already known to be infected with HBV, HCV or HIV, further testing need not be repeated.



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## 12.2.12 LINE OF DUTY EXPOSURE INCIDENTS (CONTINUED)

- Apply for a court order to obtain blood from the source individual if he/she refuses to give consent. The supervisor shall request the HSO to assist him/her in this matter. In cases where the source individual is under arrest, it is best to take him/her to the University of Louisville Hospital before booking. Once in custody of Louisville Metro Department of Corrections (LMDC), a court order must be obtained and delivered to LMDC personnel directing them to transport the subject for testing.
- Arrange transportation for the source individual to the University of Louisville Hospital if the source individual is to be tested. The University of Louisville Hospital is the preferred location for the blood draw because of its ability to have HIV test results completed within one (1) hour.
- Request the source individual to allow his/her test results to be shared for medical reasons with the professionals treating the member, including the departmental physician and the HSO. Decisions for medical treatment are based largely on the source individual's test results. The HSO shall inform the member of the test results.
- Ensure that medical treatment is offered to the member and source individual, if needed.
- If the exposure is a result of contact with a corpse, the supervisor shall immediately contact the Jefferson County Coroner's Office at (502) 574-6262 and the Office of the State Medical Examiner at (502) 852-5587. Arrangements must be made to obtain blood samples for medical testing. It is critical that the sample is obtained from a corpse prior to an autopsy being performed.
- Complete the Exposure Report form, the Workers' Compensation form and an AIR by the end of his/her shift for a member under his/her command.
- Review and complete the above forms and forward them through the appropriate chain of command. Original copies of the Exposure Report form and Workers' Compensation form shall be sent to Police Human Resources (HR). The original copy of the AIR shall be forwarded, through the appropriate chain of command, to the division/section/unit commander (refer to SOP 3.1). Copies of all the forms shall be sent to the HSO and Police HR. Police HR shall place the forms in the member's personnel file and the file shall be destroyed one (1) year after the member separates from the department. Police HR shall also forward a copy of the forms to Metro Human Resources (HR), who shall be responsible for maintaining and archiving the forms.

### Treatment

After discussing the exposure evaluation, the source individual's test results and risks of treatment with the HSO and the departmental physician, the member may choose to accept or decline the recommended medical treatment. All medical counseling services shall be provided at no expense to the member.

When the member chooses to accept the treatment, the following steps shall be taken:

- The member shall register himself/herself as a patient at the University of Louisville Hospital's ER, as instructed by hospital personnel.
- The member shall complete the Authorization for Release of Medical Records Relating to a Possible Occupational Exposure form (LMPD #13-0004) so that pertinent information regarding medical treatment can be shared with the HSO, departmental physician and other treatment facilities, as needed.

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## 12.2.12 LINE OF DUTY EXPOSURE INCIDENTS (CONTINUED)

- The member shall receive an initial, five (5) day supply of medication along with any additional treatment and counseling required.
- The member's supervisor or the HSO shall provide the member with information needed to schedule a future appointment at an infectious disease or health clinic contracted by the department within five (5) days of the ER visit. The purpose of the appointment is to determine the necessity for continuing medication and, if needed, additional treatment and counseling.
- If the source individual tests positive for an infectious disease, the member shall be referred to OPS or his/her primary care physician for baseline blood drawing, additional treatment, counseling and scheduling follow-up appointments. If needed, the HSO shall contact OPS or the member's primary care physician to alert him/her to the exposure and the member's need for an upcoming appointment.
- If the source individual tests negative for infectious diseases, the member shall be referred to OPS or his/her primary care physician for baseline blood drawing, additional treatment, counseling and scheduling follow-up appointments.
- If the source individual tests positive for Hepatitis B, the decision to provide the Hepatitis B vaccination shall be based on whether the member has previously received the vaccine and whether the member's blood work indicates the presence of HBV antibodies.

### Responsibilities of the Department

The department shall provide the healthcare professional evaluating a member after an exposure incident with the following:

- A copy of the Occupational Safety and Health Administration (OSHA) standard on bloodborne pathogens.
- A description of the exposed member's duties as they relate to the exposure incident.
- The route of exposure and circumstances under which the exposure occurred.
- The results of the source individual's blood testing, if available.
- All medical records relevant to the appropriate treatment of the member, including the member's vaccination status. The department shall be responsible for maintaining medical records on each member regarding the status of his/her vaccinations.

Following an actual exposure incident, the department shall obtain and provide the member with the Healthcare Professional's Written Opinion, a written report addressing the confidential medical evaluation and follow-up. The departmental physician or a physician contracted with the department shall complete the report and forward it to OPS. The report shall include the following:

- The route of exposure and the circumstances under which the exposure occurred.
- Identification, documentation and test results of the source individual. The member shall not disclose the identity or infectious status of the source individual.
- Results of the member's baseline blood tests conducted at OPS, if such testing was performed.
- Copies of all documents provided to the healthcare professionals evaluating the member.

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## 12.2.12 LINE OF DUTY EXPOSURE INCIDENTS (CONTINUED)

This report shall indicate that the member was informed of the results of the evaluation and any medical conditions resulting from the exposure that may require further evaluation or treatment. All other findings and diagnoses shall remain confidential and shall not be included in the report.

## 12.2.13 RECORD KEEPING (CALEA 32.2.9)

Police HR shall establish and maintain an accurate medical record for each member with a moderate or high occupational exposure risk level. This record shall include:

- The name, date of birth and Social Security number (SSN) of the member.
- A copy of the member's Hepatitis B vaccination status, including dates of all Hepatitis B vaccinations or a copy of the Hepatitis B Vaccination Declination form (LMPD #04-07-0301) and any medical records relative to the member's ability to receive the vaccination.
- A copy of the results of examinations, medical testing and follow-up procedures to any exposure incidents.
- The department's copy of the Healthcare Professional's Written Opinion.
- A copy of the information provided to the healthcare professional.

The department shall ensure that the required member's medical records are kept confidential and not disclosed or reported, without the member's expressed, written consent, to any person within or outside of the department, except as required by this policy or as may be required by law. Medical records shall be maintained in accordance with federal, state and local regulations.

## 12.2.14 TRAINING AND TRAINING RECORDS (KACP 29.1b, 29.2a, 29.3c)

Training shall be provided to all members with a moderate, or high, occupational exposure risk level prior to their being placed in an environment with the likelihood of exposure. Additional training shall be conducted on an annual basis, thereafter, or as modifications to procedures or equipment demand.

The training program and training records shall be in accordance with federal, state and local regulations (CALEA 33.1.6).

## 12.2.15 REVIEW AND EVALUATION OF EXPOSURE INCIDENTS

The OSHA liaison is responsible for evaluating all Exposure Report forms (LMPD #04-08-0303). The evaluation of the circumstances surrounding the exposure incident shall include, but is not limited to, a review of the following:

- Failure of controls at the time of the exposure
- Engineering and work practice controls

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## 12.2.15 REVIEW AND EVALUATION OF EXPOSURE INCIDENTS (CONTINUED)

- PPE used
- Training deficiencies
- Applicable policies

The Exposure Control Plan shall be reviewed annually, or as needed, to reflect revisions to job classifications or modifications to procedures and equipment.

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## 12.3 HOSTAGE/BARRICADED SUBJECTS

### 12.3.1 POLICY

The preservation of human life and the capture of the perpetrator is the department's ultimate goal in any hostage/barricaded subject situation. This policy establishes guidelines regarding the command and control of these situations. The Incident Command System (ICS) shall be utilized at all hostage/barricaded subject(s) incidents.

### 12.3.2 OPERATIONAL CONSIDERATIONS/DEFINITIONS

**Inner Perimeter:** A containment area immediately surrounding the situation that minimizes and controls movement of a suspect within that area. The inner perimeter should be large enough to minimize immediate danger to innocent bystanders, but small enough to allow control and management of the area (CALEA 46.1.4a).

**Outer Perimeter:** A larger containment area completely surrounding the inner perimeter that prohibits unauthorized vehicular and pedestrian traffic from reaching the inner perimeter. The outer perimeter shall be positioned in a manner to afford protection and safety to persons outside of the perimeter boundaries (CALEA 46.1.4a).

**Control Zone:** The space between the outer perimeter and the inner perimeter. Personnel assigned to the outer perimeter may allow authorized persons (e.g. news media) into the control zone for restricted purposes, as designated by the Incident Commander (IC). Depending upon the specific circumstances, persons may be evacuated from, or secured within, the control zone. These persons include bystanders, residents, merchants or others (CALEA 46.1.4a).

**Traffic Control Points:** Key intersections or other locations restricting unauthorized vehicular traffic from reaching the boundaries of the outer perimeter (CALEA 46.1.4e).

**Incident Commander (IC):** The sole person in charge of a scene, with the final decision-making authority for operational strategy and tactics. The IC has the responsibility and the authority to deploy emergency forces, as necessary, to stabilize an emergency event. The IC has overall command and control of all law enforcement resources and field operations.

**Field Command Post:** The on-scene command center used to coordinate the activities of operational personnel. The Field Command Post shall be placed outside of the inner perimeter, preferably inside of the control zone. The post shall be set up out of sight of the call-out target location. Either the department's Mobile Command Post or another suitable structure may be used as a Field Command Post. Telephone service is mandatory, except in very unusual circumstances (CALEA 46.1.4c).

**Staging Area:** A semi-controlled area normally outside of the outer perimeter utilized for personnel assembly, parking and any other operation as deemed necessary by the on-scene or special unit commander.

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## 12.3.3 INITIAL RESPONSE

The initial responding officer shall act as the IC, establish operational control and establish a tactical position until relieved by a commanding officer. The officer shall notify the affected division supervisor. The supervisor shall respond to the scene, evaluate the situation and notify the division commander (CALEA 41.2.4, KACP 17.4).

Although officers are authorized to apprehend suspects and take other action to promote the safety of police and citizens, it is emphasized that time is usually a police ally, particularly in cases involving barricaded subjects and hostage situations. The concept of containment requires slow, deliberate and well planned actions for a successful operation.

## 12.3.4 DUTIES OF COMMANDING OFFICERS

A commanding officer shall respond to all hostage/barricaded subject incidents and the highest ranking officer shall assume command until properly relieved by the division commander, or his/her designee (KACP 17.4). When changes in command occur, the new IC shall advise MetroSafe. The commanding officer shall:

- Evaluate the situation, considering the following order of priorities:
  - Life safety
  - Incident stabilization
- Name the incident, if the division commander authorizes, and advise MetroSafe.
- Act as Safety Officer for the incident until a Safety Officer is designated.
- Designate the radio frequency to be used during the operation (CALEA 46.1.6a).
- Designate a group supervisor to establish the inner perimeter, outer perimeter, control zone and traffic control points, as necessary (CALEA 46.1.4a, e).
- Select a location for the Field Command Post and staging area, considering the following (CALEA 46.1.3b, e, 46.1.4c):
  - Wind direction
  - Shade
  - Access to the scene
  - Distance from a media staging area
- Act as an accountability officer by assigning officers and recording their locations.
- Upon authorization of the division commander, determine if the Special Weapons and Tactics (SWAT) Team and Hostage Negotiating Team (HNT) should be utilized. Unless exigent circumstances exist, the SWAT Team commander, or his/her designee, shall be consulted prior to a call-out. HNT shall not respond to a situation except in conjunction with the SWAT Team (CALEA 46.2.1b, KACP 19.6d, 19.7d).

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## 12.3.4 DUTIES OF COMMANDING OFFICERS (CONTINUED)

- Only the division commander, the designated acting division commander (lieutenant or above) or any other commanding officer with the rank of major or above may call out SWAT/HNT (KACP 19.6e, 19.7e).
- Determine if additional resources are required (e.g. Canine Unit, Fire Department, Metro Emergency Medical Services (EMS), etc.).
- Collect intelligence information (e.g. profile of the suspect, diagram of the building).
- Evacuate the area, if necessary (CALEA 46.1.4b).
- Notify the Media and Public Relations Office (CALEA 46.1.3f).
- Monitor manpower levels in unaffected parts of the division.

## 12.3.5 DUTIES OF METROSAFE

In the event of a hostage/barricaded subject incident, MetroSafe shall:

- Dispatch at least one (1) commanding officer and two (2) officers to the scene.
- Notify the division commander of the developing hostage/barricaded subject situation.
- Implement a detail channel when requested by the commanding officer on the scene.
- Notify additional or specialized units upon authorization of the division commander, or his/her designee. If the SWAT Team and HNT are notified, MetroSafe shall notify the Special Operations Division Commander. The Communications Response Team (CRT) shall respond with the SWAT Team and take over communications and the tracking of units on the scene (CALEA 46.2.1b-c, KACP 19.6e).
- Notify the IC in the event the hostage taker/barricaded subject calls MetroSafe. MetroSafe personnel shall advise the subject that they are not authorized to conduct negotiations and they will be put in contact with a member of the HNT (KACP 19.7d). MetroSafe personnel should attempt to obtain a telephone number and as much information as possible without accepting or rejecting demands. MetroSafe shall then transfer the call to a member of the HNT.

## 12.3.6 SWAT TEAM INVOLVEMENT

After the first commanding officer has arrived at the scene of a hostage/barricaded subject, he/she shall determine the seriousness of the situation during the "size-up" process. Once he/she determines that the SWAT Team needs to be put on standby or called out, the commanding officer shall direct MetroSafe to follow the prescribed call-out procedure as specified in the MetroSafe SOP (KACP 19.6d-e).

Upon arrival, the SWAT Team shall take control of the inner perimeter. Unless the assailant directly threatens an officer's life, only the SWAT Team members shall discharge weapons.

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## 12.3.7 HOSTAGE NEGOTIATING TEAM INVOLVEMENT

The HNT members shall respond only as a team (KACP 19.7d-e). Individual team members shall not respond to an incident. The HNT, under supervision of the IC, shall be responsible for conducting all negotiating activities. The department shall not exchange weapons or police officers for hostages.

## 12.3.8 MOBILE HOSTAGE SITUATION

The initial responding officer shall verify that a mobile hostage situation exists and notify command and MetroSafe of the following (CALEA 41.2.4):

- The location
- The direction of travel
- The vehicle description
- The number of occupants
- The number and type of weapons involved

The officer shall maintain surveillance until the perpetrator arrives at a destination or until the commanding officer issues orders to attempt containment. The commanding officer, in whose division the mobile situation is discovered, shall be in charge of the scene. The commanding officer shall have the authority to order containment.

When the situation changes from containment to the mobile phase through negotiated agreement, the following procedures shall apply:

- The IC shall determine the number of units in the convoy. The convoy should include the following:
  - Mobile Command Post with the commander of the operation, staff and negotiator
  - Necessary SWAT Team personnel
  - Electronic surveillance monitoring unit
  - Canine Unit
- Additional assistance may be provided by the Air Unit and selected backup units patrolling alternate routes or following the convoy at a predetermined distance.
- If the destination is known, officers shall be dispatched to secure the area before the subject arrives. If the destination is unknown, the Mobile Command Post shall continually update unmarked units ahead of the convoy of the direction of travel.
- If it appears that the convoy will cross jurisdictional boundaries, the appropriate authorities shall be notified.



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## 12.3.9 SCENE CONTROL (CALEA 46.2.1c)

The SWAT Team commander, HNT commander and Special Operations Division Commander shall act as adjuncts to the division commander, providing advice and logistical assistance. However, the division commander shall be the overall IC and shall make the final decision regarding whether force is needed to bring the operation to an end.

## 12.3.10 AFTER ACTION REPORT

Following the incident, the following personnel shall be responsible for making written evaluations of all policies, procedures, personnel and specialized units involved:

- Division commander
- SWAT Team commander
- HNT commander
- Any other involved specialty unit commander

The evaluations should focus on operational concerns, specifically problem areas. The evaluations shall also recommend methods for improving departmental operations, policies and procedures. The evaluations shall be compiled into an After Action Report (LMPD #08-0005) by the IC and shall be forwarded, through the appropriate chain of command. A copy of the After Action Report shall also be forwarded directly to the Assistant Chief of Police/Support Bureau.

If an Administrative Incident Report (AIR) (LMPD #03-03-0001) is completed (refer to SOP 3.1), a copy shall be forwarded to the SWAT Team commander.

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## 12.4 HAZARDOUS MATERIALS (KACP 25.3)

### 12.4.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to establish procedures in accordance with the Louisville/Jefferson County, Kentucky Emergency Operations Plan, ESF #10: Hazardous Materials and the U.S. Department of Transportation Emergency Response Guidebook (ERG). The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link and double click on the "HAZMAT" folder.

### 12.4.2 DEFINITIONS

**Hazardous Materials:** Any substance harmful or injurious to humans, animals, economic crops, structures, the environment, waterways, highways, related improvement or other public or private property. This may include chemical, biological, radiological and nuclear hazards.

Hazardous material (HAZMAT) incidents may be caused by accidental means (e.g. collisions, structural collapse of buildings), natural disasters (e.g. damage from tornados, floods) and intentional acts (e.g. sabotage, clandestine labs, terrorism).

### 12.4.3 INCIDENT COMMAND

The Incident Command System (ICS) shall be implemented at all HAZMAT incidents to effectively control and manage operations. The senior fire official on-site shall be the Incident Commander (IC) for all declared HAZMAT incidents, with the following two (2) exceptions:

- HAZMAT spills on the Ohio River fall under the jurisdiction of the United States Coast Guard.
- HAZMAT acts of terrorism are handled by the Federal Bureau of Investigation (FBI).

In all cases, appropriate fire department personnel shall be notified when a HAZMAT is released into the environment and they shall notify other appropriate agencies or HAZMAT personnel. The Louisville and Jefferson County Metropolitan Sewer District (MSD) shall be the lead agency in the administration of Louisville Metro ordinances pertaining to hazardous materials (CALEA 41.2.4, KACP 23.1e).

### 12.4.4 DUTIES OF FIRST RESPONDING OFFICERS

Officers responding to a potential HAZMAT scene shall contact MetroSafe for the location of the fire department Incident Command Post (ICP). Once advised, they shall respond to the ICP and report to the Incident Commander (IC), or his/her designee. If an ICP has not been established, responding officers shall stage in the vicinity of the incident, being mindful to stay upwind and uphill from the incident location. Once advised of the ICP location, officers shall respond to the location. It should be remembered that the fire department IC

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## 12.4.4 DUTIES OF FIRST RESPONDING OFFICERS (CONTINUED)

shall have the ultimate authority in all HAZMAT incidents. Under no circumstances shall officers respond directly to the scene of a HAZMAT incident without first coordinating with the IC or designated fire department personnel.

## 12.4.5 NOTIFICATION OF JOINT EMERGENCY SERVICES UNIT (JOINT ESU)

On all declared Level II HAZMAT incidents in Louisville Metro requiring a police response, the on-call Joint ESU commanding officer or squad leader shall be notified by MetroSafe. He/she shall coordinate with the LMPD commanding officer at the scene to determine if a Joint ESU response is warranted. If a Joint ESU response is deemed necessary, the Joint ESU commanding officer or squad leader shall contact the Joint ESU Team Commander and request that the team be activated.

On all Level III HAZMAT incidents in Louisville Metro requiring a police response, the on-call Joint ESU commanding officer or squad leader shall be notified by MetroSafe. He/she shall respond to scene and coordinate the response of additional LMPD resources. This may include, but is not limited to:

- Coordinate the response of additional Joint ESU and/or LMPD personnel
- Ensure the safety of LMPD members by making sure that they are equipped with the proper respiratory protection (e.g. gas masks) and other PPE
- Establish safe operating parameters for LMPD personnel
- Serve as a liaison and advisor between the LMPD and the IC
- Represent the LMPD should a Unified Command Structure be implemented until relieved by competent authority
- Monitor the decontamination of LMPD personnel, equipment and vehicles
- Facilitate the response of an LMPD Health and Safety Officer (HSO) to the scene

## 12.4.6 GENERAL PRECAUTIONS (CALEA 41.2.4)

Officers shall exercise precautions at a HAZMAT scene using the acronym SIN (Safety, Isolate and Notify) (CALEA 61.2.2e, KACP 23.3):

### Safety

Safety should be the primary concern for all responding personnel. Officers shall respond to the incident from an upwind and uphill direction without traveling through any potentially contaminated areas, if possible. Upon arrival, personnel shall:

- Remain in the cold zone
- Refrain from walking near or touching any spilled material
- Avoid inhaling fumes, smoke or vapors
- Wear gloves and foot protection

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## 12.4.6 GENERAL PRECAUTIONS (CONTINUED)

- Refrain from smoking, eating or drinking

Officers at the scene of a HAZMAT incident shall keep their issued gas mask readily accessible in case of an emergency.

The neutralizing of the incident is the responsibility of the responding fire department and/or HAZMAT personnel. Rescue operations should only be conducted by personnel who are properly trained and equipped.

### Isolate

If directed by the IC, move people and vehicles not authorized to be at the location away from the scene and establish a secure perimeter. A staging area for emergency responders shall be established and all responding officers shall report to the staging area prior to deployment (CALEA 46.1.4a). If an evacuation plan has been initiated by the ranking fire department official present, officers shall establish an entry/exit point where all personnel entering or exiting the evacuated area can be documented and later accounted for. Officers shall not initiate an evacuation without first consulting with the IC or designated fire department official.

### Notify

Officers who find themselves at the scene of a HAZMAT incident before other responding units may attempt to identify the hazardous material(s) involved by observing the four (4) digit substance identification code(s) or placard number(s) on the containers from a safe distance. It is preferable that binoculars be used for this purpose, as officers should avoid responding too close to a HAZMAT incident site (CALEA 61.2.3c, KACP 29.2c). This information shall be communicated to MetroSafe and all other responding units, along with information concerning any other potential hazards identified at the scene (e.g. fire, electrical wires, water hazards, etc.), the exact location of the incident and whether the material is leaking, spilled or on fire. If a substance identification code or placard number is observed, officers should refer to the Department of Transportation (DOT) Emergency Response Guide (ERG) for information concerning potential hazards, public safety and additional emergency response instructions.

Officers shall not come into physical contact with contaminated persons, but may attempt to obtain the name and addresses of persons involved, if it is safe to do so. This information shall be reported to the incident safety officer.

The custodial party, or the transporting carrier of the material, has the ultimate responsibility for safeguarding hazardous materials. Transporters of hazardous materials should attach a placard to the sides and ends of the vehicle identifying the material with a four (4) digit code number.

If officers are unable to locate the identifying number on the vehicle, the following documents should be examined, when safe to do so (CALEA 61.2.3c):

- Trucks: Bill of lading in the cab
- Train: Way bills and contents of the engine/caboose

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## 12.4.6 GENERAL PRECAUTIONS (CONTINUED)

- Plane: Manifest in the cabin
- Boat: Cargo manifest in the tug
- Barge: Cargo information card affixed in a pipe box

Identifying documents may be kept in possession of the operator transporting the hazardous material. The identifying numbers will usually be preceded by the letters UN or NA.

Identifying numbers shall be relayed to MetroSafe for identification. MetroSafe shall treat this identification request as a priority.

## 12.4.7 DECONTAMINATION

If the officer believes that he/she has been contaminated, he/she shall immediately proceed to the established decontamination area. Officers are to comply with all instructions from the fire department conducting the decontamination of the officer, his/her equipment or the police vehicle. Officers are prohibited from entering their police vehicles, or putting possibly contaminated citizens into their police vehicles, until they have been deemed cleared by competent authority.

## 12.4.8 REPORTING REQUIREMENTS (KACP 23.1e)

Copies of all reports generated from a HAZMAT incident shall be forwarded, through the chain of command, to the appropriate division/section/unit commander. Officers injured by chemical exposure shall have those injuries documented on the Administrative Incident Report (AIR) form (LMPD #03-03-0001), the Exposure Report form (LMPD #04-08-0303) and a Workers' Compensation form (1A-1). Officers exposed without immediate injury shall complete a Workers' Compensation form marked "Incident Only." These reports shall be forwarded in accordance with SOP 12.2.11.

## 12.4.9 EVIDENCE

Appropriately trained fire department and/or other Metro HAZMAT Response Team (HMRT) personnel are responsible for the protection, control and collection of evidence related to local jurisdiction HAZMAT incidents. The HMRT is comprised of Louisville Metro agencies that respond to HAZMAT incidents. Besides the Louisville Metro Police Department (LMPD), the HMRT includes personnel from the following:

- Urban and suburban fire departments
- Louisville Metro Department of Public Health and Wellness (LMDPHW)
- Louisville Jefferson County Metro Emergency Management Agency (EMA)
- Louisville Metro Emergency Medical Services (LMEMS)
- Louisville and Jefferson County MSD

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## 12.4.9 EVIDENCE (CONTINUED)

Appropriately trained and equipped LMPD Crime Scene Unit (CSU) personnel may collect certain items of evidence that are known hazardous materials, or that contain or may be contaminated with a known hazardous material. The CSU shall contact other appropriately trained, and equipped, departments or agencies when the nature of the material is unknown or when more specialized expertise is required.

Any known, or suspected, hazardous material that is to be stored at the Property Room shall be handled, collected and stored in compliance with SOP 11.4.14.

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Subject: Child Abduction – AMBER Alert	

## 12.5 CHILD ABDUCTION – AMBER ALERT (KACP 30.7)

### 12.5.1 CHILD ABDUCTION RESPONSE PLAN POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to quickly, and effectively, respond to reports of child abduction by activating the America's Missing: Broadcast Emergency Response (AMBER) Alert System (CALEA 41.2.6a). This shall provide a quick response to critically at-risk children. Once an alert is activated, the media (e.g. radio, television and cable networks) and the TRIMARC System shall broadcast information on the abduction. The AMBER Alert System actively involves members of the community, thus increasing the probability of a successful rescue.

### 12.5.2 CRITERIA (CALEA 41.2.6d)

The AMBER Alert shall be activated if there is sufficient descriptive information about the missing child, suspect or vehicle for an alert to be effective. At least one (1) of the following circumstances must have occurred:

- Investigative information and circumstances support the probability that a child was forcibly abducted, intentionally removed or lured away.
- Information gathered indicates that the child may be in serious danger of bodily harm, sexual exploitation or death.
- Environmental conditions may pose a danger, dependent upon the age and development of the child.

Parental abductions involving extenuating circumstances shall be considered on a case-by-case basis. If a situation does not meet the criteria for an AMBER Alert, members should consider utilizing Operation Return Home (refer to SOP 8.32.4).

### 12.5.3 FIRST RESPONDING OFFICER

An officer having reasonable suspicion that an abduction has occurred shall:

- Request that MetroSafe notify the Missing Persons Squad and the Crimes Against Children Unit (CACU), and inform his/her commanding officer (CALEA, 41.2.6b).
- Complete a Kentucky Missing Persons Report (KSP 261) (CALEA 41.2.6e, 82.2.2a, KACP 17.5).
- Request that a pickup be broadcasted on all radio channels (CALEA 41.2.6c).
- Request more cars to the area, as needed.
- Contact the National Crime Information Center (NCIC) so that the information may be entered into LINK/NCIC (KACP 26.3). The Missing Persons Squad shall be responsible for contacting the NCIC for any cancellations from the system entered under this policy (CALEA 41.2.6c).
- Remain at the scene until relieved by the Missing Persons Squad and/or the CACU.

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## 12.5.3 FIRST RESPONDING OFFICER (CONTINUED)

The officer may call the NCIC even when he/she has only the minimum information required for entry. The time limit established for entry is two (2) hours; however, the sooner the information gets entered, the sooner all law enforcement agencies nationwide will have access to the information. The NCIC can always modify the entry when further information is obtained. The minimum missing person information necessary for entry includes (KACP 26.4):

- Name of the missing person
- Date of birth (can be estimated if person reporting isn't exactly sure)
- Race and sex
- Report number
- Height and weight (may be estimated)
- Place of birth (may be marked as "unknown")

The officer shall complete the Kentucky Missing Persons Report as soon as possible (refer to SOP 8.32.2).

## 12.5.4 COMMANDING OFFICER (CALEA 41.2.6b, KACP 17.4)

A commanding officer shall respond to all reported abductions. He/she shall ensure that the first responding officer has additional units and ancillary services, as needed. He/she shall be the incident commander (IC) until the Missing Persons Squad assumes command.

The commanding officer shall ensure that the Kentucky Missing Persons Report (KSP 261) is completed in a timely manner.

## 12.5.5 METROSAFE (CALEA 41.2.6e)

The MetroSafe supervisor shall ensure that:

- Two (2) cars and a commanding officer are dispatched on the run (KACP 17.4)
- The Missing Persons Squad and the CACU have been notified.

The Missing Persons Squad shall fax the Kentucky Missing Persons Report (KSP 261) to the Kentucky State Police (KSP). The Missing Persons Squad shall retain the original Kentucky Missing Persons Report.



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## 12.5.6 MISSING PERSONS SQUAD AND THE CRIMES AGAINST CHILDREN UNIT

Upon notification that an abduction has occurred, a Missing Persons Squad detective and CACU detective shall respond to the scene. The Missing Persons Squad shall lead the investigation.

The Missing Persons Squad shall distinguish the reported abduction as an AMBER Alert by writing this across the top of the Kentucky Missing Persons Report (KSP 261). The Missing Persons Squad shall ensure that all information needed to complete this form has been obtained and deliver the completed form to the MetroSafe supervisor. The Missing Persons Squad shall be responsible for requesting the initiation and cancellation of AMBER Alerts (CALEA 41.2.6e). The KSP has the final authority to issue and cancel all alerts (CALEA 41.2.6d).

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	Accreditation Standards: CALEA: 46.1.3, 46.1.4 KACP: 17.4, 19.2, 19.5
Chapter: Special Response	
Subject: Civil Disturbances	

## 12.6 CIVIL DISTURBANCES

### 12.6.1 POLICY

In the event of a civil disturbance, the Louisville Metro Police Department's (LMPD's) mission shall be to restore order as rapidly and efficiently as possible. The LMPD's organizational philosophy toward managing a civil disturbance is based on containment, communication, coordination and control.

### 12.6.2 DEFINITIONS

**Civil Disturbance:** An unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property or other unlawful acts.

### 12.6.3 RESPONSIBILITIES OF THE FIRST OFFICER ON SCENE (KACP 19.2a)

When an officer encounters an incident that may grow into a large disturbance, he/she shall:

- Observe the situation from a safe distance to determine if the gathering is currently, or potentially, violent
- Notify MetroSafe of the nature and seriousness of the disturbance, particularly the availability of weapons (KACP 19.2h)
- Request the assistance of a division commanding officer and additional backup
- Attempt to identify crowd leaders and individuals engaged in criminal acts
- Serve as the Incident Commander (IC), until relieved by a commanding officer

### 12.6.4 RESPONSIBILITIES OF THE COMMANDING OFFICER (KACP 19.2b)

A commanding officer shall respond to the scene of a civil disturbance (KACP 17.4). After being briefed by the officer on the scene, he/she shall assume the role of IC and shall assess the seriousness of the immediate situation and the potential for escalation. If the disturbance is minor and adequate resources are available, he/she may attempt to disperse the crowd. Specialized officers may be requested to the scene to assist in dispersing the crowd with less/non-lethal weapons or chemical agents, if necessary. Specialized officers include members of the Crisis Intervention Team (CIT) and chemical agent-trained officers from the Special Response Team (SRT) (KACP 19.2j). SOP 9.1 shall be adhered to for all use of force incidents. If the disturbance is major, the commanding officer shall direct MetroSafe to contact the division commander and request that he/she be dispatched to the scene with the appropriate riot gear (KACP 19.2h).

The commanding officer shall serve as the IC, until relieved by a higher authority. The higher authority shall then assume the role of IC and its accompanying responsibilities (KACP 19.2d). MetroSafe shall be notified of all changes in command, including the name of the commanding officer serving as the IC.

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Subject: Civil Disturbances	

## 12.6.4 RESPONSIBILITIES OF THE COMMANDING OFFICER (CONTINUED)

Responsibilities of the IC should include, but not be limited to, the following (KACP 19.2c, e):

- Develop an Incident Action Plan (IAP), including strategies, goals and tactics.
- Designate a safety officer (SO). The SO reports directly to the IC. The SO is responsible for ensuring the safety of all responders and shall report unsafe situations or response tactics to the IC. The SO may exercise emergency authority to stop, or prevent, unsafe acts when immediate action is required.
- Determine the number of personnel and equipment necessary to contain the disturbance and report this information to MetroSafe (CALEA 46.1.3c, KACP 19.2h, r).
- Establish an Incident Command Post (ICP) based on the proximity to the disturbance, availability of communication resources, availability of space, security from crowd participants and wind direction (CALEA 46.1.3b, KACP 19.2m).
- Establish a perimeter sufficient to contain the disturbance and prevent entrance into the affected area. The perimeter shall include blocking streets of the affected area. An emergency route should be designated and maintained (CALEA 46.1.4a, KACP 19.2g).
- Request that MetroSafe assign a “bridged” detail channel and advise all responding personnel of the assigned channel (KACP 19.2h).
- Designate a staging area to which responding officers shall report (KACP 19.2k).
- Assign an accountability officer to the staging area. The accountability officer’s duties include, but are not limited to, ensuring that personnel and equipment are logged in and assigning the arriving personnel to locations, as directed by the IC.
- Address the safety of innocent civilians in the immediate area of the disturbance.
- Contact the Air Unit for aviation surveillance (KACP 19.2j).
- Establish surveillance points to identify agitators, leaders and individuals committing crimes, and when possible, assigning officers to photograph/videotape such perpetrators for future evidentiary purposes. High ground positions should be utilized, whenever possible.
- Request and notify support units including, but not limited to, the Video Forensics Unit, Special Weapons and Tactics (SWAT) Team, SRT, Traffic Unit, Louisville Fire Department, other affected fire departments, Louisville Metro Emergency Medical Services (LMEMS), Louisville Metro Department of Corrections (LMDC), Public Works and Assets and other local law enforcement agencies (CALEA 46.1.3c-d, KACP 19.2j, n). Put the Vehicle Impoundment Unit Commander on standby.
- Notify the Media and Public Relations Office, who shall be responsible for coordinating and releasing appropriate information to the media and the public, at the direction of the IC (KACP 19.2o).
- Ensure the establishment and sufficient staffing of a press area and a booking area.
- When appropriate, the division commander or commanding officer shall be responsible for issuing a dispersal command to the crowd. An example of which may be as follows:

“I am (rank and name) of the Louisville Metro Police Department. Under Kentucky State law, this is an unlawful assembly and I command all persons so assembled here to immediately and peacefully disperse. If you do not do so, we may dispense chemical agents and you may be arrested for KRS 525.050, Unlawful Assembly.”

When a dispersal order has been given, the division commander or commanding officer should allow a reasonable amount of time for the crowd to disperse.

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Standard Operating Procedures	SOP Number: 12.6
	Effective Date: 12/14/06 Prv. Rev. Date: 02/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 46.1.3, 46.1.4 KACP: 17.4, 19.2, 19.5
Chapter: Special Response	
Subject: Civil Disturbances	

## 12.6.5 CORRECTIONAL FACILITIES (KACP 19.5)

Upon the request of a correctional or detention facility chief executive officer (CEO), or his/her designee, LMPD officers shall respond and provide support, in the event of a riot or other disorder, within the facility. A commanding officer shall immediately respond to the scene and consult with the highest ranking facility supervisor to determine the appropriate level of support (KACP 17.4).

The LMPD shall not enter any secured area of the correctional facility without the approval of the facility chief executive officer (CEO), or his/her designee.

## 12.6.6 AFTER ACTION REPORT (CALEA 46.1.3h, KACP 19.2bb, cc)

Following the incident, the personnel listed below shall be responsible for making written evaluations of all policies, procedures, plans, personnel and specialized units involved:

- Incident Commander
- Division commander
- Any involved specialty unit commander

The evaluations should focus on operational concerns, specifically problem areas. The evaluations shall also recommend methods for improving departmental operations, policies, plans and procedures. The evaluations shall be compiled into an After Action Report (LMPD #08-0005) by the IC and shall be forwarded to the Patrol Services Commander or the appropriate bureau commander. All After Action Reports are to be kept in the Chief's Office.

If the reporting requirements are met for an Administrative Incident Report (AIR) (LMPD #03-03-0001), an AIR must also be completed and forwarded, through the appropriate chain of command (refer to SOP 3.1).

## 12.6.6 EMERGENCY RESPONSE PLAN (ERP)

Refer to the ERP Incident Levels and Civil Disturbances chapters for more detailed information and instructions.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link and double click on the "Emergency Response Plan" folder.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.7
	Effective Date: 01/30/06
	Accreditation Standards: CALEA: 41.2.4
Chapter: Special Response	
Subject: Mail and Package Handling	

## 12.7 MAIL AND PACKAGE HANDLING

### 12.7.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to make every effort to protect the health and safety of its members and the public who conduct business within its facilities. The following guidelines and procedures for handling departmental mail and other packages coming into contact with LMPD facilities and members have been established in order to assist in this effort.

### 12.7.2 IDENTIFYING SUSPICIOUS MAIL OR PACKAGES

Some characteristics of suspicious mail, packages and envelopes include, but are not limited to, the following:

- Unusual or inappropriate labeling, such as:
  - Excessive postage.
  - Handwritten or poorly typed address.
  - Misspelled common words.
  - Strange, non-existent or no return address.
  - Incorrect titles or title without a specific name.
  - Not addressed to a specific person.
  - Marked with restrictions, such as “Personal”, “Confidential” or “Do not X-Ray.”
  - Marked with threatening language or symbols.
  - Postmarked from a city or state that does not match the return address.
- The appearance of any of the following:
  - Powdery substance felt through, observed on or coming from the package or envelope.
  - Oily stains, discoloration or odors coming from the package or envelope.
  - Lopsided or uneven packages.
  - Excessive packaging material such as masking tape or string.
- Other signs of suspicious packages may be:
  - Excessive weight.
  - Ticking or other unidentifiable sound(s).
  - Protruding wires, aluminum foil or other unidentifiable metallic items.
  - Unusual or strong odor.

The previously named items are not intended to be an all-inclusive list of characteristics of suspicious mail and one (1) of the characteristics alone would not necessarily make a piece of mail suspicious. However, if the package or envelope appears suspicious due to any of the previously mentioned, or other suspicious conditions, do not open the package.

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	Effective Date: 01/30/06
	Accreditation Standards: CALEA: 41.2.4
Chapter: Special Response	
Subject: Mail and Package Handling	

## 12.7.3 HANDLING SUSPICIOUS MAIL OR PACKAGES (CALEA 41.2.4)

If a package or envelope appears to be suspicious or poses a potential risk of injury to the public or departmental personnel, the following guidelines shall be followed, depending on the nature of the threat:

- Remain calm.
- Do not open, shake or empty the contents of any suspicious package or envelope.
- Do not carry the package or envelope, show it to others or allow others to examine it.
- Put the package or envelope down on a stable surface; do not sniff, touch, taste or look closely at it or at any contents which may have spilled.
- Alert others in the area about the suspicious package or envelope. Leave the area, close any doors, and take actions to prevent others from entering the area. If possible, shut off the ventilation system.
- Wash hands with soap and water to prevent spreading potentially infectious material to the face or skin.
- Do not use a cellular phone, portable radio, text pager or any other type of transmitting device in the area of the suspicious package.
- Notify a supervisor.
- Contact MetroSafe (911).
- If possible, create a list of persons who were in the area when the suspicious letter or package was discovered, especially those persons who might have handled it.

The following specific guidelines are for mail or packages that have been positively identified or suspected of being:

- **Explosive Device**
  - Immediately evacuate the area.
  - Notify MetroSafe to summon the Bomb Squad, Louisville Metro Emergency Medical Services (LMEMS) and the appropriate fire department and/or hazardous materials (HAZMAT) Unit.
  - Notify a commanding officer or supervisor as soon as possible.
  - Notify the United States Postal Inspector's Office, if appropriate.
- **Chemical, Biological or Radiological Substance**
  - Do not handle the package.
  - Isolate the package and evacuate the area.
  - If possible, close all doors to the affected area.
  - Wash your hands with soap and warm water.
  - Notify MetroSafe to summon LMEMS and the appropriate fire department and/or HAZMAT Unit.
  - Notify a commanding officer or supervisor as soon as possible.
  - Notify the United States Postal Inspector's Office, if appropriate.

## 12.7.4 ADDITIONAL DUTIES AND RESPONSIBILITIES

All incidents involving departmental mail or packages that have been found to contain hazardous materials or devices shall be investigated as a major crime. As in the case with all major crime investigations, the Incident Command System (ICS) shall be implemented, as directed in SOP 8.36.

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	Accreditation Standards: CALEA: 11.4.5, 46.1.2, 46.1.3, 46.1.4 KACP: 19.2
Chapter: Special Response	
Subject: Terrorism	

## 12.8 TERRORISM

### 12.8.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to maintain a level of preparedness consistent with presidential directives and to initiate an appropriate and safe response to a known, or suspected, terrorist incident. In addition to this policy, the LMPD shall maintain a comprehensive Emergency Response Plan (ERP) for responding to man-made and natural disasters and incidents, including acts of terrorism (KACP 19.2a-cc). Although according to Presidential Directive HSPD-5, the Federal Bureau of Investigation (FBI) is the lead law enforcement agency in charge of a terrorist incident, the LMPD shall be among the first responders and shall assist the FBI with the response and investigation.

### 12.8.2 DEFINITIONS

**National Terrorism Advisory System (NTAS):** A federal emergency alert system that warns of an:

- **Elevated Threat:** Warns of a credible terrorist threat against the United States; or
- **Imminent Threat:** Warns of a credible, specific and impending terrorist threat against the United States.

**Terrorist Act:** Any act intended to cause death or serious bodily harm to civilian or non-combatants, with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act.

**Weapons of Mass Destruction (WMD):** Weapons which are capable of a high order of destruction and/or of being used in such a manner as to destroy large numbers of people. WMDs can be high explosives, nuclear, biological, chemical or radiological, but excludes the means of transporting or propelling the weapon, where such means is a separable and divisible part of the weapon.

**Zone:** All incident scenes may be divided into zones. The hot zone shall be the area of greatest threat. The warm zone shall be the area with a reduced threat level. In hazardous material incidents, decontamination and initial triage prior to decontamination shall be established in the warm zone. The cold zone shall be areas away from any threat. For most law enforcement incidents (e.g. hostage/barricaded subjects, civil disturbance), the inner perimeter shall divide the hot and warm zones and the outer perimeter shall divide the warm and cold zones. All staging areas, the command post and triage locations shall be established in the cold zone. The Incident Commander (IC) shall be responsible for establishing the zones based on the specific details of the incident.

### 12.8.3 NOTIFICATIONS OF NTAS ALERTS (CALEA 11.4.5)

When notified of a threat by the NTAS, MetroSafe personnel will advise all channels and contact the following personnel:

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Chapter: Special Response	
Subject: Terrorism	

## 12.8.3 NOTIFICATIONS OF NTAS ALERTS (CONTINUED)

- Chief of Police
- Deputy Chiefs of Police
- Assistant Chiefs of Police
- Patrol Division Commanders
- Narcotics Division Commander
- Homeland Security Team Commander
- Crime Information Center (CIC) Commander

Division personnel shall immediately follow the appropriate guidelines listed in the LMPD's ERP Terrorism Response chapter. Division commanders are to review the specifics of the threat and ensure that the personnel under their command are correctly targeting their patrols and responses.

The Chief of Police, or his/her designee, may require the activation of specialty teams and/or units or authorize overtime for targeted patrols, depending on the specifics of the threat.

## 12.8.4 INFORMATION REPORTING

Officers are required to report any information, event or unusual activity obtained through interviews, crime scenes, search warrants, etc. that the officer believes involves a known, or suspected, terrorist threat to local, state or national security. Officers shall immediately advise their commanding officer, who shall immediately notify the Homeland Security Team and the CIC. If the information is received during a time that the Homeland Security Team staff is off-duty, they shall be called/paged. If the Homeland Security Team staff cannot be immediately contacted, the commanding officer shall immediately contact his/her division commander. If the information is such that the Homeland Security Team staff or the division commander believes the known, or suspected, threat to be imminent, they shall request that MetroSafe personnel immediately notify the following personnel:

- Chief of Police
- Deputy Chiefs of Police
- Assistant Chiefs of Police
- Patrol Division Commanders
- Narcotics Division Commander
- Homeland Security Team Commander (if not already contacted)
- CIC Commander

If the information, event or unusual activity constitutes a criminal offense, the officer shall complete an incident report. The officer shall take the report in the I/Leads Records Management System (RMS). The officer shall fax or email a copy of the report to the Homeland Security Team and a copy to the CIC.



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Chapter: Special Response	
Subject: Terrorism	

## 12.8.5 DISSEMINATION OF EARLY WARNING INFORMATION

Information regarding possible terrorist activity, threats or trends shall be disseminated by the Homeland Security Team. The phases for dissemination of information shall be as follows:

- **Elevated Threat:** Warns of a credible terrorist threat against the United States; or
- **Imminent Threat:** Warns of a credible, specific and impending terrorist threat against the United States.

NTAS Alerts shall only be issued when credible information is available and is based on the actual nature of the threat. These alerts shall include a clear statement that there is an elevated threat or imminent threat. Using available information, the alerts shall provide a concise summary of the potential threat, information about actions taken to ensure public safety and recommended steps that individuals, communities, businesses and governments can take to help prevent, mitigate or respond to the threat.

NTAS Alerts contain a sunset provision indicating a specific date when the alert expires. If additional information becomes available, an NTAS Alert may be updated. Any revisions or cancellations to an NTAS Alert shall be disseminated in the same manner as the original alert.

This information shall be marked "Law Enforcement Sensitive" and shall not be disseminated outside of the department, unless specifically approved by the Homeland Security Team.

## 12.8.6 NOTIFICATIONS OF A TERRORIST INCIDENT

Upon receiving notification that an incident has taken place that is either known or believed to be a terrorist incident, MetroSafe personnel will make the following minimum notifications:

- Chief of Police
- Deputy Chiefs of Police
- Assistant Chiefs of Police
- Division Commanders
- The FBI
- Homeland Security Team Commander
- Narcotics Division Commander
- Hospital emergency rooms (ERs) (if a chemical/biological mass casualty/mass fatality incident occurs or potentially could occur)
- The appropriate fire department
- The Louisville Metro Department of Public Health and Wellness (LMDPHW)
- Louisville Metro Emergency Management Agency (LMEMA)
- The CIC Commander
- The LMPD Health and Safety Officer (HSO)

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Chapter: Special Response	
Subject: Terrorism	

## 12.8.7 SCENE RESPONSIBILITIES

Several Louisville Metro Government agencies have primary responsibilities at a terrorist incident; therefore, a Unified Command (UC) will be established at the scene. A Multi-Agency Coordination (MAC) or Unified Area Command (UAC) may be established at the Emergency Operations Center (EOC), at the discretion of the Director of the LMEMA. All Louisville Metro Government agencies shall utilize the Incident Command System (ICS) for a terrorism response (CALEA 46.1.2). The LMPD responsibilities may include:

- All law enforcement tactical responses
- Crime scene security, including inner and outer perimeters (CALEA 46.1.4a, c)
- Staging area security
- Evacuations (cold zone only) (CALEA 46.1.4b)
- Quarantine area security
- Security of evacuated areas
- Criminal investigation
- Evidence
- Intelligence

## 12.8.8 INITIAL RESPONSE

During the initial response, officer safety issues are of primary importance. All officers responding to any type of explosion shall dress in appropriate personal protective equipment (PPE) prior to their arrival at the scene. Dust and other materials hazardous to the respiratory system are inherent in any explosion, in addition to other hazards which may have been contained within the explosive device. LMPD officers shall not be required to enter a contaminated area. The only exceptions shall be teams from the Bomb Squad and Joint Emergency Services Unit (Joint ESU) who are trained and equipped as hazardous material technicians and may have tactical tasks to conduct within the warm or hot zones. The initial response shall include the following:

- **Radio transmissions are prohibited within 300 feet of a suspected explosive device.**
- Approach the scene from an upwind and an uphill direction, if possible.
- Evaluate/identify:
  - Scene hazards such as structural collapse, bloodborne pathogens, hazardous chemicals and secondary explosive devices, by slowly and cautiously surveying the scene.
  - Any suspected additional explosive devices in and around the scene and at any potential incident facilities. The Bomb Squad should also be utilized to conduct bomb sweeps for additional devices in the surrounding area, particularly near staging areas and ICS facilities, where people are gathered.
  - Life/safety issues for both first responders and citizens.
  - Necessary resources for scene stabilization.
  - Safe upwind routes to the scene for other first responders
- Live victim assistance. Live victims shall be assisted in as much as LMPD personnel are trained and equipped to do so. Officers should be aware of secondary contamination considerations when dealing with victims of hazardous materials. Potentially contaminated victims shall be required to stay on-scene

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Chapter: Special Response	
Subject: Terrorism	

## 12.8.8 INITIAL RESPONSE (CONTINUED)

and shall be isolated until agencies trained in triage and decontamination, such as the fire departments and Louisville Metro Emergency Medical Services (LMEMS), are on-scene.

- Care should be taken to avoid having equipment, such as vehicles and radios, contaminated.
- Establish an Incident Command Post (ICP) in the cold zone upwind and uphill from the site and after checking for additional explosive devices (CALEA 46.1.3b, 46.1.4c, KACP 19.2m).
- Establish a staging area (upwind, uphill and outside of potential explosion or hazardous material area and after checking for additional explosive devices).
- Move uncontaminated people away from the scene.
- Establish a safe outer perimeter after referring to the Emergency Response Guidebook (ERG) and/or the Bomb Threat Stand-Off Distances (see the LMPD ERP Appendix E), if applicable, preferably with hazard zone tape; however, any caution tape will suffice. In addition, isolate the scene by blocking intersections and re-routing traffic. Consideration should be given to wind direction and the potential hazard. The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link and double click on the "HAZMAT" folder.
- Ensuring that the proper notifications are made and additional resources are requested.

## 12.8.9 REPORTS

Copies of all reports and investigative letters generated from a terrorist incident shall be forwarded to the LMPD commander within the Unified Command (UC).

Officers exposed to contaminants, without immediate injury, shall complete a Workers' Compensation– First Report of Injury or Illness form (IA-1 form) marked "Incident Only", after decontamination. Officers injured by chemical exposure shall have those injuries documented on the Administrative Incident Report (AIR) (LMPD #03-03-0001), the Exposure Report Form (LMPD #04-08-0303) and a Workers' Compensation form. The death of an officer or the in-patient hospitalization of three (3) or more officers shall be reported immediately to the Risk Management Division and the Louisville Metro Occupational Safety and Health Administration (OSHA) (refer to SOP 2.7 and SOP 12.2.12 for specific procedures).

## 12.8.10 EMERGENCY RESPONSE PLAN (ERP)

Refer to the ERP Terrorism Response chapter for more detailed information and instructions.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link and double click on the "Emergency Response Plan" folder.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.9
	Effective Date: 07/24/04 Prv. Rev. Date: 05/10/10 Revised Date: 03/10/12
	Accreditation Standards: CALEA: 41.1.4
Chapter: Special Response	
Subject: Mounted Patrol Unit	

## 12.9 MOUNTED PATROL UNIT

### 12.9.1 DEFINITIONS

**Crowd Management:** Utilization of the Mounted Patrol Unit's physical presence at an event, for the purpose of reducing a crowd's aggression level and propensity toward violence or other mob activity.

**Crowd Control:** Utilization of Mounted Patrol Unit maneuvers to move, disperse or channel a large gathering of people in a designated direction, for law enforcement purposes.

### 12.9.2 USE OF THE MOUNTED PATROL UNIT

The four (4) general types of activities for which the Mounted Patrol Unit is most effective and authorized are (CALEA 41.1.4a):

- Targeted area/neighborhood patrols
- Details/special events
- Crowd management
- Crowd control

### 12.9.3 CRITERIA FOR REQUESTING THE MOUNTED PATROL UNIT

Requests for the Mounted Patrol Unit should be sent to the Special Operations Division Commander or the commander of the Canine Unit. The Canine Unit Commander shall then forward the request to the Special Operations Division Commander, through the appropriate chain of command.

Non-exigent requests should be received by the Special Operations Division Commander or the Canine Unit Commander a minimum of two (2) weeks prior to the event or detail. If received with less than two (2) weeks notice, every attempt shall be made to accommodate the request without changing existing off-days or working hours. Detail requests should specify whether the Mounted Patrol Unit's participation will be solely static or whether they will be expected to engage in patrol and enforcement.

The Mounted Patrol Unit has additional duties associated with the care of the police mounts and their facility. Therefore, one (1) shift of Mounted Patrol Unit officers may only provide approximately five (5) hours of actual patrol or event coverage. If staffing permits, shifts may overlap to provide a longer span of coverage.

In the event of exigent circumstances (e.g. protests, riots, etc.) requiring the presence of the Mounted Patrol Unit, the division commander or highest-ranking commanding officer at the scene shall notify the Canine Unit Commander. Parking and staging provisions for the trailers should be considered.

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Chapter: Special Response	
Subject: Mounted Patrol Unit	

## 12.9.4 RESTRICTIONS (CALEA 41.1.4a)

A Mounted Patrol Unit officer's duties are the same as a patrol officer's duties, as defined by the department's Standard Operating Procedures (SOPs), with the following restrictions:

- Mounted Patrol Unit officers shall not respond to any expressway, freeway or interstate highway.
- All prisoners shall be transported by a division unit or the closest on-duty unit.
- One (1) Mounted Patrol Unit officer shall remain with the horses at all times.

## 12.9.5 AUTHORIZATION REQUIRED FOR USE (CALEA 41.1.4a)

The Canine Unit Commander or an on-scene commanding officer must authorize crowd control techniques prior to their use. Mounted Patrol Unit officers are authorized to use control maneuvers if previously specified guidelines are followed.

The approval of the Special Operations Division Commander is required when off-duty Mounted Patrol Unit officers are called to respond to a scene. The requesting authority should anticipate up to a two (2) hour response time to allow for the preparation and transportation of the police mounts.

## 12.9.6 QUALIFICATIONS/TRAINING FOR MOUNTED PATROL UNIT OFFICERS (CALEA 41.1.4b)

Mounted Patrol Unit officers shall be chosen in compliance with departmental standards and collective bargaining agreements related to specialized assignments. Officers must be physically fit, capable of performing all Mounted Patrol Unit tasks and shall satisfy the following Kentucky Law Enforcement Council (KLEC) courses, in order to be selected, certified and retained as a Mounted Patrol Unit officer:

- Introduction to Police Mounted Patrol Techniques (40 hours)
- Police Mounted Patrol Techniques (360 hours)

Mounted Patrol Unit officers shall also take part in a minimum of four (4) hours of continued training weekly as approved by the Canine Unit Commander.

## 12.9.7 CARE OF POLICE MOUNTS (CALEA 41.1.4c)

The daily care of each police mount is the responsibility of the officer to whom the mount is assigned. Each officer shall ensure that his/her assigned mount is groomed and checked for injuries or illness on a regular basis. The daily care of unassigned police mounts or of police mounts assigned to officers who are on off-days, vacation, school or other leave, will be delegated by the Canine Unit Commander. Any signs of injury or illness shall be immediately reported to the Canine Unit Commander, by the assigned officer or by the officer caring for the mount. Scheduling and ensuring completion of medical or other periodic care issues (e.g. shoeing, worming) are the responsibility of the Canine Unit Commander. Each officer is responsible for the cleaning, care and maintenance of their assigned saddle and tack. The care of additional saddles, tack and other equipment is the responsibility of Mounted Patrol Unit members, as delegated by the Canine Unit Commander.

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Chapter: Special Response	
Subject: Mounted Patrol Unit	

## 12.9.8 REQUIRED EQUIPMENT (CALEA 41.1.4d)

Depending on the type of event that the Mounted Patrol Unit is working (e.g. parades, static details, crowd control), the following equipment and supplies are required to be carried, or immediately available, to the officers while engaged in their duties:

- Riding helmet (or issued Kevlar helmet)
- Complete saddle, pads, bridle and bit
- Saddle bag
- Manure scoop
- Padded nose guard
- Officer riot shield
- Mount riot shield

Nighttime patrols require the following:

- Reflective leg wraps
- Reflective breastplate wraps
- Reflective stirrup wraps
- Reflective tail wrap
- Reflective noseband wraps
- Officer's issued flashlight

Equipment required on Mounted Patrol Unit trailers:

- Muck shovel
- One (1) hay bag for each horse
- Sufficient hay for tour of duty
- Sufficient water for the tour of duty (a full water tank is required if the temperature is above 80 degrees during a shift)

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<h2>Standard Operating Procedures</h2>	SOP Number: 12.10
	Effective Date: 06/29/06 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.2.4, 46.1.3, 46.1.4, 46.2.3
Chapter: Special Response	
Subject: Bomb Threats	

## 12.10 BOMB THREATS

### 12.10.1 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to make every effort to protect the health and safety of its members and the public who conduct business within its facilities. The following guidelines are meant to provide the procedures for recording and reporting bomb threats and to assist in preparing an appropriate response to them.

### 12.10.2 BOMB THREAT REPORT

Any LMPD member receiving a bomb threat at a departmental facility is responsible for recording and documenting the threat. When a bomb threat is received, all pertinent information shall be recorded on a Bomb Threat Report (LMPD #06-0012) to facilitate an appropriate response and for evidentiary purposes. If audio recording equipment is available, the threat should be tape recorded, if possible. The following information should be obtained and recorded by the person receiving the threat:

- The date and time that the call was received, as well as when the call ended.
- The exact wording used by the person making the threat, especially relating to:
  - When is the device going to explode?
  - Where is the device located now?
  - What kind of device is it?
  - What does the device look like?
  - Why did you place the device?
- The sex and approximate age of the person making the threat.
- Voice characteristics such as:
  - Accents: local, regional, foreign (country/region)
  - Voice is loud, soft, deep, high-pitched, raspy, intoxicated, pleasant
  - Speech is fast, slow, distorted, distinct, nasally, stuttered or lisp
  - Manner is calm, emotional, angry, rational, irrational, coherent, incoherent, deliberate, righteous, laughing or vulgar
- Background noises such as:
  - Office or factory machines, traffic, trains, music, animals, airplanes, voices, extreme quiet, bedlam, street sounds or party noises

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	Effective Date: 06/29/06 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.2.4, 46.1.3, 46.1.4, 46.2.3
Chapter: Special Response	
Subject: Bomb Threats	

## 12.10.3 MEMBER DUTIES

Any LMPD member receiving a bomb threat at a departmental facility shall notify his/her commanding officer or supervisor as soon as possible. Notification should be made in person, whenever possible. The member should avoid using a cellular phone, portable radio, text pager or any other type of transmitting device in the area where a bomb is reported to be. The member shall give the commanding officer or supervisor all available information regarding the threat (CALEA 41.2.4).

## 12.10.4 SUPERVISORY DUTIES

The Incident Command System (ICS) shall be implemented for bomb threat incidents at any LMPD facility to effectively control and manage operations (CALEA 46.1.3a). The highest ranking division/section/unit commanding officer on-site shall be the Incident Commander (IC) and shall be responsible for the following duties:

- Receiving and evaluating the information obtained in order to determine the necessary response
- Assigning personnel to establish a security perimeter around the affected area
- Ordering and coordinating an evacuation of the facility, if appropriate
- Coordinating the search of the facility, when appropriate
- Notifying possible support units, including, but not limited to, the following (CALEA 46.2.3d, c, f):
  - The Bomb Squad
  - A Canine Unit bomb detector dog
  - The appropriate fire department and/or hazardous materials (HAZMAT) units
  - Louisville Metro Emergency Medical Services (LMEMS)
  - Command staff personnel
  - Media and Public Relations personnel

The Bomb Squad Commander shall be notified anytime a bomb threat is made to any Metro Government facility.

## 12.10.5 EVACUATION (CALEA 46.1.4b)

The IC shall be responsible for determining if an evacuation is appropriate. Any evacuation should be orderly and coordinated with particular attention to the following procedures:

- Each individual should search around his/her immediate area for the bomb and report any suspicious objects to the IC during, or immediately after, the evacuation process.
- Members should be instructed to report to a designated assembly location upon leaving the building in order to account for each individual. If possible, evacuees should be directed to another building, as this will afford more protection than a parking lot.
- The assembly location should be chosen at random and should be changed each time an evacuation occurs in the event that those persons responsible for the threat are observing the response. During a false incident, this type of information could be obtained in order to place secondary devices during future incidents.



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	Effective Date: 06/29/06 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.2.4, 46.1.3, 46.1.4, 46.2.3
Chapter: Special Response	
Subject: Bomb Threats	

## 12.10.5 EVACUATION (CONTINUED)

- After all members are accounted for, they may be directed to another location, if circumstances make it necessary.
- All members shall remain in the assembly area until the end of their shift or until the facility is declared safe to enter, whichever comes first.

## 12.10.6 SEARCH PROCEDURES

In addition to the first search performed by members during the evacuation, an additional and more thorough search shall be conducted. The IC shall choose the search team personnel and coordinate the search. Considerations for conducting a search may include, but are not limited to, the following:

- The search team member's familiarity with the area to be searched.
- The time of day or amount of time remaining before the explosion is to take place.
- Search team personnel shall not be placed in jeopardy merely for the purpose of gathering and preserving evidence or property.
- The use of cellular phones, radios and other transmitting devices shall be prohibited by search team members and other persons in the search area.
- If a bomb or suspicious item is discovered, all search team members shall be alerted and removed from the area of the device. The Bomb Squad shall be notified immediately.
- Maintenance personnel may be used to search all public areas in, and around, the building.

## 12.10.7 FOLLOW-UP PROCEDURES

If a search results in the discovery of an explosive device or an actual explosion occurs, the Bomb Squad shall assist the appropriate investigative unit, in accordance with guidelines outlined in SOP 8.36.8. Explosive evidence shall be collected, stored or disposed of in accordance with SOP 11.4.9. If no explosion occurs and no explosive device is discovered, an incident report shall be completed and investigated by detectives from the division in which the bomb threat target is located.

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	Effective Date: 10/17/05 Prv. Rev. Date: 06/10/13 Revised Date: 08/10/13
	Accreditation Standards: CALEA: 70.3.1 KACP: 30.8
Chapter: Special Response	
Subject: Crisis Intervention Team (CIT)	

## 12.11 CRISIS INTERVENTION TEAM (CIT) (KACP 30.8)

### 12.11.1 PURPOSE

The purpose of the Crisis Intervention Team (CIT) is to provide a proactive approach, by using trained officers in the uniformed divisions, to respond to runs and initiate contact with citizens who are dealing with mental illness. By working actively with the mental health community and frequently with the criminal justice system, the program can promote favorable long-range alternatives when dealing with citizens with mental health problems. Citizens with ongoing mental health problems can be identified and measures can be taken to reduce the frequency of police contacts.

### 12.11.2 DEFINITIONS

**Alcohol and/or Drug Abuse:** The use of any alcoholic beverage, or drug, which results in intoxication, or dependency, from continued use. The dependency induces a mental, emotional or physical impairment which causes socially dysfunctional behavior.

#### **Likelihood of Serious Physical Harm:**

- Risk that serious physical harm will be inflicted by a person, upon their person, as evidenced by recent threats, verbal or otherwise, or attempts to inflict physical harm.
- Risk that serious physical harm will result due to the impairment of their capacity to make decisions, as evidenced by the inability to provide for their basic needs (e.g. food, clothing, shelter), including the ability to seek hospitalization or treatment or purposely disregarding treatment through non-compliance and failure, or their refusal to take prescribed medications.
- Risk that serious physical harm will be inflicted upon another, as evidenced by recent overt acts, behavior or threats, including acts or threats having caused harm, or which would place a reasonable person in fear of sustaining such harm.

**Mental Health Coordinator:** A mental health professional, appointed by the Director of the Mental Health Department, or his/her designee, who has knowledge of the laws relating to hospital admissions and civil commitment and who has powers, duties and responsibilities in a geographic area, as provided in the Kentucky Revised Statutes (KRS) 194A.040.

**Mental Illness:** A medical condition that disrupts a person's thinking, feeling, mood, ability to relate to others and daily functioning. Mental illnesses are medical conditions that often result in a diminished capacity for coping with the ordinary demands of life.

**Probable Cause:** An apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonably intelligent and prudent person to believe that a cause of action existed.

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Subject: Crisis Intervention Team (CIT)	

## 12.11.3 CIT PROGRAM

**CIT Program Coordinator:** Appointed by the Chief of Police and reports to the Training Division Commander. The program coordinator is responsible for projects and oversees the Assistant CIT Coordinator and the advisory board. The CIT Program Coordinator acts as the liaison between mental health professionals, community partners and the Louisville Metro Police Department (LMPD).

**Assistant Coordinator:** Prepares monthly reports and facilitates coordinated training blocks.

**Advisory Board:** A group of mental health partners from varying agencies who meet quarterly to discuss possible improvements to the CIT program.

**CIT Officer:** A uniformed patrol officer who has successfully completed required training in crisis intervention techniques.

## 12.11.4 PROCEDURES FOR CIT

CIT officers are assigned to Patrol Services and respond to routine calls for service when not acting in a CIT capacity. CIT officers report directly to their shift supervisors. CIT officers shall respond to calls that meet specific criteria.

CIT notification criteria include, but are not limited to:

- Any incident where a mental illness requires officers to be dispatched or to respond (e.g. disorderly person talking to themselves).
- Any run involving Mental Inquest Warrants (MIWs).
- Any incident where there is probable cause to believe that the subject may harm themselves or others.
- Any request by a mental health coordinator, or a LMPD commanding officer, to transport for involuntary commitment. Depending on the circumstances, this may necessitate the coordinator obtaining a MIW or, if there is enough information for the CIT officer, he/she may take the subject under involuntary hospitalization pursuant to KRS 202A.041 (CALEA 70.3.1).
- Any incident where the subject voluntarily accompanies an officer and there is reason to believe that the safety of the public, and the subject, are best served by the officer transporting the subject to a facility for voluntary commitment (CALEA 70.3.1).

MetroSafe shall dispatch available CIT officers on runs that meet CIT criteria. If CIT officers are not available in the division, then MetroSafe shall dispatch CIT officers from the nearest division. If CIT officers are not available in the other divisions, MetroSafe shall dispatch non-CIT officers from the original division. MetroSafe shall make the responding officers and a commanding officer from the affected division aware of the status of CIT officer availability.

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Chapter: Special Response	
Subject: Crisis Intervention Team (CIT)	

## 12.11.4 PROCEDURES FOR CIT (CONTINUED)

CIT officers shall be in charge of any scene that they respond to, unless otherwise directed by a commanding officer. The CIT officer, on the scene, has the authority to request any additional support and direct the actions of other officers on the scene. A CIT officer has the authority to direct officers to stop actions, as he/she deems necessary. CIT officers shall utilize crisis intervention training and experience to provide an appropriate response during, and following, a crisis situation.

As required by KRS 210.365, an E-Crisis Wizard Report, available on the Kentucky Open Portal System (KYOPS), shall be completed on every CIT run. The only exception is if a CIT officer determines that the run is not a CIT run upon reaching the scene and re-classifies the run prior to clearing. A paper copy of the E-Crisis Wizard Report shall be printed, via the MDT printer, and left at the receiving facility (e.g. University of Louisville Hospital Emergency Psychiatry Services) and a paper copy may be printed for the officer's case file, if necessary.

If an officer has not been issued a Mobile Data Terminal (MDT), the officer shall complete a hardcopy CIT Incident Report form (LMPD #03-08-0186). The officer shall leave a copy of the form with the receiving facility. To comply with KRS 210.365, the officer shall scan and email a copy of the form to the LMPD Service Center, located within the department's email distribution list, by the end of his/her next tour of duty. The form shall be entered into the KYOPS E-Crisis system by the LMPD Service Center. The original CIT forms shall be forwarded, via interdepartmental mail, to the Assistant CIT Coordinator. This procedure shall only be used by officers who have not been issued a MDT.

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	Accreditation Standards: CALEA: 41.2.4, 46.1.2, 46.1.3, 46.2.1
Chapter: Special Response	
Subject: Clandestine Labs	

## 12.12 CLANDESTINE LABS

### 12.12.1 CLANDESTINE LAB HAZARDS

Clandestine labs include those that manufacture methamphetamine, LSD, Fentanyl, MPPP and other dangerous drugs. All clandestine labs share common hazards and pose a serious danger to responders and surrounding neighborhoods. The most common form of exposure is inhalation. Such hazards include:

- Flammable and/or explosive atmosphere
- Acutely toxic atmosphere
- Leaking or damaged compressed gas cylinders
- Water reactive and pyrophoric chemicals
- Damaged and leaking chemical containers
- Electrical hazards and sources of ignition
- In-progress reactions
- Incompatible chemical reactions
- Bombs and booby traps
- Confined spaces and permit-required confined spaces

It should be noted that departmentally-issued gas masks will not protect a user against the chemicals found in clandestine labs.

Occupational Health and Safety Administration (OSHA) definitions:

- **Confined space**
  - A space large enough for a person to enter fully and perform assigned work
  - A space that is not designed for continuous occupancy by the person; and
  - Has a limited or restricted means of entry or exit
  - May include underground vaults, tanks, storage bins, pits and diked areas, vessels, silos and other similar areas
- **Permit-required confined space**
  - Contains, or has the potential to contain, a hazardous atmosphere
  - Contains a material with the potential to engulf someone who enters the space
  - Has an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section; and/or
  - Contains any other recognized serious safety or health hazards

The Drug Enforcement Administration (DEA) has identified approximately 350 chemicals used in clandestine labs. Common chemicals and associated hazards found in methamphetamine labs may include the following:

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## 12.12.1 CLANDESTINE LAB HAZARDS (CONTINUED)

- **Precursors:** Primary chemical that is changed into the finished product.
  - Ephedrine/pseudoephedrine is a precursor to methamphetamine and is considered toxic to humans.
  - Phenyl-2-propanone is a precursor to methamphetamine.
  - Phenyl acetic acid is a precursor to phenyl-2-propanone.
- **Reagents:** Chemicals used in reactions to convert the precursor into the finished product.
  - Hydrochloric acid (e.g. pool acid, muriatic acid): Inhalation or contact may cause infection, disease or death. Exposure may have delayed severe symptoms.
  - Sodium hydroxide (e.g. Red Devil lye, Drano crystals): Inhalation, ingestion or skin contact may cause severe injury or death. Effects of contact or inhalation may be delayed.
  - Iodine: Highly flammable and a skin irritant. Ingestion may be fatal.
  - Mercuric chloride: Inhalation, ingestion or skin contact may cause severe injury or death. Effects of contact or inhalation may be delayed.
  - Anhydrous ammonia: Water reactive. It may be fatal if inhaled, ingested or absorbed through the skin. Its vapors are extremely irritating and corrosive. Contact with gas or liquefied gas may cause burns, severe injury and/or frostbite. Fire will produce irritating, corrosive and/or toxic gases.
  - Phosphorus: Flammable, air reactive and an irritant. When burned, it will emit phosphine gas. Phosphine gas may be fatal if inhaled or absorbed through the skin. Contact may cause burns, severe injury and/or frostbite.
- **Solvents:** Chemicals used to separate or purify other chemicals in a reaction. Most are highly flammable, some are combustible and some are highly toxic.
  - White gas (e.g. camping fuel) is flammable and toxic.
  - Freon is a central nervous system (CNS) depressant.
  - Alcohol (e.g. rubbing, denatured and grain) is highly flammable. Vapors may form explosive mixtures with air and may cause dizziness or suffocation. Inhalation or contact may irritate or burn skin and eyes. Fire may produce irritating, corrosive and/or toxic gases.
  - Ether is highly flammable. Its vapors may form explosive mixtures with air and may cause dizziness or suffocation. Inhalation or contact may irritate or burn skin and eyes. Fire may produce irritating, corrosive and/or toxic gases.
- **Catalysts:** A substance that initiates a chemical reaction. Catalysts are highly reactive and dangerous. They may react with air, water or solvents.
  - Lithium is water reactive. Inhalation or contact with vapors, substance or decomposition products may cause severe injury or death. It may produce a corrosive solution with water. Fire will produce irritating, corrosive and/or toxic gases.

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Subject: Clandestine Labs	

## 12.12.1 CLANDESTINE LAB HAZARDS (CONTINUED)

- Sodium is water reactive. Inhalation or contact with vapors, substance or decomposition products may cause severe injury or death. It may produce a corrosive solution with water. Fire will produce irritating, corrosive and/or toxic gases.
- Raney nickel is air and solvent reactive. Raney nickel is a carcinogen.
- Palladium black reacts strongly to water.

## 12.12.2 INITIAL PROCEDURES

Officers serving a search warrant on a suspected clandestine lab shall consult SOP 8.1.14 for proper procedures. Police officers are prohibited from entering a known clandestine drug laboratory hot zone prior to air monitoring, an explosive sweep and without proper equipment and certifications. Officers encountering a clandestine lab, or any components of a clandestine lab, shall take the following precautions:

- Immediately exit the premises, retracing footsteps, if possible, to a safe location. Officers are to ensure that their shoes are decontaminated prior to entering their vehicles.
- Do not touch or handle anything.
- Do not turn switches on or off.
- Do not use the police radio or a cell phone.
- Wear gloves when handling or searching the suspects and/or their property. After removing the gloves, officers are to decontaminate their hands.
- Prisoners shall be secured, if possible, with flex cuffs to avoid contaminating steel handcuffs.
- Separate the suspects from the premises or vehicle, but do not put the suspects into a police vehicle until they have been decontaminated.
- If the components are inside a vehicle, do not remove or touch any of the components.

The first officer on the scene shall be the Incident Commander (IC) and the Safety Officer (SO) until properly relieved. The IC is to ensure that the above initial procedures are followed. Whenever a change in the IC occurs, MetroSafe must be advised. The IC shall (CALEA 41.2.4):

- Evaluate the situation, considering the following order of priorities:
  - Life safety
  - Incident stabilization
  - Property damage
- Notify MetroSafe of the suspected clandestine lab.
- Notify his/her immediate supervisor.
- Remove affected people (e.g. suspects, children) from the location.
- If children are located in the lab site or there is evidence that children have been living in the lab site, the Crimes Against Children Unit (CACU) shall be notified and determine if they need to respond to the scene.

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## 12.12.2 INITIAL PROCEDURES (CONTINUED)

- Secure the scene with a minimum 75 feet inner perimeter when no fire is present. When fire is present, consult the Emergency Response Guidebook (ERG) to determine the appropriate perimeter and evacuation distances. The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link and double click on the "HAZMAT" folder. The site of the lab shall be treated as a crime scene. Appropriate measures should be taken to secure the site and remove any non-essential individuals to a safe location.
- Establish an Incident Command Post in the cold zone upwind and uphill from the site (CALEA 46.1.3b).
- Create a staging area in the cold zone upwind and uphill from the site (CALEA 46.1.3e).
- Have MetroSafe contact the appropriate fire department, advising the following:
  - Incident address.
  - Time.
  - Staging area. Responding agencies shall be directed to the staging area, via a route of least exposure.
  - Type of assistance requested.
- Request a response from the Clandestine Laboratory Enforcement Team (CLET).
- If an inhabitable property has been contaminated by its use as a clandestine methamphetamine drug lab, the CLET Supervisor shall be responsible for notifying the Louisville Metro Department of Public Health and Wellness (LMDPHW).

## 12.12.3 AGENCY RESPONSIBILITY (CALEA 46.1.2)

The Incident Command System (ICS) shall be utilized for all hazardous material incidents. The ICS structure for clandestine labs differs from most hazardous material incidents. Because labs are also crime scenes, a Unified Command shall be established with the LMPD acting as the lead agency unless the situation deteriorates into a declared hazardous material situation, in which case the appropriate fire department shall become the lead agency (refer to SOP 12.4). The appropriate fire department shall assist with remote exterior air monitoring and decontamination. Louisville Metro Emergency Medical Services (LMEMS) shall be primarily responsible for triage but may assist with the decontamination procedures. The CLET shall act as a resource to the lead police investigator and will usually not become the lead investigatory unit (CALEA 46.2.1b).

## 12.12.4 DECONTAMINATION

If the officer believes that he/she has been contaminated, he/she shall immediately proceed to the established decontamination area. Officers shall comply with all requests from the fire department conducting the decontamination of the officer, his/her equipment or the police vehicle. Officers are prohibited from entering their police vehicles or putting possibly contaminated suspect(s) into their police vehicles, until they have been deemed cleared by competent authority.



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## 12.12.5 SAFETY

The safety and health of the responders are a priority. Fire department and EMS personnel will not enter the area until the scene is secure. Police officers are prohibited from entering a known or suspected clandestine drug laboratory hot zone prior to air monitoring, an explosive sweep and without proper equipment and certifications. Officers shall not enter a known, or suspected, confined space or permit-required confined space, unless they are specially-trained to do so. In the absence of specially-trained LMPD personnel, members shall work with appropriate fire department personnel to recover evidence. The recovery of evidence shall be secondary to officer safety. The CLET shall assign an SO at all lab scenes. The SO shall have the authority to enforce the safety plan for all police officers at the scene. A LMPD CLET SO and/or LMPD HSO shall be on scene at all clandestine lab scenes.

Under no circumstances should any officer handle or transport any possible meth related materials or chemicals. Personnel assigned to the CLET shall be the only authorized personnel to handle meth related materials or chemicals.

## 12.12.6 REPORTING REQUIREMENTS

Copies of all reports generated from a hazardous material incident shall be forwarded, through the appropriate chain of command, to the division/section/unit commander.

Copies of reports generated by clandestine labs shall be forwarded to the Narcotics Division Commander. Safety plans shall be maintained by a Health and Safety Officer. Officers injured by chemical exposure shall have those injuries documented on the Administrative Incident Report (AIR) form (LMPD #03-03-0001), the Exposure Report form (LMPD #04-08-0303) and a Workers' Compensation – First Report of Injury or Illness form (IA-1 form). Officers exposed without immediate injury shall complete a Workers' Compensation form marked "Incident Only". These forms shall be generated and forwarded in accordance with SOP 12.2.11. An After Action Report (LMPD #08-0005) shall be completed by the IC and forwarded, through the appropriate chain of command, to the Narcotics Division Commander (CALEA 46.1.3h).

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	Accreditation Standards: CALEA: 46.1.2, 46.1.3 KACP: 19.2
Chapter: Special Response	
Subject: NIMS/ICS Procedures	

## 12.13 NIMS/ICS PROCEDURES (CALEA 46.1.2, KACP 19.2 a-cc)

### 12.13.1 POLICY

To comply with Kentucky Revised Statute (KRS) Chapters 39A to 39F, the Louisville Metro Police Department (LMPD) shall adopt the National Incident Management System (NIMS). NIMS was developed so responders from different jurisdictions and disciplines can work together to respond to natural disasters and emergencies, including acts of terrorism. NIMS benefits include a unified approach to incident management, standard command and management structures and emphasis on preparedness, mutual aid and resource management.

### 12.13.2 PROCEDURE

Training and policy revisions shall include, but are not limited to:

- The Incident Command System (ICS) shall be incorporated into all current and future tactical training curriculums.
- All LMPD recruits shall receive the appropriate NIMS training mandated by the Federal Emergency Management Agency (FEMA) as part of their curriculum.
- All LMPD sergeants shall be trained and utilized as safety officers. This training shall be incorporated into the first-line supervisor's curriculum.
- All lieutenants and command staff officers shall receive the appropriate NIMS training mandated by the FEMA upon obtaining those ranks. This training shall be a one-time occurrence, unless standards change and further training is required.
- The ICS shall be incorporated into all written tactical policies and plans, including plans for special events.

The ICS shall be used for all tactical and emergency responses and pre-planned events. The appropriate ICS forms (LMPD #06-0001 through 06-0010 and LMPD #06-0013 through 06-0016) shall be completed for the following tactical incidents:

- Specialty team call-outs
- Level ranked incidents—incidents which cannot be controlled with initially available resources.
  - Level 1—any incident requiring manpower levels of at least half (1/2) of the department's on-duty incident resources (and continues into more than one (1) operational period)
  - Level 2—any incident that requires the mobilization of both on-duty and off-duty resources
  - Level 3—any incident which exceeds the capabilities of the department
- Hazardous material (HAZMAT) responses that are the responsibility of the LMPD
- Mutual aid responses
- Large incidents in which more than one (1) agency within Metro Government is responding
- Pre-planned events
- Any other incident at the Incident Commander's (IC's) discretion

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Subject: NIMS/ICS Procedures	

## 12.13.2 PROCEDURE (CONTINUED)

Not all of the ICS forms are required for the above listed incidents. The Incident Description and Objectives form (LMPD #06-0001) and the ICS Incident Safety form (LMPD #06-0005), at a minimum, shall be completed for the listed incidents. All of the other ICS forms shall be completed at the IC's discretion. Completed forms shall be attached to After Action Reports (LMPD #08-0005) (or Administrative Incident Reports (AIRs) (LMPD #03-03-0001) for less severe incidents) and forwarded, through the appropriate chain of command, to the Chief's Office for filing (CALEA 46.1.3h). Copies of the forms shall also be forwarded to the Professional Standards Unit (PSU). After Action Reports and AIRs shall not be substituted for the minimum required ICS forms.

ICS forms filed for clandestine labs shall be at the discretion of the commander of the Clandestine Laboratory Enforcement Team (CLET).

Audits of procedures shall be conducted at random by NIMS/Homeland Security, with emphasis on plans, policy, training, special events and callouts.

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	Accreditation Standards: CALEA: 33.6.1, 41.1.4 KACP: 17.9
Chapter: Special Response	
Subject: Canine Unit	

## 12.14 CANINE UNIT (KACP 17.9)

### 12.14.1 PURPOSE

The purpose of the Canine Unit is to provide assistance to any member of the Louisville Metro Police Department (LMPD) or other law enforcement agencies in crime situations where canine capabilities are required. The Canine Unit is a support unit to assist officers in performing their duties in a more efficient and effective manner, but mainly to provide them with a safer alternative in some potentially dangerous situations. The canine's natural abilities and training may assist in the location of the following:

- Criminal suspects
- Evidence

### 12.14.2 UTILIZING CANINE UNIT PERSONNEL

Any officer may request the deployment of a canine team. When requested, canine officers respond to the scene, appraise the situation and advise the officer in charge as to his/her evaluation of:

- Whether or not the canine can be used
- How the canine can be used
- How other officers should be deployed in order to minimize interference with the canine's activities and maximize the security of the scene

While any commanding officer may negate utilization of the canine, only the canine officer determines how the canine is to be used as it pertains to the safety of the dog. Any utilization of a departmental canine shall mandate a backup officer being present to accompany the canine officer.

### 12.14.3 AUTHORIZED UTILIZATION OF CANINE PERSONNEL (CALEA 41.1.4a)

Canine teams will only be deployed to locate and apprehend suspects who have either committed a felony offense or when there is a reasonable suspicion to believe that they have committed a felony offense.

The following is a list of general situations for which the Canine Unit could be utilized:

- Building searches to locate and apprehend concealed felony suspects
- Tracking, locating and apprehending felony suspects who have fled the scene of a crime
- Area searches to locate and apprehend felony suspects concealed in large outdoor areas
- Article searches to locate property, drugs, explosive devices or other evidence
- To apprehend a fleeing felon
- To search for suspect(s) by walking along suspected hiding areas with the canine on lead and air scenting for the odor of a person
- To respond to an attack on the canine's officer

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Chapter: Special Response	
Subject: Canine Unit	

## 12.14.3 AUTHORIZED UTILIZATION OF CANINE PERSONNEL (CONTINUED)

Detector dogs that are trained in patrol shall not be used to conduct searches on people. No canine officer shall use a canine in any way to coerce or intimidate any person. Canine teams shall not be used for crowd control, unless authorized by the Chief of Police or his/her designee.

## 12.14.4 CANINE USAGE GUIDELINES (CALEA 41.1.4a)

The canine officer remains responsible for the dog and retains the authority to determine how and when the dog shall be used. Prior to, and during, detector dog searches, officers should do the following, whenever reasonable and practical:

- Keep the canine on a leash when in the presence of other officers and/or civilians
- Announce their presence prior to entering areas to be searched
- Visually check the areas to be searched before entering
- Remove any unnecessary police and/or civilians from the area to be searched

## 12.14.5 CANINE OFFICER QUALIFICATIONS AND TRAINING (CALEA 33.6.1a-b, 41.1.4b)

Canine officers shall be chosen in compliance with departmental standards and collective bargaining agreements related to the assignment to specialized units. Officers must be physically fit, capable of performing all canine tasks and able to perform a series of physical standards as determined by the Canine Unit Commander, in order to be selected, certified and retained as a canine officer. All canine teams, which consist of the canine officer and his/her canine, shall be recertified at least twice a year.

Training for canine officers and their canines is ongoing and conducted weekly, based on standards approved by the Canine Unit Commander.

## 12.14.6 CARE OF CANINES (CALEA 41.1.4c)

All canine officers are responsible for the health and general care of their assigned canines and shall ensure that the canine receives prompt and proper medical attention in the event of any injury or illness.

- The canine shall be kept clean and well groomed at all times.
- The officer is responsible for administering all medication to his/her assigned canine, as prescribed by the veterinarian.
- Canine officers, who house their canine at their residence, shall ensure that their canine has proper food, medication, water and clean facilities.
- Canines housed at the kennels shall be cared for by the kennel keeper or other Canine Unit staff.
- In the event that a canine is lost, the officer shall notify his/her supervisor immediately and take action to locate the dog, without delay.

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Standard Operating Procedures	SOP Number: 12.14
	Effective Date: 06/11/06 Prv. Rev. Date: 08/10/12 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 33.6.1, 41.1.4 KACP: 17.9
Chapter: Special Response	
Subject: Canine Unit	

## 12.14.7 CANINE EQUIPMENT (CALEA 41.1.4d)

Each canine officer is responsible for the equipment assigned to him/her. The following canine equipment shall be issued to each canine officer:

- Muzzle
- Three (3) and six (6) foot leads
- Choke chain
- Stakeout collar
- Grooming brush and rake
- Bite sleeve
- Tracking line
- Electric collar

## 12.14.8 TRANSPORTING CANINES IN DEPARTMENTAL VEHICLES

All departmental canine vehicles shall have an approved canine insert installed that is safe for the dog and handler. All canines shall be placed in the back seat of a departmental vehicle, properly secured, until they are put into service. At no time shall the canine be placed in the front seat of a departmental vehicle.

Whenever a canine officer leaves his/her vehicle and dog unattended, the officer shall lock all doors. The canine officer shall use his/her judgment to utilize the cooling or heating system and ensure that the canine has adequate ventilation. The canine shall not be left unattended for a lengthy period of time without a break.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.15
	Effective Date: 12/17/07 Revised Date: 04/08/13
	Accreditation Standards: CALEA: 46.1.2, 46.1.9 KACP: 19.1, 19.3, 19.6, 19.7
Chapter: Special Response	
Subject: Emergency Response Plan	

## 12.15 EMERGENCY RESPONSE PLAN

### 12.15.1 POLICY

The Chief of Police of the Louisville Metro Police Department (LMPD), or his/her designee, has the ultimate responsibility for planning and coordinating police response procedures to disasters and unusual occurrences (KACP 19.1). The Emergency Response Plan (ERP), using the National Incident Management System (NIMS), is a comprehensive all-hazards plan that provides the structure and mechanism for agency policy and operational coordination for incident management (CALEA 46.1.2).

Consistent with the model provided in NIMS, the ERP can be partially or fully implemented in the context of a threat, anticipation of a significant event or the response to a significant emergency. It shall be the responsibility of the Homeland Security Team to update this plan annually and revise it in accordance with staff recommendations (KACP 19.3).

The Homeland Security Team shall also be responsible for the maintenance of all emergency plans, including the Continuity of Operations Plan (COOP).

All tactical training, whether in classroom, field or tabletop exercises, shall be based on this ERP and shall be conducted annually (CALEA 46.1.9, KACP 19.6c, 19.7c). The ERP shall address issues including, but not limited to, the following:

- Natural and man-made disasters
- Civil disturbances
- Emergency mobilization

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link and double click on the "Emergency Response Plan" folder.

Members shall refer to their respective building's Facility Emergency Plan (FEP) for emergency procedures in the event that they are the victim of a disaster or unusual occurrence in their facility. The FEPs can be found on the LMPD Intranet. Members should click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" Link, double click on the "Evacuation Plans-LMPD" folder and find the plan for their respective building.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.16
	Effective Date: 07/10/08 Revised Date: 02/10/12
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: Louisville Loop	

## 12.16 LOUISVILLE LOOP

### 12.16.1 OVERVIEW

The Louisville Loop is a 100 mile on and off-road trail that extends around the community which allows year-round opportunities for physical activities. The Louisville Loop offers citizens a chance to improve their health and fitness through outdoor recreation and bicycle commuting. On-street bicycle lanes and sidewalks are connected with the Louisville Loop through various trailheads and access points.

The Louisville Loop encompasses the following areas:

- The RiverWalk
- Algonquin Parkway to Bells Lane and Campground Road
- The Ohio River Levee Trail from Lees Lane to Riverside, the Farnsley-Moremeyn Landing
- Lower River Road from Moorman Road to Watson Lane
- Watson Lane to Jefferson Memorial Forest and McNeely Lake Park
- McNeely Lake Park, along Floyd's Fork Creek, to Miles Park on Shelbyville Road
- Miles Park to E.P. "Tom" Sawyer Park and Kennedy Park
- Kennedy Park to Waterfront Park and the RiverWalk

The majority of the Louisville Loop's route is off-road and passes through woodlands and wetlands, near creeks and the Ohio River, as well as other areas not easily accessible by normal patrol coverage.

### 12.16.2 POLICY

It shall be the policy of the Louisville Metro Police Department (LMPD) to provide appropriate security to all parts of the Louisville Loop by the various resources available to the department and to assist other governmental departments and citizen groups in maintaining a safe and secure trail system. These resources may include, but are not limited to (KACP 21.3):

- Bicycles
- All-terrain vehicles (ATVs)
- Police helicopter
- River Patrol watercraft (wherever possible)
- Community safety training
- Utilizing block watch or trail watch programs

Reports of maintenance or repair issues observed by LMPD members shall be reported to the Metro Parks Department, via MetroSafe. Citizens with complaints and maintenance-related reports shall be referred to the MetroCall 311 phone line.



# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.17
	Effective Date: 11/09/09
	Accreditation Standards: KACP: 30.9
Chapter: Special Response	
Subject: Foot Pursuits	

## 12.17 FOOT PURSUITS (KACP 30.9)

### 12.17.1 PURPOSE

The purpose of this policy is to provide for the safety of the Louisville Metro Police Department (LMPD) officers and the general public, while facilitating the safe apprehension of a suspect who flees on foot.

### 12.17.2 POLICY

It shall be the policy of the LMPD that, should an officer engage in a foot pursuit, the officer shall make a continuous risk assessment of the situation. The officer must evaluate the risk involved and decide if continuing the pursuit is justified.

### 12.17.3 DEFINITION

**Foot Pursuit:** A situation in which one (1) or more officers, on foot, chase a suspect in an effort to detain, or arrest, that individual who he/she has reasonable suspicion to believe is about to commit, is committing or has committed a crime and who is resisting apprehension by fleeing from the officer(s).

### 12.17.4 PROCEDURE

The pursuing officer should consider officer safety factors when determining whether to initiate, or continue, a foot pursuit. These factors may include, but are not limited to:

- Whether the suspect is armed
- The seriousness of the offense
- The likelihood of a successful apprehension
- The availability of assistance/backup
- Environmental factors (e.g. weather conditions or darkness)
- The officer's familiarity with the geographic area of the pursuit
- Whether the officer has a portable radio to communicate with MetroSafe
- Number of suspects involved

The pursuing officer may terminate a foot pursuit, if at any time they believe that continuing the pursuit is unsafe.

The officer shall not continue a foot pursuit if he/she has lost his/her firearm.

In situations where an officer is in his/her vehicle immediately before a foot pursuit is initiated, he/she shall make a concerted effort to secure his/her police vehicle before initiating a foot pursuit. At a minimum, the officer shall place the vehicle in Park and remove the ignition key. In situations where an officer is out of the vehicle when a foot pursuit is initiated (e.g. a traffic stop where the driver flees), the officer shall secure his/her vehicle, if practical.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.17
	Effective Date: 11/09/09
	Accreditation Standards: KACP: 30.9
Chapter: Special Response	
Subject: Foot Pursuits	

## 12.17.4 PROCEDURE (CONTINUED)

### Communications Procedure

Once an officer decides to engage in a foot pursuit, the officer shall, as soon as practical, provide the following information by radio:

- The unit number
- The location (must provide updates, as often as practical)
- The direction of travel
- The description and/or name of the suspect
- Whether the suspect is armed
- The offense that the suspect has committed, if known
- A coordination with other officers to establish a perimeter for containment

Failure to provide this information to MetroSafe may result in the termination of the pursuit by a commanding officer.

## 12.17.5 ASSISTING OFFICER RESPONSIBILITIES

Assisting officers shall immediately attempt to contain the pursued suspect. The assisting officers shall coordinate with the pursuing officer and attempt to establish a perimeter for the containment of the suspect.

## 12.17.6 SUPERVISOR RESPONSIBILITIES

Once notified of a pursuit, the affected officer's supervisor shall monitor the pursuit. The supervisor may order the termination of a foot pursuit if he/she establishes that the risks created by continuing the foot pursuit outweigh the necessity for the immediate apprehension of the suspect.

## 12.17.7 METROSAFE RESPONSIBILITIES

MetroSafe shall be responsible for the following:

- Ensuring that the immediate commanding officer is aware of the pursuit
- Clearing the channel of unnecessary traffic, providing all relevant information and activating the emergency tone
- Notifying the Air Unit and/or the Canine Unit, in known felony situations, or when requested by a commanding officer

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.18
	Effective Date: 07/10/10 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

## **12.18 BICYCLE AND ELECTRIC STANDUP VEHICLE (ESV) PATROL (KACP 21.3)**

### **12.18.1 POLICY**

The Louisville Metro Police Department (LMPD) shall maintain a Bicycle and Electric Standup Vehicle (ESV) Patrol for the purposes of patrolling areas that are not conducive to other patrol vehicles. Bicycles and ESVs are extremely effective for congested urban areas, parks, special events and other areas not easily accessed or patrolled by other police vehicles. Bicycle and ESV officers can maneuver quickly and quietly in a large crowd without unnerving people by their presence. The Bicycle and ESV Patrol not only enforces laws, but helps to foster a positive relationship with the community.

The ESV is a three-wheeled all-electric standup personal mobility vehicle equipped with headlights, red and blue lights and a siren system. Bicycle and ESV officers shall have all of the duties and responsibilities normally assigned to officers on patrol, except for those calls where a response on a bicycle or ESV is unsafe, impractical or as directed by a commanding officer.

### **12.18.2 DEPLOYMENT (CALEA 41.1.3a)**

Bicycle and ESV officers shall perform patrol duties year-round, except in certain conditions. Bicycle and ESV officers shall be mindful of certain conditions that could compromise their health (e.g. extremely cold or extremely hot and humid conditions). Bicycles and ESVs shall not be deployed when weather and/or environmental conditions pose an undue hazard to the officer's health and safety, or when a commanding officer determines that conditions are unsafe/hazardous for riding. Such conditions include, but are not limited to:

- Thunderstorms and active lightning in the area
- Severe weather warnings
- Snow, sleet and/or ice covered streets and sidewalks

In periods of inclement weather, bicycle and ESV officers shall return their bicycles/ESVs to their division. At that time, officers shall receive direction and assignment from an on-duty commanding officer.

### **12.18.3 OPERATIONAL PROCEDURES (CALEA 41.1.3a)**

Officers shall comply with all applicable laws regarding traffic operations. Officers shall perform their duties with due regard for the safety of people and property. Officers shall ride in a safe manner consistent with their training.

Departmental bicycles and ESVs shall only be operated by certified departmental personnel who have completed approved training or personnel authorized by a commanding officer.

Officers shall utilize bicycle/ESV and uniform equipment (e.g. headlight, taillight, helmet, gloves, etc.) in addition to hand signals to promote safety and visibility. The lighting system shall be used after dusk when the rider is in any place open to vehicular or pedestrian traffic, except in situations that require a tactical response.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.18
	Effective Date: 07/10/10 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

## 12.18.3 OPERATIONAL PROCEDURES (CONTINUED)

Bicycle and ESV officers shall not initiate motor vehicle traffic stops or pursuits and shall not be used to block traffic.

Bicycles and ESVs shall not be used to carry passengers.

When a bicycle or ESV officer makes an arrest while on patrol, he/she may request assistance from a patrol officer to transport the suspect to Louisville Metro Department of Corrections (LMDC). Once this is accomplished, the assisting unit shall return to normal patrol. The arresting officer is responsible for completing the arrest citation and/or any applicable paperwork.

## 12.18.4 UNIFORM

Officers assigned to Bicycle and ESV Patrol shall wear the approved departmental Class E uniform and equipment (refer to SOP 4.7). If bicycle and ESV officers are not riding due to inclement weather, injury or reassignment, the Class E uniform shall not be worn.

The wearing of body armor shall be in compliance with departmental policy (refer to SOP 4.11).

## 12.18.5 EQUIPMENT (CALEA 41.1.3d)

Officers shall wear the following equipment, at all times, when riding departmental bicycles and ESVs (refer to SOP 4.7):

- Departmentally-approved safety helmet
- Departmentally-approved cycling gloves
- Departmentally-approved eye protection
- Departmentally-approved radio

Safety helmets shall be replaced according to the manufacturer's recommendations, after impact or after five (5) years, whichever comes first. Safety helmets shall be provided and replaced by the LMPD to bicycle and ESV officers.

Departmental bicycles shall be equipped with the following:

- White headlight, red taillight and reflectors (for riding at night or in other dim conditions for visibility)
- Equipment pouch/saddle bag (including relevant arrest/citation forms)

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.18
	Effective Date: 07/10/10 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

## 12.18.5 EQUIPMENT (CONTINUED)

Departmental ESVs shall be equipped with the following:

- Two (2) Power Modules
- LED emergency lighting package
- Key on/off switch
- Storage pack (including relevant arrest/citation forms)

## 12.18.6 MAINTENANCE (CALEA 41.1.3c)

Officers shall inspect bikes/ESVs and their equipment before each use, reporting any problems to their immediate supervisor. Officers shall keep the bicycles and ESVs in safe operating condition. Bicycles and ESVs shall not be used if questions regarding safety exist.

Prior to the beginning of each tour of duty, officers shall inspect the following:

- Bicycle/ESV and personal safety equipment (including headlight, taillight, reflectors, helmet, gloves, etc.)
- Chain and gears/sprockets (bicycles)
- Handle bar alignment and seat height (bicycles)
- Wheels and spokes (bicycles)
- Tire condition and inflation
- Brakes
- Battery charge level (ESVs)
- Emergency equipment (ESVs)

Bicycles and ESVs shall be kept clean and in good appearance. At the end of each tour of duty, officers shall ensure that the bicycle or ESV is clean and free of any dirt, mud or vegetation. Bicycle and ESV officers shall not expose the bicycle/ESV to unreasonable hazards or abuse, except in situations that pose a threat to the personal safety of any person.

Repairs that are beyond the capabilities of the officer shall be completed by an approved vendor. ESVs shall be serviced according to the manufacturer's recommendations.

Bicycles and ESVs are considered departmental vehicles and any damage must be reported according to SOP 4.18.

## 12.18.7 SECURITY/STORAGE

Bicycles and ESVs shall be secured whenever the operator is away from them, unless circumstances exist which prevent the officer from doing so (e.g. crime in progress, assistance, etc.). Bicycles shall be secured with a departmentally-approved locking device. ESVs shall be secured by turning the key to the locked position and removing the key. Bicycles and ESVs shall be kept in a secured area when not in use.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.18
	Effective Date: 07/10/10 Revised Date: 04/10/11
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

## **12.18.8 TRAINING FOR BICYCLE AND ESV PATROL OFFICERS (CALEA 41.1.3b)**

Officers assigned to the Bicycle and ESV Patrol shall be assigned at the discretion of the appropriate division commander. Bicycle officers must complete the LMPD Police Mountain Bike In-Service Training class or the Department of Criminal Justice Training (DOCJT) class and comply with safety equipment requirements (refer to SOP 4.7). ESV officers shall complete departmentally-approved training and comply with safety equipment requirements (refer to SOP 4.7).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.19
	Effective Date: 07/10/10 Revised Date: 10/10/13
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: All-Terrain Vehicle Patrol	

## **12.19 ALL-TERRAIN VEHICLE (ATV) PATROL (KACP 21.3)**

### **12.19.1 POLICY**

The Louisville Metro Police Department (LMPD) shall maintain an All-Terrain Vehicle (ATV) Patrol for the purpose of patrolling off-road areas that are difficult or impossible to reach with other patrol vehicles. ATVs are extremely effective in both urban and rural areas with many varied types of terrain (e.g. parks, the Great Lawn, the Louisville Loop, etc.). ATVs are also effective during special events, where other patrol vehicles have limited access. The ATV Patrol not only enforces laws, but helps to foster a positive relationship with the community.

ATV officers shall have all of the duties and responsibilities normally assigned to officers on routine patrol, except for those calls where a response on an ATV is unsafe, impractical or those as directed by a commanding officer.

### **12.19.2 DEPLOYMENT (CALEA 41.1.3a)**

The deployment, equipping and use of departmental ATVs shall be handled by the Fleet Coordinator. ATV officers shall perform patrol duties year-round, as directed, except in certain conditions. ATVs shall not be deployed when weather and/or environmental conditions pose an undue hazard to the officer's health and safety.

### **12.19.3 OPERATIONAL PROCEDURES (CALEA 41.1.3a)**

Officers shall comply with all applicable laws regarding ATV operations. Officers shall perform their duties with due regard for the safety of people and property. Officers shall ride in a safe manner consistent with their training.

ATVs shall only be operated by certified departmental personnel who have completed authorized training or personnel authorized by a commanding officer.

Officers shall utilize ATV and uniform equipment (e.g. lights, gloves, eye protection, helmet, etc.) and hand signals to promote safety and visibility. The ATV lighting system shall be used after dusk when the rider is in any place open to vehicular or pedestrian traffic, except in situations which require a tactical response.

ATV officers shall not use the ATVs for traffic stops, pursuits or Code 3 responses. ATV officers shall not engage in a pursuit of violators using an ATV to avoid apprehension. This does not prevent operators from using their ATVs to apprehend violators who flee on foot.

ATVs shall not be operated on a limited access highway.

For officer safety reasons, no less than two (2) officers shall patrol on ATVs at any time.

# Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.19
	Effective Date: 07/10/10 Revised Date: 10/10/13
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: All-Terrain Vehicle Patrol	

### 12.19.3 OPERATIONAL PROCEDURES (CONTINUED)

When an ATV officer makes an arrest while on patrol, he/she shall request assistance from a patrol officer to transport the suspect to Louisville Metro Department of Corrections (LMDC). Once this is accomplished, the assisting unit shall return to normal patrol. The arresting officer is responsible for completing the arrest citation and/or any applicable paperwork. Officers shall not transport arrestees on ATVs.

### 12.19.4 UNIFORM

Officers assigned to the ATV Patrol shall wear the approved departmental uniform and equipment. ATV officers shall wear either the Class B or Class E uniform (refer to SOP 4.4 and SOP 4.7). Both uniforms shall be worn with departmentally-approved boots that cover the ankle.

### 12.19.5 EQUIPMENT

Officers shall wear the following equipment, at all times, when riding ATVs:

- Department of Transportation (DOT)-approved safety helmet
- Departmentally-approved gloves
- Departmentally-approved eye protection
- Departmentally-approved boots that cover the ankle
- Departmentally-approved radio

DOT-approved helmets shall be issued to each individual officer who is trained to use an ATV. The helmets shall only be used by the officer to whom the helmet is issued. Helmets shall be replaced by the department according to the DOT or the manufacturer's recommendations, whichever comes first.

Officers shall only use departmentally-approved ATV equipment. Officers shall not modify or alter an ATV or its equipment without prior approval. Additional equipment or any modifications to equipment shall be coordinated through the Fleet Coordinator, in compliance with SOP 4.16.

Departmental ATVs shall be equipped with the following (CALEA 41.1.3d):

- Decals
- Lights for riding at night, or in other dim conditions, for visibility
- Storage compartments for personal safety equipment and relevant arrest/citation forms
- Red and blue strobe lights
- Siren

### 12.19.6 MAINTENANCE (CALEA 41.1.3c)

Officers shall inspect ATVs and equipment before each use, reporting any problems to their immediate supervisor. Officers shall keep the ATVs in safe operating condition. ATVs shall not be used if questions regarding safety exist.



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<h2>Standard Operating Procedures</h2>	SOP Number: 12.19
	Effective Date: 07/10/10 Revised Date: 10/10/13
	Accreditation Standards: CALEA: 41.1.3 KACP: 21.3
Chapter: Special Response	
Subject: All-Terrain Vehicle Patrol	

## 12.19.6 MAINTENANCE (CONTINUED)

Prior to the beginning of each tour of duty, officers shall inspect the following:

- Tire condition and inflation
- Engine oil and fluid levels
- Brakes
- Loose or missing components
- Emergency equipment
- Personal safety equipment (including lights, helmet, gloves, etc.)

ATVs shall be kept clean and in good appearance. At the end of each tour of duty, officers shall ensure that the ATV is clean and free of any dirt, mud or vegetation and that the appropriate oil and fluid levels are maintained. Officers shall not expose the ATV to unreasonable hazards or abuse, except in situations that pose a threat to the personal safety of any person.

Repairs that are beyond the capabilities of an ATV officer shall be inspected by Metro Fleet Services. If repairs exceed the abilities of Metro Fleet Services, they shall be completed by an approved vendor, at the direction of the Fleet Coordinator and in accordance with the manufacturer's recommendations.

Officers shall complete a Vehicle Damage Report form (LMPD #03-07-0190) and submit it, through the appropriate chain of command, to the Support Bureau Commander or the Patrol Services Commander for ATVs damaged in the line of duty, within 24 hours of the incident (refer to SOP 7.7).

## 12.19.7 SECURITY/STORAGE

ATVs shall be secured whenever the operator is away from them, unless circumstances exist which prevent the officer from doing so (e.g. crime in progress, assistance, etc.). ATVs shall be secured by locking the storage compartments and removing the key from the ignition. ATVs shall be kept in a secured area in their assigned division when not in use.

## 12.19.8 TRAINING FOR ATV PATROL OFFICERS (CALEA 41.1.3b)

Officers assigned to the ATV Patrol shall be assigned at the discretion of the appropriate division commander. ATV officers must complete a departmentally-approved ATV operational safety training course and comply with safety equipment requirements (refer to SOP 4.16).

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.20
	Effective Date: 10/08/12
	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

## 12.20 PERSONS OF DIMINISHED CAPACITY

### 12.20.1 PURPOSE

The purpose of this policy is to provide members with the essential guidelines to effectively deal with persons of diminished capacity in a manner that provides the required professional assistance these persons may need along with protecting the community and safeguarding the members involved in the encounter.

### 12.20.2 POLICY

Within the community, there is a group of special needs persons that may present members with different, and often complex, issues. These types of persons, whether from intoxication, suicidal tendencies, medical complications or mental illness, present members with a wide range of behaviors usually different than those exhibited by other persons in the community or persons involved in criminal activity. Persons of diminished capacity may display conduct that is bizarre, irrational, unpredictable and threatening. They may not receive or comprehend commands or other forms of communication in the manner that the member would expect. These persons often do not respond to authoritative persons or the display of force. It is the primary task of the members of the Louisville Metro Police Department (LMPD) who confront these special needs persons to resolve the encounter in the safest manner possible. LMPD members shall refer these types of persons to professional resources, when necessary. It is not the mission of the members to diagnose the root cause for the person's behavior. Every member can expect to encounter these types of special needs persons while performing his/her official duties. Members are expected to control the incident. Proper tactical and intervention techniques can assist in resolving the immediate field implications of the encounter and hasten the intervention by professional resource persons.

### 12.20.3 DEFINITIONS

**Persons of Diminished Capacity:** Encompasses all persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, unpredictable or weird. These outward observable symptoms could be the result of intoxication, drug use, suicidal indication, mental illness or medical complications.

**Mental Illness:** A state of impaired mental processes, which results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions or alteration of mood, and interferes with an individual's ability to reason, understand or exercise conscious control over his/her actions.

**Mentally Ill Person:** Person with a substantially impaired capacity to use self-control, judgment or discretion in the conduct of the person's affairs and social relations. This is associated with maladaptive behavior or recognized emotional symptoms where impaired capacity, maladaptive behavior or emotional symptom can be related to physiological, psychological or social factors.

**Professional Resources:** Sources available to the department, such as mental health professionals, emergency medical facilities, social service organizations and detoxification centers.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.20
	Effective Date: 10/08/12
	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

## 12.20.3 DEFINITIONS (CONTINUED)

**Voluntary and Involuntary Commitments:** Provisions within the state statutes which the department can use for the civil commitment of persons requiring professional psychological intervention.

## 12.20.4 FIELD CONTROL TACTICS

The ultimate mission of law enforcement when encountering a person of diminished capacity is to control the encounter and then determine the best course of action for the person. This response can be segmented into four (4) distinct tactical responses: containment, coordination, communication and time.

### Containment

Before any reasonable control and defusing techniques can be used, the subject must be contained. Two (2) officers shall be dispatched to an incident involving a person of diminished capacity. If possible, one (1) of these officers should be a Crisis Intervention Team (CIT) member. Should a member find himself/herself in a situation with such a person, the member should request backup before attempting to intervene.

Responding officers should avoid the use of emergency lights and siren when responding to this type of call for service. Experience has demonstrated that this may agitate the response by the subject.

The officers should devise a plan that separates the subject from other civilians. This containment should respect the comfort zone of the subject in order to reduce any unnecessary agitation. Officers should convince the subject that he/she does not have to move. Officers should continuously evaluate this comfort zone and not compress it, unless absolutely necessary. It is important for officers to ensure that onlookers and family members are not in a position to become involved, either verbally or physically.

Effective containment reduces the elements of agitation, such as large groupings of officers/persons, emergency vehicle equipment, loud police radio transmissions and multiple persons directing communication to the subject. Containment is meant to reduce outside influences and sources of agitation. Officers should also move slowly when dealing with persons of diminished capacity.

Officers should utilize all available tactics to de-escalate the situation, whenever possible. However, if an officer is faced with a dynamic and violent situation which poses a threat to the officer or other persons, then officers should utilize their law enforcement control tactics (refer to SOP 9.1) to gain control.

### Coordination

Coordination is essential for control of the encounter and is the foundation for the development of an effective plan and the use of personnel and resources. One (1) officer at the scene should be designated or assume the position of being the lead officer. Depending on the circumstances, this may or may not be the most senior officer. If possible, it should be a CIT officer. Officers should limit observable indications of force. If firearms are drawn, they should be maintained in the low ready position and not displayed by officers who are attempting to communicate with the subject.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.20
	Effective Date: 10/08/12
	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

## 12.20.4 FIELD CONTROL TACTICS (CONTINUED)

The lead officer should designate an officer to gather intelligence regarding the subject being encountered. This type of information can come from persons at the scene, neighbors or family. This information can become important in determining the further tactical approaches to the subject and the most appropriate form of referral. The lead officer is responsible for determining what resources should be requested, including additional police personnel, supervisory personnel, specialized equipment, professional resources and staged medical personnel.

When warranted, the Incident Commander (IC) shall designate the location for a command post and staging area. This should be out of sight of the location of the subject.

### Communication

Communication with the person of diminished capacity should be planned and controlled. Prior to engaging the subject in communication, the initial responding officer should await the arrival of a secondary officer. When dealing with edged weapons, officers should, where possible, maintain a zone of safety which allows for reaction should the subject decide to attack.

One (1) officer should be designated as the command voice and the other officer(s) should refrain from becoming involved in the communications. If possible, a CIT officer should be the command voice.

Verbal communication should be non-threatening. Whenever possible, use open-ended questions designed to engage the subject. If the subject does not respond, officers should use other communication techniques. It may be necessary to change the person designated as the command voice. Sharp, authoritative commands should be avoided. Officers should use calming communicative attempts.

It has been found that threats to arrest or use force are not productive when dealing with persons of diminished capacity. Reassure the subject that the police are there to help them. Be truthful at all times.

Officers must constantly analyze what effect, if any, their efforts are having on the subject. This is essential to identify areas that appear to agitate the subject that should then be avoided.

Normally, family members should not be used in an attempt to establish communications. This frequently escalates the situation.

### Time

Time is the concept of lengthening the encounter, rather than hastening it. History has shown that the longer the encounter is allowed to occur, the better the chance for a successful and safe resolution. Patience is important in these situations. Increasing the time of the encounter and using defusing techniques allows the subject to reflect upon his/her predicament.

Creating time also allows for the field units to be supported by the deployment of additional police personnel, specialized equipment and medical support personnel. Time encourages the ability to communicate and create a relationship between the subject and the command voice.

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	Effective Date: 10/08/12
	Accreditation Standards: CALEA: 70.2.1, 70.3.1 KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

## 12.20.5 COMMITMENT PROCEDURES

The primary purpose for police response to an incident involving a person of diminished capacity is to control the situation and ensure that the person receives the most appropriate form of assistance through professional resources. In determining the most appropriate form of professional resource and referral, officers should consider the information provided by the professional resource personnel and family members.

It is important for the officers on the scene to determine what, if any, ongoing threat potential the subject poses to himself/herself, family, the community and the officers. This threat potential may necessitate an involuntary commitment procedure rather than simply handing off the subject to the family for a voluntary commitment. Officers should consider the use of local crisis intervention personnel, if available, when making this commitment decision.

Any officer, who has reasonable grounds to believe that the individual is mentally ill and presents a danger, or threat of danger, to himself/herself, family or others, if not restrained, shall take the individual into custody. The officer shall transport the subject, without unnecessary delay, to a hospital or designated psychiatric facility and provide written documentation to the facility as to the behavior that led the officer to take the subject into custody. Officers shall not use Metro Corrections as a holding facility for meeting the criteria of this policy unless the person also has criminal charges pending. No officer shall place criminal charges against a person who is mentally ill and in need of hospitalization for the purpose of avoiding transporting the person to an appropriate medical or psychiatric facility.

## 12.20.6 USE OF RESTRAINTS

The ultimate mission is to safeguard the interests of the subject and transporting officers. Persons of diminished capacity present officers with conflicting considerations in determining the best means for restraint and transportation. The nature of the diminished capacity shall be considered before restraint and/or transport. If the measure of restraint may cause undue harm to the individual, alternative measures shall be considered/employed (KACP 30.8). If the nature of the diminished capacity prevents the use of seat belts or a vehicle with a safety barrier for transportation, the officer shall request his/her supervisor's assistance with arranging alternative transportation (CALEA 70.2.1, 70.3.1, KACP 1.7f, 21.4). In some cases, an ambulance may be required. Officers shall only use those restraints for which they have received training (refer to SOP 10.5.16).

## 12.20.7 REPORTING REQUIREMENTS

Officers shall prepare all required reports whether the subject of the call is arrested, committed or released. This can provide valuable information for future contacts.

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Standard Operating Procedures	SOP Number: 12.21
	Effective Date: 10/08/12
	Accreditation Standards: CALEA: 1.3.1, 1.3.4, 1.3.5 KACP: 1.3
Chapter: Special Response	
Subject: Excited Delirium	

## 12.21 EXCITED DELIRIUM

### 12.21.1 PURPOSE

Members periodically come into contact with individuals in extreme distress. Some of these individuals are at-risk of death and require proper medical care. The purpose of this policy is to provide members with the information that will allow them to:

- Identify subjects who are in extreme distress and may be at-risk of sudden death during restraint encounters
- Manage the situation in a manner that minimizes the risks of danger to all involved
- Facilitate medical care for the individual as soon as practical

The Louisville Metro Police Department (LMPD) recognizes and respects the integrity and value of human life. As a result, the LMPD is fully committed to protect the safety of its members and others, including individuals at risk for excited delirium. LMPD members shall do this in a manner that provides the required professional assistance persons with excited delirium may need.

### 12.21.2 DEFINITIONS

**Excited Delirium:** State of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility and exceptional strength and endurance without fatigue. Causes include, but are not limited to, drug use, hypoxia, hypoglycemia, stroke or intracranial bleeding.

**Hypoxia:** An inadequacy in the oxygen reaching the body's tissues.

**Hyperthermia:** Unusually high body temperature.

**Hypoglycemia:** Lower than normal level of blood glucose.

**Positional Asphyxia:** Occurs when the position of the body interferes with normal breathing. The inability to breathe creates a lack of oxygen in the body which may result in unconsciousness or suffocation. The inability to breathe properly may result from the body's position interfering with the muscular or mechanical function of breathing, from compromise or blocking of the airway or from some combination of the following:

- The body position most likely to contribute to positional asphyxia is that of being "hog-tied" (handcuffed behind the back, feet bound and raised towards hands and placed face down). However, positional asphyxia may occur even though the subject is not restrained in this manner.
- Additional factors that may contribute to positional asphyxia include:
  - The mental condition of the subject
  - The presence of cocaine or other stimulating substances in the subject's system
  - The anatomy of a subject

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## 12.21.3 SYMPTOMS OF EXCITED DELIRIUM

Excited delirium is the result of a serious and potentially life-threatening medical condition. The person can appear normal until he/she is questioned, challenged or confronted. Further confrontation, threats and use of force will almost certainly result in further aggression and even violence. Attempting to restrain and control these individuals can be difficult because they frequently possess unusual strength, pain insensitivity and instinctive resistance to any use of force.

Factors that may contribute to excited delirium include:

- Intoxication (alcohol or other)
- Drug use (especially cocaine)
- Obesity
- Delirium (mental illness including psychosis and schizophrenia and/or drugs)

Because at-risk individuals could potentially die without proper medical attention, it is important for officers to recognize subjects who may be in extreme distress. The following signs may be exhibited:

### Physical

- Profuse sweating
- Hyperthermia or high body temperature (e.g. sweating profusely)
- Skin discoloration
- Foaming at the mouth
- Drooling
- Dilated pupils
- Uncontrollable shaking
- Respiratory distress (indications of breathing difficulties before, during or after being restrained, says "I can't breathe")
- Evidence of self-inflicted injuries

### Behavioral

- Intense paranoia
- Demonstrates extreme agitation or excitement
- Violent or bizarre behavior
- Running wildly (e.g. into traffic)
- Pressured, loud, incoherent speech (irrational speech)
- Psychotic in appearance
- Rapid changes in emotions (e.g. cry, laugh)
- Disoriented about time, place or his/her identity (confusion)
- Superhuman strength
- Muscle rigidity (may not be resisting)
- Hallucinating
- Delusional screaming for no apparent reason
- Aggression toward inanimate objects, such as glass
- Naked or partially disrobed

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Subject: Excited Delirium	

## 12.21.3 SYMPTOMS OF EXCITED DELIRIUM (CONTINUED)

- Resists violently during capture, control and restraint
- Diminished sense of pain (e.g. OC or baton strikes are ineffective)
- Lack of focus; easily distracted (unable to follow simple directions or orders)
- Gravitation toward “shiny” objects
- Delusions of grandeur (e.g. “I’m God”)
- Frightened/panicky

## 12.21.4 PROCEDURES

Once it is determined that a subject may be at risk, the incident shall be managed as a medical emergency, in addition to whatever law enforcement response may be required under the circumstances, including the use of reasonable force (CALEA 1.3.1, KACP 1.3a). MetroSafe shall be contacted to let them know that Louisville Metro Emergency Medical Services (LMEMS) Advanced Life Support (ALS) personnel are needed at the scene.

Officers shall utilize the following response(s) when dealing with an excited delirium subject:

- Request additional officers for containment. If the subject appears unarmed and does not appear to pose an immediate threat to the physical safety of officers, other persons or himself/herself or pose an immediate threat to escape, officers shall contain the subject while maintaining a safe distance. The objective is to gain the person’s voluntary cooperation.
- Utilize contact/cover tactics – only one (1) officer should engage the person in conversation. The officer should project calmness and confidence and speak in a conversational, non-confrontational manner. Whenever possible, determine if the person can answer simple questions, which will give the officer an idea of the level of coherence of the person. Officers should turn down their radios.
- Avoid prolong struggle/fight – If non-compliant with verbal directions, utilize the appropriate level of force to quickly control suspect and transfer to LMEMS.
- Consider all use of force options. If the subject is armed, combative or otherwise poses an immediate threat to the physical safety of officers, other persons or himself/herself, officers shall employ the amount of force that is reasonable and necessary to protect themselves and others at the scene and to take the person into custody (CALEA 1.3.1, KACP 1.3a). To practical extents, efforts should be made to minimize the intensity and duration of the subject’s resistance and to avoid engaging in a potentially prolonged struggle.
- Multi-officer take down (e.g. one (1) officer per extremity and one (1) controlling the head/neck) may be the best empty-hand control technique. Officers assigned for each limb has been found to be effective for the purpose of control during the restraint process. The officer assigned to protect the head, during the restraint process, shall speak calmly to the subject in an effort to reduce agitation.
- Persons suffering from excited delirium may be unaffected by pain compliance techniques (e.g. less-lethal rounds, batons, OC, drive-stun) since the subject is often impervious to pain. Officers should tell LMEMS what force, if any, was applied and the level/intensity of resistance by the subject (CALEA 1.3.5).
- Electronic Control Weapon (ECW) deployment (neuro-muscular incapacitation) may be the best intermediary force option. When using an ECW in the probe mode to accomplish restraint, if possible, use a single deployment coupled with immediate restraint to decrease the likelihood of a drawn out



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## 12.21.4 PROCEDURES (CONTINUED)

confrontation, which may further diminish the subject's respiration levels. Drive-stun mode should not be used as it only causes pain and will not incapacitate the subject (CALEA 1.3.4).

- Once in custody, roll the person on his/her side or back to facilitate breathing and allow LMEMS personnel to provide medical attention. Do not leave the subject in control restraints, lying on his/her back or stomach. Also, do not position the subject leaning forward in a sitting position with hands and legs restrained together. Either of these positions can contribute to obstruction of the airway, resulting in positional asphyxia. Do not put weight on a subject's back, such as with your knee for a prolonged period of time, as this adds stress to the respiratory muscles and inhibits movement of the diaphragm and rib cage.
- Continue verbal de-escalation/calming techniques.

The subject should be monitored while awaiting transportation. Monitor the subject by watching the three (3) ABCs: airway, breathing and circulation:

- Airway – path is free of obstruction and allows the flow of air to the lungs
- Breathing – air flows to and from the lungs
- Circulation – heartbeat and pulse are present

If an arrest is appropriate, the arrest process shall be completed upon the prisoner's release from the medical facility. If LMEMS is to transport the subject to a medical facility, officers shall maintain custody of the prisoner. If the prisoner is to be admitted to a healthcare facility, the officer shall notify his/her commanding officer to see if a rotation of officers is needed to guard the prisoner.

## 12.21.5 REPORTING REQUIREMENTS

Officers shall prepare all required reports whether the subject of the call is arrested, committed or released.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.22
	Effective Date: 04/08/13
	Accreditation Standards: CALEA: 46.2.2, 46.1.3 KACP: 19.2
Chapter: Special Response	
Subject: Active Aggressor Incidents	

## 12.22 ACTIVE AGGRESSOR INCIDENTS

### 12.22.1 DEFINITION

**Active Aggressor:** An armed perpetrator who has used deadly physical force on other persons and continues to do so, while having unrestricted access to additional victims.

### 12.22.2 PURPOSE

The purpose of this policy is to provide the Louisville Metro Police Department (LMPD) with guidelines and procedures for responding to active aggressor incidents in an effective and efficient manner.

### 12.22.3 POLICY

It shall be the policy of the LMPD to respond to, and intervene in, an active aggressor incident in order to neutralize the threat(s) in a manner intended to protect and rescue victims and to apprehend the suspect(s). The department recognizes that the active aggressor(s) must be stopped immediately to prevent any loss of life. Officers are permitted to use lethal force in self-defense or in the defense of others, in accordance with the Use of Force policy (refer to SOP 9.1).

All LMPD officers shall be trained in tactical active aggressor response. Active aggressor training shall be provided for all civilian members.

### 12.22.4 INITIAL RESPONSE

The LMPD's strategy for active aggressors will be to initiate and manage an immediate tactical response to stabilize or neutralize an imminent threat of death or bodily harm. Initial responding officers shall have the authority to take immediate action to eliminate the threat, either through containment, isolation, arrest or deadly force.

All available sworn members from the affected division and adjoining patrol divisions shall immediately respond to an active aggressor call. MetroSafe shall be contacted to page the Special Weapons and Tactics (SWAT) Team. A rapid assessment shall be made, upon arrival, and communicated to MetroSafe. Officers shall gather information from individuals already outside the affected location. Pertinent information shall include:

- The number of suspect(s), including descriptions and names, if known
- The location of suspect(s)
- The type and number of weapons
- Any sniper activity
- Any explosive devices
- Any injured or deceased persons (KACP 19.2z)

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## 12.22.4 INITIAL RESPONSE (CONTINUED)

The first responding officers shall form a contact team with a minimum of four (4) officers, if possible. Pursuit of the active aggressor should be made as expediently as possible (KACP 19.2a). Responsibilities of contact teams include:

- Designating a team leader (SWAT Team member, if available). The team leader shall have communication responsibility.
- Notifying MetroSafe of the number of team members and code numbers of team members and request a detail channel.
- Wearing minimum equipment such as body armor, handgun, radio, flashlight and clearly visible identification for plainclothes officers or responding off-duty officers (e.g. POLICE shirt or jacket, wristband). Additional recommended equipment may include ballistic helmet (if available) and rifle (if qualified).
- Determining if any law enforcement personnel are between the active aggressor and the team (e.g. School Resource Officers (SROs) or facility security officers).
- Ensuring contact as soon as possible and stopping the active aggressor by arrest, containment or use of deadly force, in accordance with Kentucky Revised Statutes (KRS) and LMPD policy (refer to SOP 9.1). Target identification is essential.
- Relaying pertinent information to MetroSafe or the IC, if feasible. Pertinent information may include:
  - The location of the team.
  - The location of the threat.
  - Any contact with the threat.
  - The number and type of weapons involved, if known
  - The location of suspected explosive devices.
  - The locations of any known injured (KACP 19.2z).
  - Which areas can be locked down and possibly evacuated.

It shall be noted that assistance to victims may not be immediately possible if the suspect has not been contained. Preventing the active aggressor from committing further acts of harm to human life is the primary concern of the initial entry teams.

More contact teams may be formed if there are multiple active aggressors, multiple floors in a large building or attached buildings with interior access.

## 12.22.5 INCIDENT COMMANDER (IC)

The first officer on the scene, who is not part of a team, shall be the IC until relieved by a higher authority. The IC shall coordinate the following:

- Establishing a command post in a safe location (CALEA 46.1.3b, KACP 19.2m)
- Determining the need for additional teams (CALEA 46.1.3c)
- Identifying a safe area in the control zone where the Incident Command Post (ICP) and other equipment can be staged (CALEA 46.1.3e)

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## 12.22.5 INCIDENT COMMANDER (CONTINUED)

- Ensuring that the Active Aggressor Notification List has been activated by MetroSafe (KACP 19.2h)
- Establishing an evacuation area for non-injured victims, with the assistance of the location officials, and assign a security group supervisor
- Identifying and securing any persons who can supply pertinent information concerning the incident
- Establishing a Joint Information Center (JIC) to control the release of information to the public (CALEA 46.1.3f, KACP 19.2w)
- Assisting the business, school or other entity with establishing a Family Assistance Center in order to provide a place for family members of victims to gather away from the incident, the media and the public

## 12.22.6 BARRICADED AGGRESSOR

At any point, if the active aggressor becomes contained, isolated, barricaded or ceases aggressive behavior, the situation shall transition into a traditional tactical response. The SWAT Team shall relieve the contact team. The Hostage Negotiating Team (HNT) shall be utilized to attempt to affect the surrender of the suspect. The Hostage/Barricaded Subject policy shall be followed (refer to SOP 12.3).

## 12.22.7 AFTER ACTION REPORT (CALEA 46.1.3h, KACP 19.2cc)

The IC shall prepare an After Action Report (LMPD #08-0005) following the guidelines in the ERP Incident Levels chapter; subsection V, After Action Reports. Debriefing shall include the officials of the facility.

## 12.22.8 EMERGENCY RESPONSE PLAN (CALEA 46.1.2)

Refer to the ERP Active Aggressor Response chapter for more detailed information and instructions.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link and double click on the "Emergency Response Plan" folder.

Members shall refer to their respective building's Facility Emergency Plan for emergency procedures in the event that they are the victim of an active aggressor in their facility.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.23
	Effective Date: 06/01/13
	Accreditation Standards:
Chapter: Special Response	
Subject: Kentucky Community Crisis Response Board (KCCRB)	

## 12.23 KENTUCKY COMMUNITY CRISIS RESPONSE BOARD (KCCRB)

### 12.23.1 PURPOSE

The Kentucky Community Crisis Response Board (KCCRB) is a state resource that ensures organized, rapid and effective crisis intervention response in the aftermath of a crisis or disaster. The KCCRB recruits, trains, credentials and maintains a team of professionals and paraprofessionals, in a variety of disciplines, who provide crisis intervention response services statewide. The KCCRB offers its services to first responders, survivors and family members, school faculty/staff/children, shelter occupants and volunteers, business/industry and community agencies and organizations.

### 12.23.2 RESPONSE

Events that may warrant a KCCRB response include, but are not limited to, the following:

- Natural disasters:
  - Fire
  - Tornado
  - Flood
  - Earthquake
  - Ice storm
- Industrial accident, death or shooting
- Line-of-duty death
- School accident, death or shooting
- Multi-casualty incident
- Terrorism
- Violent or hostage situations

The KCCRB provides free services including, but not limited to, the following:

- On-scene support:
  - Liaison with incident command and family/victims/community
  - Stress management
- Risk assessment
- Peer support
- Psychological First Aid
- Multi-component crisis intervention
- Consultation

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## 12.23.3 ACTIVATION

A commanding officer with the rank of major or above, or his/her designee, may activate the KCCRB in any of the previously listed situations. The commanding officer, or his/her designee, shall contact MetroSafe and have them request a KCCRB response by calling (888) 522-7228. If MetroSafe is unable to get in touch with KCCRB using the aforementioned number, they can contact the State Emergency Operations Center (EOC) Duty Officer. The following information shall be provided by the designee from LMPD to the KCCRB Assessment Team upon contact:

- The number of citizens involved
- The number of first responders involved
- The geographical area that has been impacted
- The number of injuries and/or fatalities
- The name(s) of any other responding agencies/organizations
- The point of contact for the KCCRB team

The KCCRB staff will communicate with MetroSafe to obtain detailed information and collaboratively develop a strategic plan to meet the needs of the specific incident. The KCCRB staff will then contact the Kentucky Community Crisis Response Team (KCCRT) Regional Team Coordinator and authorize the deployment of a response team to provide identified services.

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.24
	Effective Date: 06/10/13 Revised Date: 10/10/13
	Accreditation Standards:
Chapter: Special Response	
Subject: Noise Ordinance	

## 12.24 NOISE ORDINANCE

### 12.24.1 POLICY

The Louisville Metro Police Department (LMPD) shall respond to calls and issue citations for violations of Louisville Metro Code of Ordinances (LMCO) Chapter 99. Pursuant to this ordinance, "It shall be unlawful for any person within Louisville Metro to make, continue or cause to be made or continued, any unreasonably loud, harsh or excessive noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, unless the making and continuing of the noise is necessary for the protection or preservation of property or the life, health or safety of a person or persons."

### 12.24.2 DEFINITIONS

**Noise:** The intensity, frequency, duration and character of sound(s) from a source or sources.

**Unreasonably Loud, Harsh or Excessive Noise:** Any manufactured noise plainly audible at a distance of 50 feet from its point of origination or emanation.

**Plainly Audible:** Capable of being distinctly heard by a person with normal hearing.

**Unreasonable Period of Time:** A period of time in excess of that necessary to accomplish:

- A danger warning with a horn or other audible signaling device; or
- The preservation or protection of property or the life, safety or welfare of a person or persons by use of an audible signaling device.

### 12.24.3 TYPES OF VIOLATIONS

The following acts are considered to be unreasonably loud, harsh or excessive noises in violation of the noise ordinance:

- The sounding of any horn or other audible signaling device on any automobile, motorcycle or other vehicle on any right-of-way, parking lot or other public place, except as a danger warning, for an unreasonable period of time.
- The use or operation of any radio, stereo or other machine or device for the producing, reproducing or amplification of sound in any vehicle in such a manner as to create an unreasonably loud, harsh or excessive noise that disturbs the peace, quiet or comfort of others.
- The use or operation of, or allowing the use or operation of, any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to create an unreasonably loud, harsh or excessive noise which disturbs the peace, quiet and comfort of others by creating or allowing a louder volume than is necessary for the convenient hearing of the person or persons who are voluntarily in the room, chamber or vehicle in which any above described machine, device or musical instrument is located.

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## 12.24.3 TYPES OF VIOLATIONS (CONTINUED)

- The use or operation of any vehicle in such manner as to produce any unreasonably loud, harsh or excessive noise or to discharge into the open air the exhaust of any vehicle except through a muffler or other device which will effectively prevent any unreasonably loud, harsh or excessive noises.
- The creation of any unreasonably loud, harsh, or excessive noise in connection with the loading or unloading of any vehicle or by the operation of any such vehicle.
- The use of any mechanical loud speaker, amplifier, sound system, stereo or radio on any moving or standing vehicle for advertising, entertainment or any other purpose, in such a manner as to create an unreasonably loud, harsh or excessive noise.

The standards which are used to consider if any of these violations have occurred include, but are not limited to, the following:

- The volume of the noise.
- The intensity of the noise.
- The volume and intensity of background noise.
- The proximity of the noise to a residential area, place of public accommodation (e.g. hotel, motel, inn, campground, etc.), healthcare facility, church or school.
- The nature and zoning of the area within which the noise emanates.
- The density of inhabitation of the area within which the noise emanates.
- The time of day or night that the noise occurs.
- The duration of the noise.
- Whether the noise is recurrent, intermittent or constant.

## 12.24.4 EXEMPTIONS

The following uses and activities are exempt from the noise ordinance:

- Noises originating or emanating from safety signals, warning devices and emergency pressure relief valves.
- Noises resulting from any authorized emergency vehicle or law enforcement training facilities.
- Noises resulting from construction or demolition activities, provided such activities take place between 0700 hours and 2100 hours.
- Noises relating to the use of farm machinery for agricultural purposes in farming operations.
- Noises relating to the use of lawn mowers or other machinery for landscaping purposes between 0700 hours and 2100 hours.
- Noises originating or emanating from public recreational facilities, such as, but not limited to:
  - Fairgrounds
  - Sports arenas
  - Sports stadiums
  - Amusement parks



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## 12.24.4 EXEMPTIONS (CONTINUED)

- Racetracks
- Other public amusement establishments
- The operation of any aircraft in conformity with, or pursuant to, federal law, federal air regulations and/or air traffic control instructions.
- Noises resulting from any and all transportation, flood control, utility company maintenance and construction operations at any time on right-of-ways and noises from situations which may occur on private real property, including parking lots, deemed necessary to serve the best interest of the public and to protect the public's health and well being. These operations include, but are not limited to:
  - Street or hard surface sweeping or cleaning
  - Debris and limb removal
  - The removal of downed wires
  - Restoring electrical services
  - Repairing traffic signals
  - Unplugging sewers
  - Snow removal
  - House moving
  - Vacuuming catch-basins
  - The removal of damaged poles and vehicles
  - The repair of water hydrants and mains, gas lines, oil lines, and sewers
- Noises from activities conducted on public parks or playgrounds and public or private school grounds, including, but not limited to, school athletic and school entertainment events.
- Noises from activities conducted on property owned or operated by civic, charitable or religious organizations, including, but not limited to, neighborhood or church festivals and entertainment events.
- Noises from activities at parades and public assemblies, provided a valid permit has been obtained from Metro Government.
- Noises from activities at fireworks displays, provided that all of the necessary permits have been obtained.
- Noises from activities conducted on rights-of-way of the Metro Government, including, but not limited to, festivals and entertainment events, provided that all of the necessary permits have been obtained.
- Noises relating to the collection of refuse between 0600 hours and 2200 hours.

Animal complaints, such as loud barking, are not a violation of the noise ordinance and shall be referred to Louisville Metro Animal Services (LMAS).

## 12.24.5 CITATIONS

Noise ordinance violations are civil violations. Officers citing an individual for a violation of LMCO Chapter 99 shall complete a handwritten hardcopy Kentucky Uniform Citation in lieu of an eCitation. Therefore, if an officer is citing or arresting an individual for criminal offenses in addition to the noise ordinance violation, then he/she

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## 12.24.5 CITATIONS (CONTINUED)

shall complete a separate paper citation for the noise ordinance violation. Failure to do so results in the dismissal of the noise ordinance violation. **The use of an electronic citation (eCitation) for noise ordinance violations is prohibited.**

When issuing a citation for a noise ordinance violation, an officer shall:

- Not include the noise ordinance violation on the same citation with other violations.
- Leave the Violation Code block blank.
- Write "LMCO 99" in the Statute/Ordinance block.
- Write "Noise Ordinance" or abbreviate "NO" in the Charge block.
- Ensure that the most appropriate of the following listed descriptions is written in the Probable Cause Narrative section:
  - 87058 Noise Ordinance (Non-Vehicle Noise)
  - 88057 Noise Pollution Ordinance
  - 88133 Noise Ordinance (Noise from Vehicle)
- Ensure that the description of the offense (written in the Post-Arrest Complaint section) includes the necessary elements as outlined in LMCO Chapter 99. Specific information regarding the incident is required to support a violation of this ordinance.
- Leave the Court Date, Court Time and Court Location blocks blank.
- Write "NO" for noise ordinance in the Type block below the Control Number.
- Provide the violator with a copy of the Noise Ordinance Citation Instruction Sheet for Violators and the pink copy of the Kentucky Uniform Citation.

The blue copy of the citation shall be forwarded to the Data Information Center, located at 400 South 1<sup>st</sup> Street, by the end of the officer's tour of duty for entry into the I/Leads Records Management System (RMS). If the officer is off-duty, the citation shall be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers shall photocopy the original and attach the photocopy to the blue copy prior to forwarding.

Divisions/sections/units shall forward all completed citations for violations of LMCO Chapter 99 to the Louisville Metro Department of Codes and Regulations, Code Enforcement Board, located at 444 South 5<sup>th</sup> Street, Suite #200 by the end of the officer's tour of duty. If the officer is off-duty, the citation shall be forwarded by the end of their next tour of duty.